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430-438 Concord Avenue Rezoning Environmental Assessment Statement

Address: 430-438 Concord Avenue, Bronx, New York 10455

Block 2577, Lots 6, 7, 8, 9, 14, and p/o 20.

CEQR Reference: 23DCP092X

Lead Agency:

Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Prepared for:

BronxCo, LLC

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Date Submitted:

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Appendix A: Agency Correspondence

Appendix B: Illustrative Architectural Plans

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Appendix D-1: Phase I ESA

Appendix D-2: RIWP/HASP

Appendix E: Air Quality Backup

Appendix F: Noise Backup

Appendix G: Construction Schedule

EAS SHORT FORM



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 430-438 Concord Ave Rezoning

3. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)
23DCP092X

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)
240104ZMX, N240105ZRX

OTHER REFERENCE NUMBER(S) (if applicable)
(e.g., legislative intro, CAPA)

4a. Lead Agency Information

NAME OF LEAD AGENCY

Department of City Planning (DCP)

NAME OF LEAD AGENCY CONTACT PERSON

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4b. Applicant Information

NAME OF APPLICANT

BronxCo, LLC

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

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CITY New York

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5. Project Description

The Applicant is seeking the approval of a zoning map amendment and a zoning text amendment (the Proposed Actions). The zoning map amendment would rezone Bronx Block 2577, Lots 6, 7, 8, 9, 14, and part of 20 from an M1-2 zoning district to an M1-4/R7D (MX) zoning district. The zoning text amendment would modify Appendix F, Bronx CD 1 map to establish an MIH Area.

The Proposed Actions would facilitate the Applicant's Proposed Development on Lots 9 and 14. The Proposed Development involves the assemblage of Lots 7, 8, 9, and 14 and the development of a new 154,690 gross square foot (“GSF”), 138,171 zoning square foot (“ZSF”), mixed-use residential, commercial, community facility, and light manufacturing building. The Proposed Development would include an 8,130 GSF parking garage at the cellar level with 43 residential accessory parking spaces. There would be a total of 33,011 GSF (31,741 ZSF, 1.24 FAR) of commercial space with 3,008 GSF of local retail on the first floor and 30,003 GSF of office space at the cellar level, second and third floors, a total of 7,581 GSF (7,289 ZSF, 0.29 FAR) of community facility space on the first and second floors, and a total of 3,874 GSF (3,725 ZSF, 0.15 FAR) of manufacturing space at the cellar level and the first floor. Beginning from the fourth floor of the building, a total of 102,094 GSF (95,415 ZSF, 3.73 FAR) of residential floor area would be developed. The Proposed Development would result in 87 dwelling units, 25-30% (22-26 units) of which would be affordable pursuant to MIH. The applicant intends to pursue MIH Option 1, which would result in 22 affordable units. However, the Applicant plans to provide 24 affordable units at an average of 60% AMI.

Under the Proposed Project, Lots 7 and 8 would remain developed as they are under existing conditions with two two-story residential buildings with two dwelling units in each building. Approximately 640 square feet of lot area would be transferred from Lot 9 to lot 8. The total ZSF, including the existing residential dwellings on Lots 7 and 8, would be 141,611 at a total FAR of 5.54.

Project Location

BOROUGH Bronx

COMMUNITY DISTRICT(S) 1

STREET ADDRESS 438 Concord Ave

| | |
|---|--|
| TAX BLOCK(S) AND LOT(S) 2577 Lots 6, 7, 8, 9, 14, and p/o 20 | ZIP CODE 10455 |
| DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Project Area is located in the Mott Heaven neighborhood of Bronx, Community District 1. It is bounded by East 145th Street to the north; Wales Avenue to the east; Lot 5 and the southern portion of lot 20 to the south; and Concord Avenue to the west. | |
| EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-2 | ZONING SECTIONAL MAP NUMBER 6C |
| 6. Required Actions or Approvals (check all that apply) | |
| City Planning Commission: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNIFORM LAND USE REVIEW PROCEDURE (ULURP) | |
| <input type="checkbox"/> CITY MAP AMENDMENT <input type="checkbox"/> ZONING CERTIFICATION <input type="checkbox"/> CONCESSION <input checked="" type="checkbox"/> ZONING MAP AMENDMENT <input type="checkbox"/> ZONING AUTHORIZATION <input type="checkbox"/> UDAAP <input checked="" type="checkbox"/> ZONING TEXT AMENDMENT <input type="checkbox"/> ACQUISITION—REAL PROPERTY <input type="checkbox"/> REVOCABLE CONSENT <input type="checkbox"/> SITE SELECTION—PUBLIC FACILITY <input type="checkbox"/> DISPOSITION—REAL PROPERTY <input type="checkbox"/> FRANCHISE <input type="checkbox"/> HOUSING PLAN & PROJECT <input type="checkbox"/> OTHER, explain: <input type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE: | |
| SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION | |
| Board of Standards and Appeals: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |
| <input type="checkbox"/> VARIANCE (use) <input type="checkbox"/> VARIANCE (bulk) <input type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE: | |
| SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION | |
| Department of Environmental Protection: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Cogeneration Facility <input type="checkbox"/> Title V Permit | |
| Other City Approvals Subject to CEQR (check all that apply) | |
| <input type="checkbox"/> LEGISLATION <input type="checkbox"/> FUNDING OF CONSTRUCTION, specify: <input type="checkbox"/> RULEMAKING <input type="checkbox"/> POLICY OR PLAN, specify: <input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES <input type="checkbox"/> FUNDING OF PROGRAMS, specify: <input type="checkbox"/> 384(b)(4) APPROVAL <input type="checkbox"/> PERMITS, specify: <input type="checkbox"/> OTHER, explain: | |
| Other City Approvals Not Subject to CEQR (check all that apply) | |
| <input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) <input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL <input type="checkbox"/> OTHER, explain: | |
| State or Federal Actions/Approvals/Funding: <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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. | |
| <input checked="" type="checkbox"/> SITE LOCATION MAP <input checked="" type="checkbox"/> ZONING MAP <input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP <input checked="" type="checkbox"/> TAX MAP <input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S) <input checked="" type="checkbox"/> 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.): 30,548 | Waterbody area (sq. ft) and type: |
| Roads, buildings, and other paved surfaces (sq. ft.): | 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): 189,669 | |
| NUMBER OF BUILDINGS: 2 | GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): Site 1 - 154,690; Site 2 - 34,979 |
| HEIGHT OF EACH BUILDING (ft.): Site 1 - 115; Site 2 - 115 | NUMBER OF STORIES OF EACH BUILDING: Site 1 - 11; Site 2 - 11 |
| Does the proposed project involve changes in zoning on one or more sites? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | |
| If "yes," specify: The total square feet owned or controlled by the applicant: 25,548 | |
| The total square feet not owned or controlled by the applicant: 5,000 | |
| Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | |

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
 AREA OF TEMPORARY DISTURBANCE: 25,548 sq. ft. (width x length) VOLUME OF DISTURBANCE: 306,576 cubic ft. (width x length x depth)
 AREA OF PERMANENT DISTURBANCE: 25,548 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.) | 111,775 - increment | 33,011 - increment | 23,834 - increment | -8,626 - increment |
| Type (e.g., retail, office, school) | 131 units | Retail, Office | Community Facility | (No action automotive, with action workshop) |

Does the proposed project increase the population of residents and/or on-site workers? YES NO
 If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 360 NUMBER OF ADDITIONAL WORKERS: 213
 Provide a brief explanation of how these numbers were determined: The number of additional residents was determined based on the number of incremental units in the With-Action Scenario and the average household size (2.75) in Community District 1, Bronx (2020 Census data). The number of additional workers was determined based on the incremental sq. footage of the proposed uses considering the following worker density: 1 employee per 25 dwelling units, 250 GSF of office space, 333.3 GSF of community facility and retail, 1000 GSF of manufacturing uses.

Does the proposed project create new open space? YES NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? YES NO
 If "yes," see [Chapter 2](#), "Establishing the Analysis Framework" and describe briefly:

9. Analysis Year [CEQR Technical Manual Chapter 2](#)

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2026

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 20

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? YES NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:
 The build year for the analysis is anticipated to be 2026 in consideration of an 18-month CEQR review period, a 7-month ULURP process. The proposed construction schedules for each site can be found in Appendix G.

 Projected Development Site 1 is anticipated to begin with demolition and site clearance in September 2024, with exterior work anticipated to be completed by October 2025. Major construction-related activities would conclude with elevators, interior shell and core in December 2025. Lastly, TCO and punch list completion are anticipated by June 2026.

 Projected Development Site 2 is anticipated to begin demolition and site clearance on in June 2025, with exterior work anticipated to be completed by April 2026. Major construction-related activities would conclude with elevators, interior shell and core in May 2026. Lastly, TCO and punch list completion is anticipated by August 2026.

10. Predominant Land Use in the Vicinity of the Project (check all that apply)

RESIDENTIAL MANUFACTURING COMMERCIAL PARK/FOREST/OPEN SPACE OTHER, specify: Public Facilities, Parking

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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Would the proposed project result in a change in zoning different from surrounding zoning? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Is there the potential to affect an applicable public policy? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) If “yes,” to (a), (b), and/or (c), complete a preliminary assessment and attach. See Section 2.1 | | |
| (e) Is the project a large, publicly sponsored project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o 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 ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o If “yes,” complete the Consistency Assessment Form . | | |
| 2. SOCIOECONOMIC CONDITIONS: CEQR Technical Manual Chapter 5 | | |
| (a) Would the proposed project: | | |
| o Generate a net increase of 200 or more residential units? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Generate a net increase of 200,000 or more square feet of commercial space? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Directly displace more than 500 residents? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Directly displace more than 100 employees? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Affect conditions in a specific industry? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. COMMUNITY FACILITIES: CEQR Technical Manual Chapter 6 | | |
| (a) Direct Effects | | |
| o 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Indirect Effects | | |
| o Early Childhood Programs: Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o 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) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o 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) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Health Care Facilities and Fire/Police Protection: Would the project result in the introduction of a sizeable new neighborhood? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. OPEN SPACE: CEQR Technical Manual Chapter 7 | | |
| (a) Would the project change or eliminate existing open space? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Would the project generate more than 200 additional residents or 500 additional employees? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. HISTORIC AND CULTURAL RESOURCES: CEQR Technical Manual Chapter 9 | | |

| | YES | NO |
|--|-------------------------------------|-------------------------------------|
| (a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (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 Section 2.4 and Appendix A | | |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o 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 ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (i) Has a Phase I Environmental Site Assessment been performed for the site? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (j) Based on the Phase I Assessment, is a Phase II Investigation needed? See Section 2.6 and Appendix D | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (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 ? | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (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? | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) Would the proposed project be located in an area that is partially sewered or currently unsewered? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | YES | NO |
|---|-------------------------------------|-------------------------------------|
| (h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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): Residential: 5,535, Industrial: 500, CF: 715, Office: 1,560, Retail: 711, Total: 9,021 | | |
| o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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): Residential: 14,597,741, Industrial: 2,147,358, CF: 5,975,184, Commercial: 7,140,279, Total: 29,860,562 | | |
| (b) Would the proposed project affect the transmission or generation of energy? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. TRANSPORTATION: CEQR Technical Manual Chapter 16 | | |
| (a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions: | | |
| o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| o If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**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.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| o Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing? | <input type="checkbox"/> | <input type="checkbox"/> |
| o Would the proposed project result in more than 200 pedestrian trips per project peak hour? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| o If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. AIR QUALITY: CEQR Technical Manual Chapter 17 | | |
| (a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17 ? (Attach graph as needed) see Section 2.8 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Does the proposed project involve multiple buildings on the project site? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18 | | |
| (a) Is the proposed project a city capital project or a power generation plant? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Would the proposed project fundamentally change the City's solid waste management system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18 ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. NOISE: CEQR Technical Manual Chapter 19 | | |
| (a) Would the proposed project generate or reroute vehicular traffic? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20 | | |
| (a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | YES | NO |
|--|-------------------------------------|-------------------------------------|
| Hazardous Materials; Noise? | | |
| <p>(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. No significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, and therefore a public health analysis is not warranted</p> | | |
| <p>18. NEIGHBORHOOD CHARACTER: CEQR Technical Manual Chapter 21</p> | | |
| (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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>(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. No significant unmitigated adverse impact is found in any CEQR analysis areas related to neighborhood character. Additionally, the proposed project would not result in impact to any of the constituent elements of neighborhood character when considered together.</p> | | |
| <p>19. CONSTRUCTION: CEQR Technical Manual Chapter 22</p> | | |
| <p>(a) Would the project’s construction activities involve:</p> | | |
| o Construction activities lasting longer than two years? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Construction activities within a Central Business District or along an arterial highway or major thoroughfare? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| o The operation of several pieces of diesel equipment in a single location at peak construction? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Closure of a community facility or disruption in its services? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o Activities within 400 feet of a historic or cultural resource? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| o Disturbance of a site containing or adjacent to a site containing natural resources? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| o 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>(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.</p> | | |
| <p>All construction activities would comply with relevant DOT and DOB regulations governing construction activity</p> | | |
| <p>20. APPLICANT’S CERTIFICATION</p> | | |
| <p>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.</p> | | |
| <p>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.</p> | | |
| APPLICANT/REPRESENTATIVE NAME Maxim Gladkiy | DATE 1/31/2023 | |
| SIGNATURE  | | |
| <p>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.</p> | | |

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 | <input type="checkbox"/> | <input type="checkbox"/> |
| Socioeconomic Conditions | <input type="checkbox"/> | <input type="checkbox"/> |
| Community Facilities and Services | <input type="checkbox"/> | <input type="checkbox"/> |
| Open Space | <input type="checkbox"/> | <input type="checkbox"/> |
| Shadows | <input type="checkbox"/> | <input type="checkbox"/> |
| Historic and Cultural Resources | <input type="checkbox"/> | <input type="checkbox"/> |
| Urban Design/Visual Resources | <input type="checkbox"/> | <input type="checkbox"/> |
| Natural Resources | <input type="checkbox"/> | <input type="checkbox"/> |
| Hazardous Materials | <input type="checkbox"/> | <input type="checkbox"/> |
| Water and Sewer Infrastructure | <input type="checkbox"/> | <input type="checkbox"/> |
| Solid Waste and Sanitation Services | <input type="checkbox"/> | <input type="checkbox"/> |
| Energy | <input type="checkbox"/> | <input type="checkbox"/> |
| Transportation | <input type="checkbox"/> | <input type="checkbox"/> |
| Air Quality | <input type="checkbox"/> | <input type="checkbox"/> |
| Greenhouse Gas Emissions | <input type="checkbox"/> | <input type="checkbox"/> |
| Noise | <input type="checkbox"/> | <input type="checkbox"/> |
| Public Health | <input type="checkbox"/> | <input type="checkbox"/> |
| Neighborhood Character | <input type="checkbox"/> | <input type="checkbox"/> |
| Construction | <input type="checkbox"/> | <input type="checkbox"/> |

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?

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 |
| NAME | DATE |
| SIGNATURE | |

NEGATIVE DECLARATION (Use of this form is optional)**Statement of No Significant Effect**

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

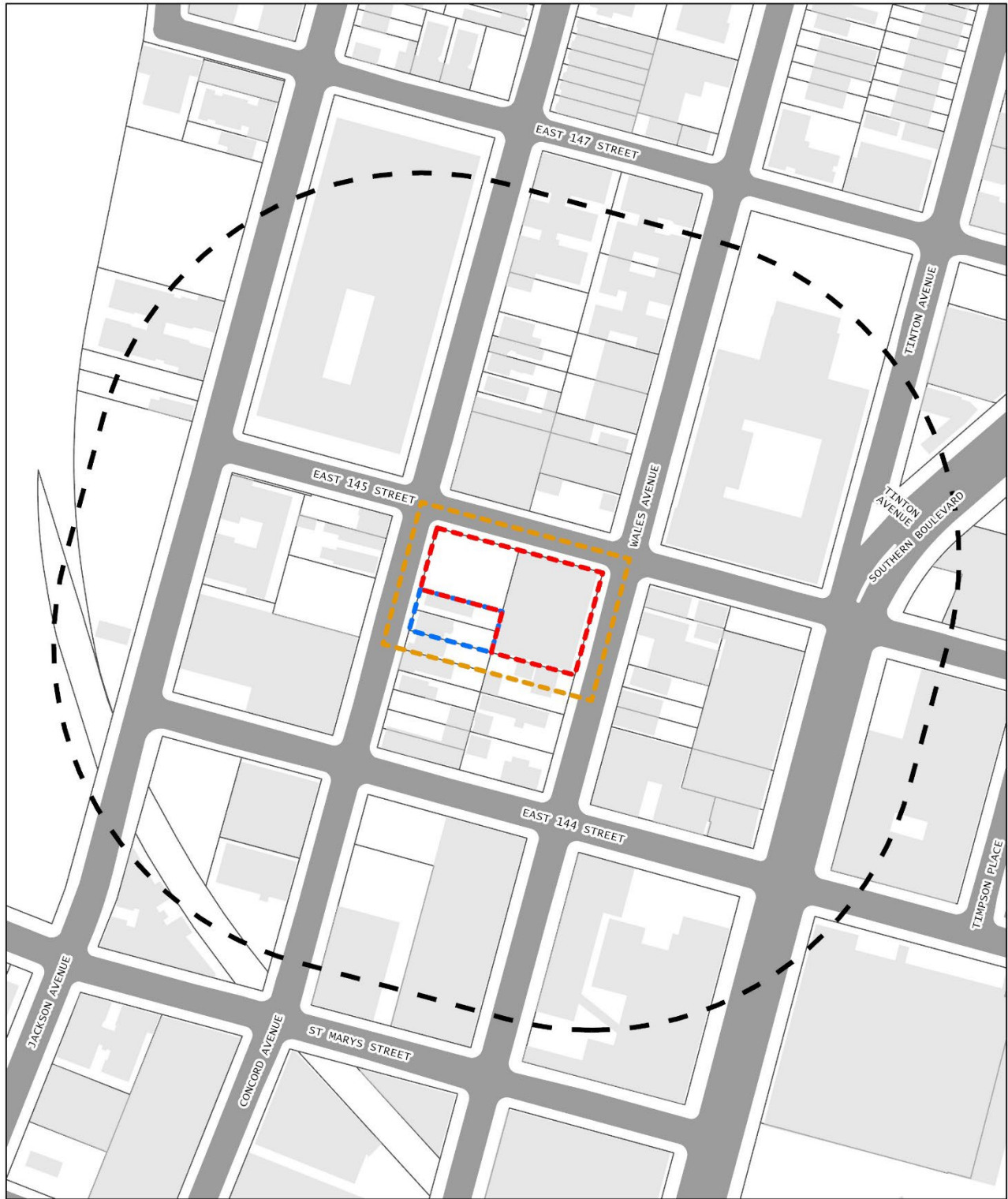
Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds that the proposed project:

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

| | |
|-----------|-------------|
| TITLE | LEAD AGENCY |
| NAME | DATE |
| SIGNATURE | |

Figure 1.1-1: Site Location Map



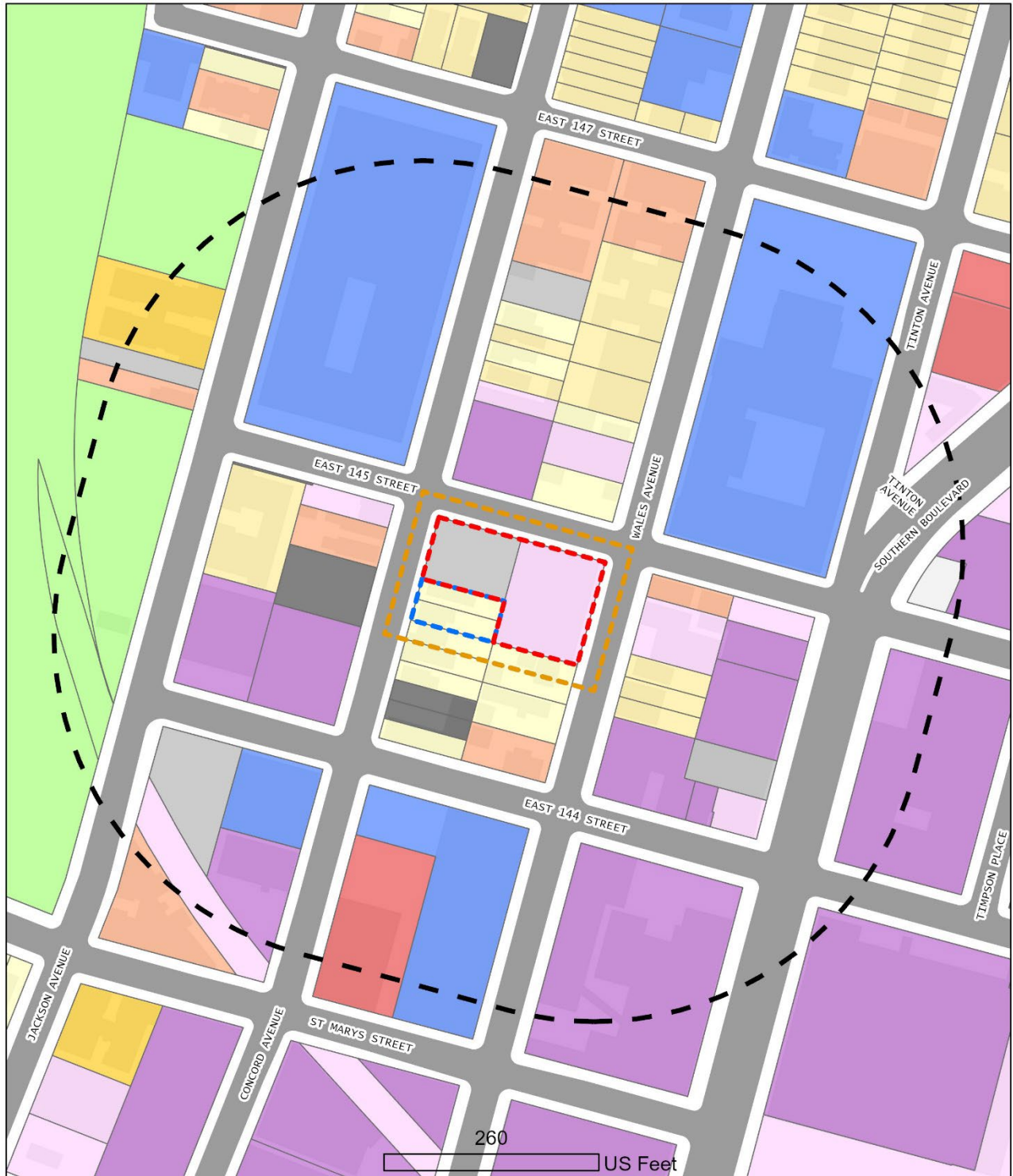
Legend

- Projected Development Site 1
- Projected Development Site 2
- Rezoning Area
- 400' Study Area

260 US Feet



Figure 1.1-2: Existing Land Use Map



Legend

- ▬ Projected Development Site 1
- ▬ Projected Development Site 2
- ▬ Rezoning Area
- 400' Study Area

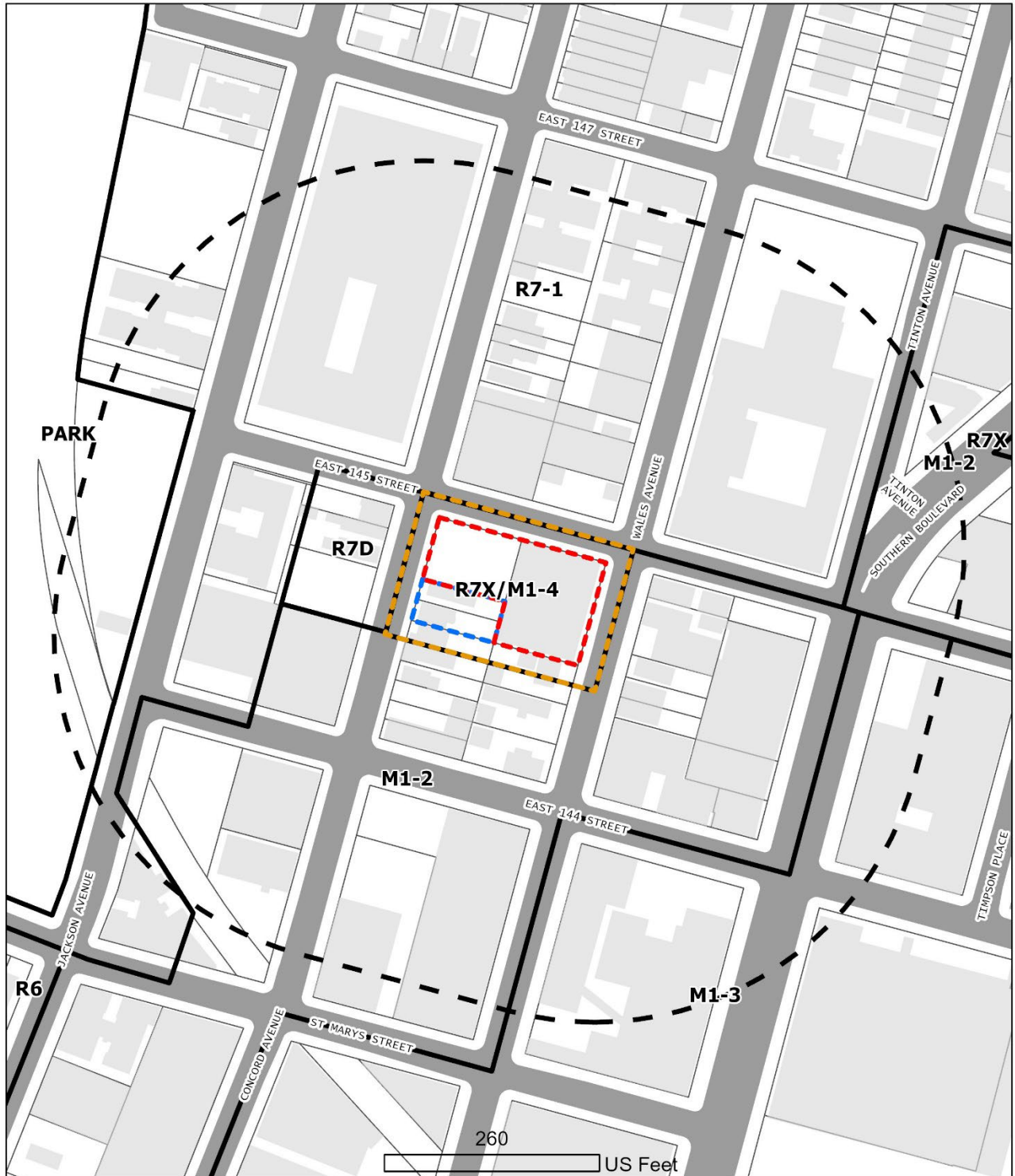
Land Use

- One & Two Family Buildings
- MultiFamily Walkup Buildings
- MultiFamily Elevator Buildings

- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data



Figure 1.1-3: Zoning Sectional Map

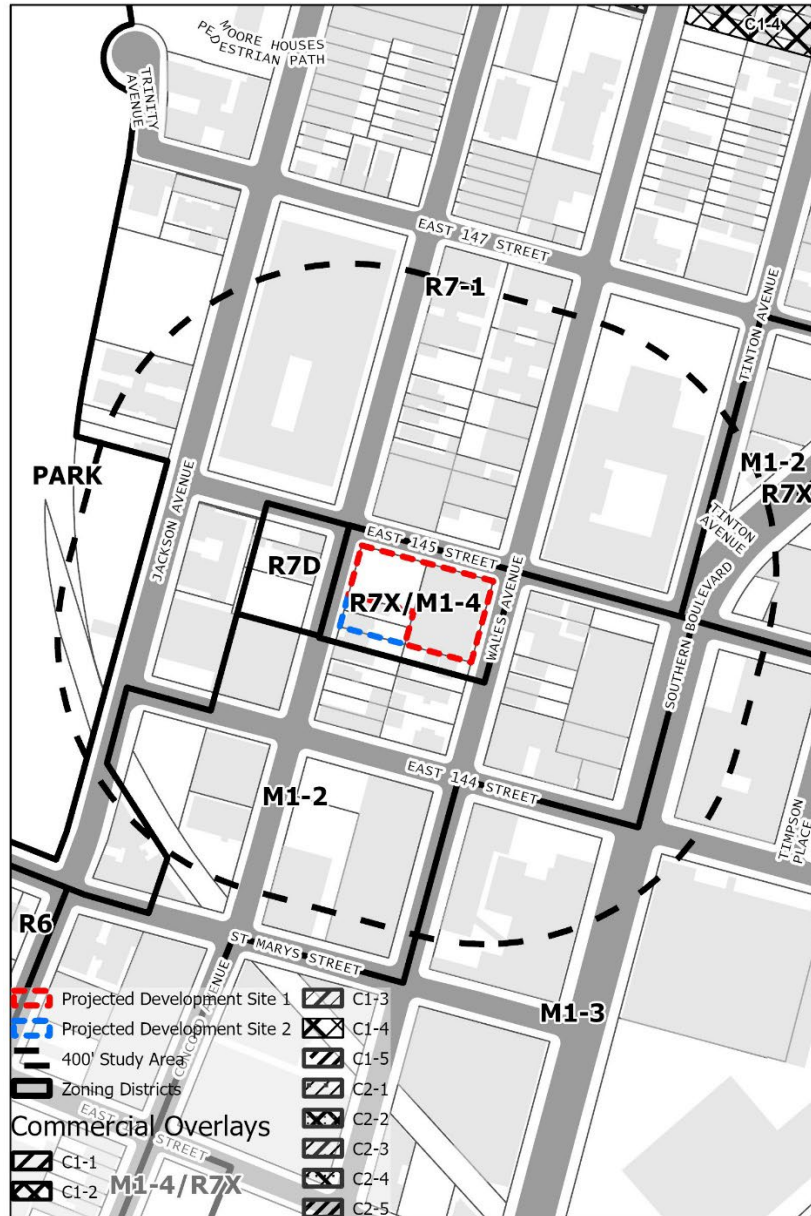


Legend

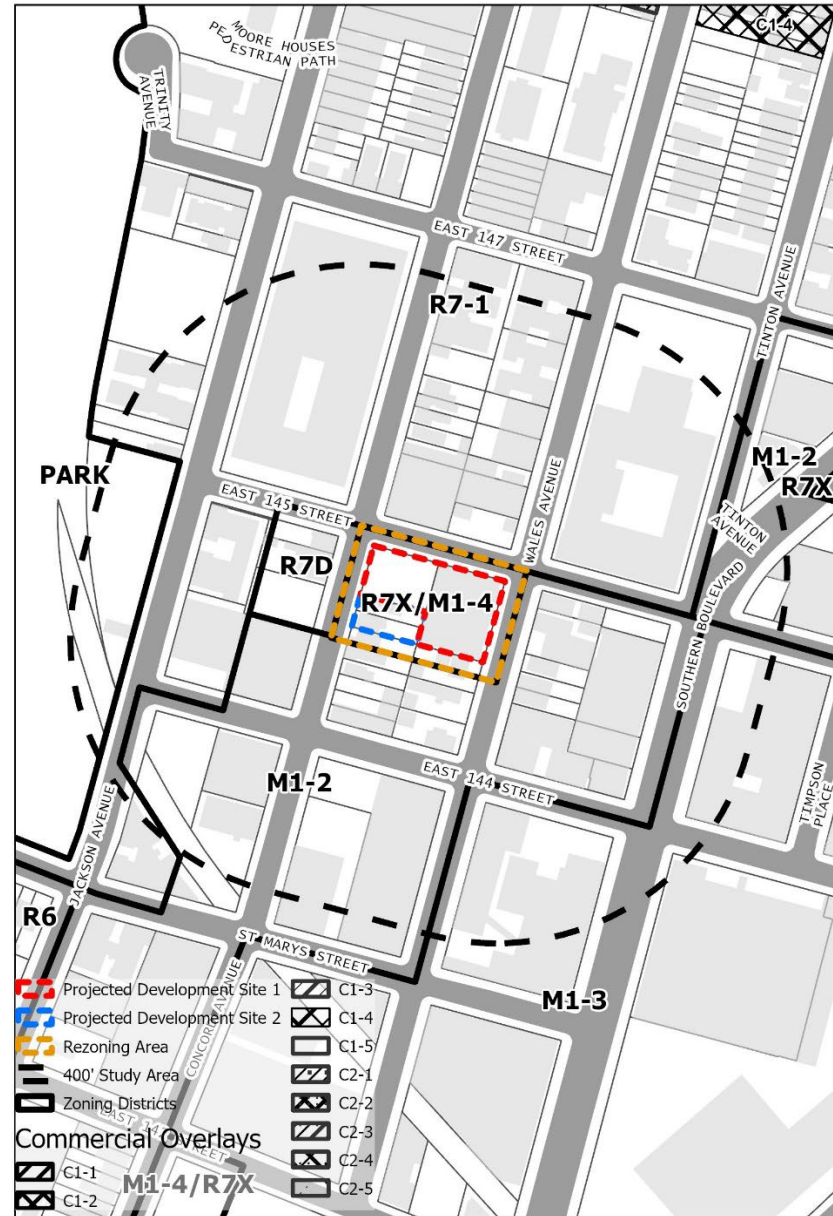
- | | | | |
|------------------------------|----------------------------|------|------|
| Projected Development Site 1 | Zoning Districts | C1-3 | C2-2 |
| Projected Development Site 2 | Commercial Overlays | C1-4 | C2-3 |
| Rezoning Area | C1-1 | C1-5 | C2-4 |
| 400' Study Area | C1-2 | C2-1 | C2-5 |



Figure 1.1-4: Zoning Change Map

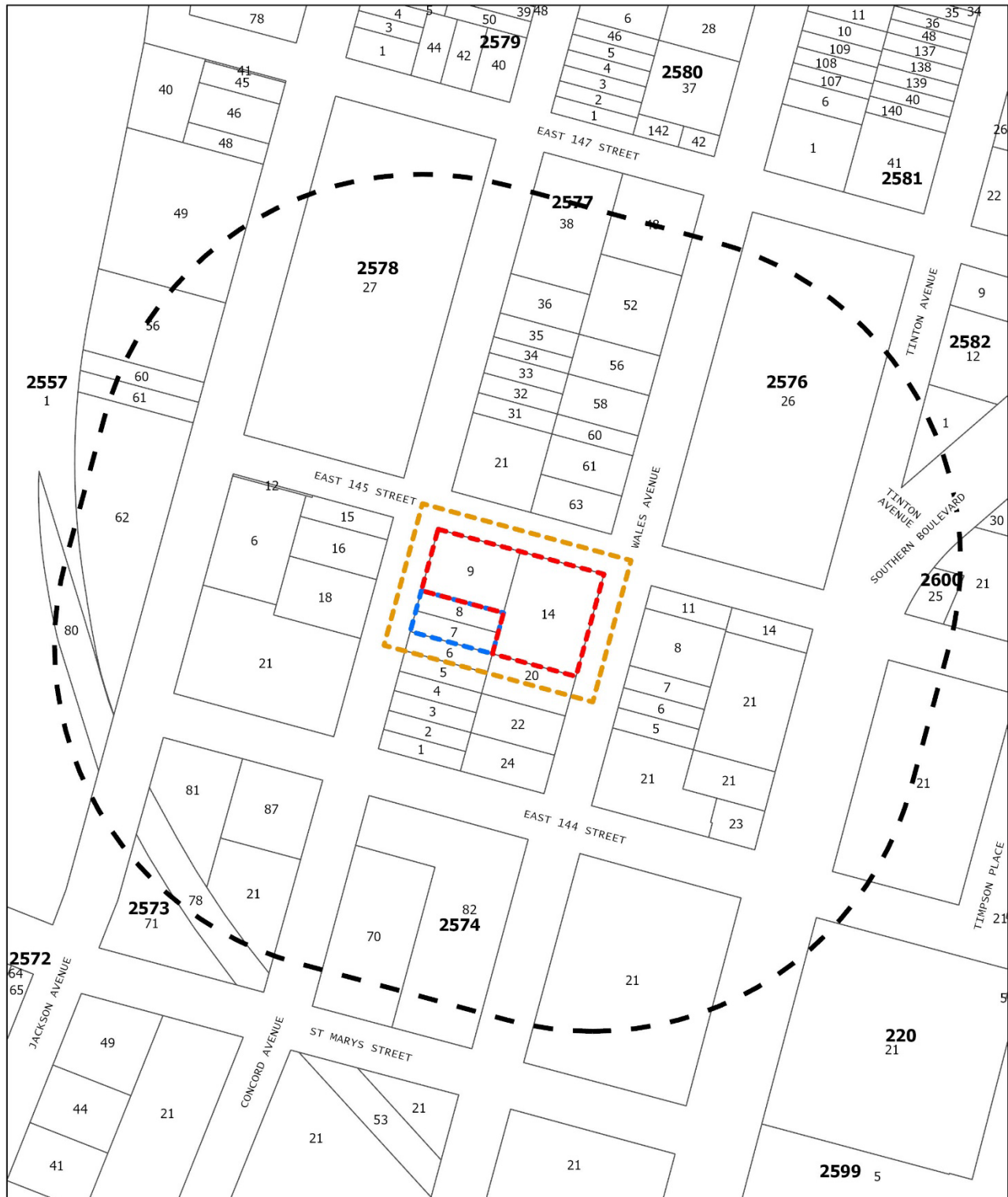


Existing Zoning District - M1-2



Proposed Zoning District - R7X/M1-4

Figure 1.1-5: Tax Map



Legend

- Projected Development Site 1
- Projected Development Site 2
- Rezoning Area
- 400' Study Area

260
US Feet



Figure 1.1-6: Site Photos (1)



1 View of Wales Ave from the intersection of East 144 St and Wales Ave facing north



Study Area Map with Photo Key



2 View of Projected Development Site from Wales Ave facing northwest



3 View of Projected Development Site from the intersection of East 145 St and Wales Ave facing southwest

Figure 1.1-7: Site Photos (2)



4 View of Projected Development Site from the intersection of East 145 St and Wales Ave facing west



Study Area Map with Photo Key



5 View of Mott Haven Community High School from East 145 St facing east



6 View of Projected Development Site from the intersection of East 145 St and Concord Ave facing southeast

Figure 1.1-8: Site Photos (3)



7 View of JM Rapport School for Career Development from the intersection of East 145 St and Concord Ave



Study Area Map with Photo Key



8 View of Projected Development Site from Concord Ave facing northeast



9 View of Concord Ave from the intersection of East 144 St and Concord Ave facing north

1 Project Description

1.1 Introduction

The “Applicant,” BronxCo, LLC, seeks a Zoning Map Amendment that would affect a portion of Block 2577 in the Mott Heaven neighborhood of Bronx Community District (“CD”) 1. The “Affected Area” consists of Block 2577, Lots 6, 7, 8, 9, 14, and the northern portion of Lot 20. The Zoning Map Amendment would rezone Block 2577, Lots 6, 7, 8, 9, 14, and p/o 20 (a rectangular area approximately of 30,548 SF bounded in part by East 145th Street, Wales Avenue, and Concord Avenue) from an M1-2 to an R7D/M1-4 (MX) zoning district. The Applicant also proposes a Zoning Text Amendment to Appendix F to add a Mandatory Inclusionary Housing (MIH) area coterminous with the Affected Area. The Zoning Map Amendment and Zoning Text Amendment constitute the “Proposed Actions.”

The proposed text amendment of ZR Appendix F is necessary to establish an MIH Area, which would require new developments to set aside 25-30 percent of the residential floor area for affordable housing. MIH Option 1 requires an affordable housing set aside of 25 percent of the residential floor area at an average of 60 percent of AMI with 10 percent at 40 percent AMI. MIH Option 2 requires an affordable housing set aside of 30 percent of the residential floor area at an average of 80 percent AMI. The Applicant proposes mapping both MIH Option 1 and Option 2 within the Affected Area to provide maximum flexibility for both Applicant-controlled and non-Applicant-controlled sites.

The Proposed Actions are sought to facilitate the Applicant’s development (“The Proposed Development”) at 438 Concord Ave, located on Block 2577, Lots 9 and 14. The Applicant-controlled lots include Lots 7, 8, 9, and 14. Lots 9 and 14 constitute Projected Development Site 1. Lots 7 and 8 constitute Projected Development Site 2. The Applicant uses a Zoning Lot Merger (ZLM) involving lots 7, 8, 9, and 14 to apply 8,535 ZSF of the Development Rights from Projected Development Site 2 (Lots 7 and 8) to Projected Development Site 1 (Lots 9 and 14) to effectuate the Proposed Development. Approximately 640 square feet of lot area would also be transferred from Lot 9 to Lot 8 to match the fence line against the existing retaining wall serving as a factual boundary between tax Lots 8 and 9.

The Proposed Development involves the assemblage of Lots 7, 8, 9, and 14 and the development of a new 154,690 gross square foot (“GSF”), 138,171 zoning square foot (“ZSF”), mixed-use residential, commercial, community facility, and light manufacturing building. The Proposed Development would include an 8,130 GSF parking garage at the cellar level with 43 residential accessory parking spaces. There would be a total of 33,011 GSF (31,741 ZSF, 1.24 FAR) of commercial space with 3,008 GSF of local retail on the first floor and 30,003 GSF of office space at the cellar level, second and third floors, a total of 7,581 GSF (7,289 ZSF, 0.29 FAR) of community facility space on the first and second floors, and a total of 3,874 GSF (3,725 ZSF, 0.15 FAR) of manufacturing space at the cellar level and the first floor. Beginning from the fourth floor of the

430-438 CONCORD AVE REZONING

building, a total of 102,094 GSF (95,415 ZSF, 3.73 FAR) of residential floor area would be developed. The Proposed Development would result in 87 dwelling units, 25-30% (22-26 units) of which would be affordable pursuant to MIH. The applicant intends to pursue MIH Option 1, which would result in 22 affordable units. However, the Applicant plans to provide 24 affordable units at an average of 60% AMI.

Under the Proposed Project, Lots 7 and 8 would remain developed as they are under existing conditions with two two-story residential buildings with two dwelling units in each building. Approximately 640 square feet of lot area would be transferred from Lot 9 to lot 8. The total ZSF, including the existing residential dwellings on Lots 7 and 8, would be 141,611 at a total FAR of 5.54.

The Proposed Actions are discretionary actions subject to environmental review. The New York City (NYC) Department of City Planning (DCP) is the lead agency on behalf of the NYC City Planning Commission (CPC) for environmental review under the City Environmental Quality Review Act (CEQR).

1.2 Background and Site History

The Affected Area is located in the western part of the Mott Haven neighborhood. It was originally zoned M1-1 in the 1961 zoning ordinance and was rezoned to an M1-2 district in 1964 (CP-18356, effective March 28, 1964). The current land uses within Applicant-controlled Lots 7 and 8, as well as non-Applicant-controlled Lots 6 and 20 are One- & Two-Family Residential Buildings. The structures on these lots were built in 1901 and were turned into One- & Two-Family Buildings prior to the enactment of the Zoning Resolution in 1961. Therefore, the existing residential buildings are legal nonconforming. The Applicant-controlled Lot 14 with a 1-story structure currently used as Transportation & Utility was built in 1931 and altered in 2012. The Applicant-controlled Lot 9 is currently utilized as a parking facility.

A 1921 Certificate of Occupancy (CO) exists for Lot 7, permitting a one-story metal structure - private garage. A 2018 CO for Lot 14 permitted a one-story structure that could be used for 4 accessory car parking spaces, auto body shop, auto repair, auto sales, and accessory offices. A 1920 CO for Lot 20 permitted a garage for five cars, a 1923 CO permitted a one-story brick structure that could be used as storage, and a 1939 CO permitted a 2-family building with a boiler room.

DCP has recently initiated a rezoning adjacent to the Affected Area. In 2021, 431 Concord Avenue Rezoning (C 200274 ZMX, N 200275 ZRX, effective May 27, 2021), proposed by First Concord Realty, LLC, requested:

- A Zoning Map Amendment from an existing M1-2 district to an R7D district of properties bounded by Concord Avenue and East 145th Street in the Mott Haven neighborhood of the Bronx, Community District 1.

430-438 CONCORD AVE REZONING

- A Zoning Text Amendment to modify Appendix F to designate the newly mapped R7D district as a Mandatory Inclusionary Housing (MIH) designated area.

431 Concord Avenue Rezoning would facilitate the development of an 11-story, 115-foot tall, 87,369 GSF (5.51 FAR) Quality Housing residential building with approximately 92 affordable residential dwelling units and 29 accessory parking spaces on the first/ground floor of the building.

The abovementioned recent rezoning is indicative of the area's trend away from manufacturing uses.

1.3 Description of the Surrounding Area

The Affected Area is located within the Mott Haven neighborhood of the Bronx, CD 1. The area is bounded by East 145th Street to the north; Wales Avenue to the east; Lot 5 and the southern portion of lot 20 to the south; and Concord Avenue to the west. East 145th Street is an east-west, two-way right-of-way with one moving lane of traffic in each direction and curbside parking. Concord Avenue and Wales Avenue are south-to-north two-way rights-of-way with one moving lane of traffic in each direction and curbside parking.

Existing land uses within a 400-foot buffer around the Affected Area ("the Surrounding Area") primarily consist of multi-family residential buildings, one-and two-family residential buildings, mixed residential and commercial buildings, a variety of manufacturing buildings and transportation and utility buildings, four schools (Mott Haven Community High School (P.S.557), JM Rapport School for Career Development (P.S. 754), Neighborhood Charter School: Bronx, and The American Dream School), one commercial building, parking lots and vacant parcels.

Built form in the surrounding area varies by use, and generally consists of one- to two-story industrial buildings, three to four-story community facility buildings, two- to six-story multi-family residential buildings, and two-story one-and two-family buildings. Concord Avenue and Wales Avenue do not have significant commercial activity, and are more residential in character north of East 145th Street and more industrial south of East 145th Street. The closest commercial corridors are located along East 149th Street and Southern Boulevard.

The existing zoning of the surrounding 400-foot Study Area consists of M1-2, M1-3, R7-1, R7D zoning districts. The Affected Area is within an M1-2 zoning district that generally extends south and east of the Affected Area. An M1-3 zoning district is mapped farther south and east of the Affected Area. An R7-1 zoning district generally extends to the north and the west of the Affected Area, with the exception of the northeastern portion of Block 2578 to the west of the Affected Area, which was recently rezoned from an M1-2 to an R7-1 zoning district as the result of the 431 Concord Avenue Rezoning (C 200274 ZMX, N 200275 ZRX, effective May 27, 2021).

The Affected Area is located close to the Port Morris Industrial Business Zone, which begins south of East 144th Street and east of Timpson Place. St. Mary's Park, located 500 feet west of the

Affected Area, is a 35-acre park, the largest in the South Bronx, and includes several playgrounds, barbecue areas, baseball and basketball fields, an indoor pool, and a recreation center.

The area is well-served by transit. The E 143 St - St Mary's St subway station with service to the 6 Train is located approximately 800 feet from the Affected Area. The subway station provides full-time connecting service to Downtown Manhattan. Two bus lines (Bx17/ Bx19) are accessible to users in the area. The bus lines have two bus stops in different directions, located two blocks north of the Affected Area near the corner of Concord Avenue and East 149th Street. Bus Bx17 connects the Affected Area with the Fordham Plaza/Bus Terminal in the northern Bronx. Bus Bx19 provides connection to Hamilton Heights, Manhattan, and New York Botanical Garden, Bronx.

1.4 Description of the Affected Area

The Affected Area is located on the southern side of E 145th Street and includes the northern portion of Block 2577, consisting of the contiguous tax lots 6-9, 14, and the 2,500-SF (25'x100') portion of Lot 20 adjacent to Lot 14. The Affected Area contains approximately 30,548 SF of lot area within an M1-2 zoning district. The Affected Area is bounded by East 145th Street to the north, Wales Avenue to the east, Lot 5 and the southern portion of Lot 20 to the south, and Concord Avenue to the west.

The Applicant-controlled tax lots include Lots 7, 8, 9, and 14. The Applicant uses a Zoning Lot Merger (ZLM) involving Lots 7, 8, 9, and 14 to apply 8,535 ZSF of the Development Rights from Projected Development Site 2 (Lots 7 and 8) to Projected Development Site 1 (Lots 9 and 14) to effectuate the Proposed Development.

Applicant-controlled lots

The Projected Development Site 1 includes Applicant-controlled Lots 9 and 14:

- According to a survey conducted by the Applicant, Lot 9 is a 7,774-SF corner lot (varies from ZOLA's 7,758 SF) corner lot with frontages on East 145 Street and Concord Avenue. The lot is a surface lot classified as an unlicensed parking lot.
- Lot 14 is a 12,774-SF corner lot with frontages on East 145 Street and Wales Avenue. The lot is currently improved with a one-story 12,500 GSF manufacturing building constructed in 1931.

The Projected Development Site 2 includes Applicant-controlled Lots 7 and 8:

- Lot 7 is a 2,500-SF interior lot with 25 feet of frontage on Concord Avenue. The lot is currently improved with a two-story, two-family, 1,500 GSF residential building constructed in 1901.
- Lot 8 is a 2,500-SF interior lot with 25 feet of frontage on Concord Avenue. The lot is currently improved with a two-story, two-family, 1,904 GSF residential building constructed in 1901.

Non-Applicant-controlled lots

Other non-Applicant-controlled lots within the Affected Area include Lot 6 and p/o lot 20:

- Lot 6 is a 2,500-SF lot with frontage on Concord Avenue. The lot is currently improved with a 1.5-story, two-family, 1,638 GSF residential building constructed in 1901.
- Lot 20 is a 5,000-SF lot with frontage on Wales Avenue. The lot is currently improved with a two-story, two-family, 1,305 GSF residential building constructed in 1901 and two other one-story supplementary structures. Only approximately 50% of lot 20 is within the Affected Area.

The current land uses within Lots 6, 7, 8, and 20 are One- & Two-Family Residential Buildings. The structures on these lots were turned into residential buildings prior to the enactment of the Zoning Resolution in 1961, which mapped the area with a manufacturing district. As a result, these existing residential buildings are now legal nonconforming uses.

1.5 Description of the Proposed Project

The Proposed Development involves the assemblage of the Applicant-controlled Lots 7, 8, 9, and 14, and the development of a new 154,690 GSF (138,171 ZSF; 5.41 FAR) mixed-use building on the Applicant-owned Lots 9 and 14 (Projected Development Site 1) containing approximately 7,581 GSF (7,289 ZSF) of community facility use, 3,874 GSF (3,725 ZSF) of light industrial and manufacturing use, 3,008 GSF (2,892 ZSF) of local retail, 30,003 GSF (28,849 ZSF) of office use, and 102,094 GSF (95,415 ZSF) of residential use. The Proposed Development would result in 87 units, 25-30% (22-26 units) of which would be affordable pursuant to MIH. The applicant intends to pursue MIH Option 1, which would result in 22 affordable units. However, the Applicant plans to provide 24 affordable units at an average of 60% AMI. A below-grade parking lot would contain approximately 43 spaces. The building would be ten stories tall and rise to 111 feet with a base height of 92 feet. At the base height of 92 feet, there is a 15.5-foot setback on Concord Avenue and 15-foot setbacks on both 145th Street and Wales Avenue above the 92-foot base. One curb cut would be proposed at Concord Avenue.

While Lots 7 and 8 constitute Projected Development Site 2 for the purposes of analysis, the Applicant does not intend to redevelop these lots. Under the Proposed Project, Lots 7 and 8 would remain developed as they are under existing conditions, with two two-story residential buildings with two dwelling units in each building.

The Applicant uses a Zoning Lot Merger (ZLM) involving Lots 7, 8, 9, and 14 to apply 8,535 ZSF of the Development Rights from Projected Development Site 2 (Lots 7 and 8) to Projected Development Site 1 (Lots 9 and 14) to effectuate the Proposed Development. Approximately 640 square feet of lot area would also be transferred from Lot 9 to Lot 8 to match the fence line against the existing retaining wall serving as a factual boundary between tax lots 8 and 9. The total ZSF of the Proposed Development, inclusive of the existing residential dwellings on Lots 7 and 8, would be 141,386 SF at a total FAR of 5.53.

The project would introduce a new commercial office use currently not present in the surrounding area and significantly contribute to the job generation in the area. The proposed mixed-use building combining residential, community facility, light industrial, local retail, and office uses would be unique for the neighborhood and allow the residents to live, work, and shop in the same building ensuring the optimal use of space and resources. The project would reflect the city-wide trend of revitalization of manufacturing areas with mixed-use development that follows the changing nature of the workplace and urban development. A strong example of this trend is redevelopment of manufacturing areas in Long Island City. While no identical building use concepts are readily identifiable, NYC has a long history of mixing light industrial, commercial and community facility uses in one form or another - and this mix of uses has been codified into zoning and land use procedure in NYC in the form of MX districts - which is proposed under this Action. Currently, an effort by Community Board 8 Brooklyn, supported by Mayor Adams is underway to create a plan for portions of Crown Heights called M-Crown that would establish an areawide MX zoning district, intended to support mixed use development of residential, community facility, commercial and light manufacturing all housed under one building on lots within the proposed district.

1.6 Action(s) Necessary to Facilitate the Project

The actions necessary to facilitate the construction of the Proposed Development are approvals of:

- (1) Zoning Map Amendment to map a R7D/M1-4 (MX) zoning district in the Affected Area currently zoned as M1-2, a portion of Block 2577 in the Mott Haven neighborhood of Bronx, CD 1;
- (2) Zoning Text Amendment to Appendix F to add a Mandatory Inclusionary Housing (MIH) area coterminous with the Affected Area.

1.7 Purpose and Need

Census Tract 35 of the Projected Development Site and the adjoining Census Tracts (31, 33, 37, 73, and 79) have recently experienced significant residential growth. Between the 2006-2010 and 2014-2018 ACSs, the housing stock increased by 7.1 percent (from 6,870 to 7,357), while the population increased by 14.1 percent (from 18,111 to 20,774). The share of rent-burdened households paying more than 35% of income in rent rose from 43.4% to 52.5%, while those paying over 50% of income in rent rose from 32.4% to 34.3 % during this period.

The Applicant believes that the proposed rezoning would further facilitate the introduction of the needed residential uses within the Study Area and continue the trend set by the previous rezonings in the neighborhood. In addition, the proposed commercial, community facility and custom manufacturing uses would help diversify the economy of the South Bronx, revitalize and preserve urban industrial land, supply unique products and retail experiences, and provide a sense of place and local character.

The proposed rezoning to R7D/M1-4 (MX) zoning district would provide opportunities for mid-rise mixed-use building construction and help induce the development of underutilized lots within the affected area.

The proposed Zoning Text Amendment to Appendix F to add a Mandatory Inclusionary Housing (MIH) will allow for residential growth with incentives for affordable housing, furthering city goals for affordable housing

1.8 Analysis Framework

The analysis framework compares the incremental difference between the proposed and potential development under the Proposed Actions (With-Action Scenario) and the development which could occur under the existing zoning (No-Action Scenario) by the build year specified below. This EAS studies the potential for individual and cumulative environmental impacts related to the Proposed Actions occurring in a Study Area of approximately 400 feet around the Affected Area. This environmental assessment considers the potential effects of the Proposed Actions compared to future conditions without the approvals sought by the Applicant. The analysis framework is described below:

Reasonable Worst-Case Development Scenario

Discretionary actions sometimes permit a range of project characteristics, or development scenarios, to occur even though the action may be sought in order to facilitate a specific development. From the range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen for analysis; this is considered to be the Reasonable Worst-Case Development Scenario (RWCDS), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The environmental assessment examines the incremental differences between the RWCDS of the future without the project in place (No-Action Scenario) and the future with the project in operation (With-Action Scenario).

The *CEQR Technical Manual* categorizes soft sites as either “projected” or “potential” development sites. Projected Development Sites are defined as those sites that are more likely to be developed as a result of the proposed project. Potential Development Sites are defined as sites that could be developed but have been determined to have less development potential than the Projected Development Sites, based on observed historic and current market conditions, location, site configuration, proximity to transit, infrastructure and other facilities, and other factors that affect the likelihood that they would be developed under the Proposed Actions. Projected Development Sites are analyzed for both site-specific and density-related effects, whereas Potential Development sites are only analyzed for site-specific effects.

Pursuant to *CEQR Technical Manual* methodology, sites may be considered ‘soft’ if they are built to substantially less than the maximum permitted floor area ratio and are of a sufficient size or could be assembled into a parcel of sufficient size, to support a feasible development. Sites that

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have recently been developed or redeveloped are considered less likely to be soft, due to the significant recent investment in the current use.

Build Year

The build year for the analysis is anticipated to be 2026 in consideration of an 18-month CEQR review period, and a 7-month ULURP process. The proposed construction schedules for each site can be found in **Appendix G**.

- Projected Development Site 1 is anticipated to begin with demolition and site clearance in September 2024, with exterior work expected to be completed by October 2025. Major construction-related activities would conclude with elevators, interior shell and core in December 2025. Lastly, TCO and punch list completion are anticipated by June 2026.
- Projected Development Site 2 is anticipated to begin demolition and site clearance on in June 2025, with exterior work expected to be completed by April 2026. Major construction-related activities would conclude with elevators, interior shell and core in May 2026. Lastly, TCO and punch list completion is anticipated by August 2026.

Future Without the Proposed Actions (No-Action Condition)

The No-Action Condition for the Affected Area would be the same as the existing conditions.

Projected Development Site 1 includes Applicant-controlled Lots 9 and 14. Projected Development Site 2 includes Applicant-controlled Lots 7 and 8. The Applicant uses a Zoning Lot Merger (ZLM) involving Lots 7, 8, 9, and 14 to apply 8,535 ZSF of the Development Rights from Projected Development Site 2 (Lots 7 and 8) to Projected Development Site 1 (Lots 9 and 14) to effectuate the Applicant's Proposed Development. There are no records of construction work permit applications submitted by the Applicant on the DOB website. As such, it is assumed that under the No-Action Scenario, existing conditions would continue on both Projected Development Sites.

The other non-Applicant-owned Lots 6 and 20 do not pass the soft site criteria established by the *CEQR Technical Manual*, Chapter 2. Although Lots 6 and 20 are built to substantially less than the maximum allowable FAR, they are not considered likely to be redeveloped under the No-Action Conditions because of their small lot sizes (5,000 square feet or less).

Redevelopment is also not considered likely in the No-Action Scenario because of the bulk permitted under the current M1-2 district (2.00 commercial and manufacturing; 4.80 community facility) and significant parking requirement (1 space per 300 sf of uses).

In the Future without the Proposed Actions, all residential uses within the Affected Area would remain legal non-conforming.

Future With the Proposed Actions (With-Action Condition)

The RWCDs is consistent with the Applicant's proposal to use a Zoning Lot Merger (ZLM) involving Lots 7, 8, 9, and 14 to apply 8,535 ZSF of the Development Rights of Projected Development Site 2 (Lots 7 and 8) to Projected Development Site 1 (Lots 9 and 14). The Applicant-controlled Lots 7, 8, 9, and 14 would be merged into a 25,548-SF zoning lot within the proposed R7D/M1-4 (MX) district. Approximately 640 square feet of lot area would also be conveyed from Lot 9 to Lot 8 to match the fence line against the existing retaining wall serving as a factual boundary between tax Lots 8 and 9.

Projected Development Site 1 (Lots 9 and 14)

Under Future With-Action Conditions, it is assumed that Projected Development Site 1 would be developed with a single 154,690 GSF (138,171 ZSF, 6.93 FAR) mixed-use building with 100% lot coverage. The building would contain approximately 7,581 GSF (7,289 ZSF, 0.37 FAR) of community facility use, 3,874 GSF (3,725 ZSF, 0.19 FAR) of light industrial and manufacturing use, 3,008 GSF (2,892 ZSF) of local retail and 30,003 GSF (28,849 ZSF) of office use (1.59 total commercial FAR), and 102,094 GSF (95,415 ZSF, 4.72 FAR) of residential use. There would be approximately 120 dwelling units (assuming 850 SF per DU on average), 25-30% (30-36 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. For the purposes of Early Childhood Programs analysis, 20% of residential floor area (24 units) is assumed to be affordable at or below 60% AMI. An 8,130 SF below-grade parking lot would contain approximately 48 spaces. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. At the base height of 95 feet, there would be a 15-foot setback on Concord Avenue, 145th Street and Wales Avenue, as these streets are considered to be narrow (less than 75 feet wide). A 10-foot mechanical bulkhead would be assumed for the Development Site for a conservative shadows analysis under CEQR. One curb cut would be proposed on Concord Avenue.

Projected Development Site 2 (Lots 7 and 8)

Under Future With-Action Conditions, it is assumed that Projected Development Site 2 would be developed with a single 34,979 GSF (27,891 ZSF, 4.98 FAR) mixed-use building with 100% lot coverage. The building would contain approximately 13,121 GSF (12,263 ZSF, 2.19 FAR) of residential use and 16,253 GSF (15,628 ZSF, 2.79 FAR) of community facility use (Medical Office). There would be approximately 15 dwelling units (assuming 850 SF per DU on average), 25-30% (4 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. For the purposes of Early Childhood Programs analysis, 20% of residential floor area (3 units) is assumed to be affordable at or below 60% AMI. A 5,604 SF below-grade parking lot would contain approximately six spaces. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. At the base height of 95 feet, there would be a 15-foot setback on Concord Avenue. A 10-foot mechanical bulkhead would be assumed for the

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development site for a conservative shadows analysis under CEQR. One curb cut would be proposed on Concord Avenue.

Overall, the merged zoning lot consisting of Lots 7, 8, 9, and 14 would include 189,669 GSF (166,062 ZSF, 6.5 FAR) of mixed-use development consisting of 115,215 GSF (107,678 ZSF, 4.21 FAR) of residential use, 33,011 GSF (31,741 ZSF, 1.24 FAR) of commercial use, 23,834 GSF (22,918 ZSF, 0.9 FAR) of community facility use, and 3,874 GSF (3,725 ZSF, 0.15 FAR) of manufacturing use. There would be a total of 135 dwelling units, 25-30% (34-40 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. For the purposes of Early Childhood Programs analysis, 20% of residential floor area (27 units) is assumed to be affordable at or below 60% AMI. 13,734 SF of below-grade parking over the two Development Sites would contain approximately 54 parking spaces. A total of two curb cuts would be constructed on Concord Avenue.

The other lots within the Affected Area (Other Affected Sites) not projected to redevelop under the With-Action Condition include Lots 6 and p/o 20. The non-Applicant-owned Lots 6 and 20 do not pass the soft site criteria established by the *CEQR Technical Manual*, Chapter 2. Although the lots are built to substantially less than the maximum allowable FAR, Lots 6 and 20 are not considered likely to be redeveloped under the future With-Action Condition because of their small lot sizes (5,000 square feet or less). In addition, only approximately 50% of Lot 20 is within the Affected Area.

The Projected and Other Affected Sites are shown in **Figure 1.1-1**.

Only Projected Development Sites 1 and 2 are considered in the increment between the No-Action and With-Action Conditions. As such, the Other Affected Sites will not be considered in the analysis of density-related aspects of the environmental review (such as open space, traffic, and socioeconomic conditions). This incremental development would consist of 132 dwelling units — 92-99 market rate and 33-40 affordable. The net residential square footage would equal 111,775 GSF or 104,463 ZSF, the net commercial square footage would equal 33,011 GSF or 31,741 ZSF, and the net community facility square footage would equal 23,834 GSF or 22,918 ZSF. Manufacturing square footage would be reduced by 8,626 GSF, and an increase of 54 parking spaces would result in the With-Action Condition compared to the No-Action Condition to accommodate future residential parking demands.

The RWCDs Existing, No-Action, and With-Action Scenarios at the Projected Development Sites are shown below in **Table 1.8-1**. The RWCDs increment of Analysis on the Projected Development Sites within the Affected Area are presented in **Table 1.8-2**.

Table 1.8-1: RWCDs Analysis Framework - Existing, No-Action, and With-Action Conditions

| Site Info | | | | Existing Condition | | | | | | | | No-Action Condition | | | | | | | | With-Action Condition | | | | | | | | | | |
|------------------------------|-------|-----|---------------|--------------------|---------------|------------|----------|--------------|---------------|------------|----------|---------------------|---------------|------------|----------|--------------|---------------|------------|----------|-----------------------|--------------|---------------|---------------|----------------|---------------|----------------|------------|------------|---|----|
| Site ID | Block | Lot | Lot Area | Zoning | MF (gsf) | Com. (gsf) | CF (gsf) | Res. (gsf) | Total gsf | Afford. DU | Total DU | Zoning | MF (gsf) | Com. (gsf) | CF (gsf) | Res. (gsf) | Total gsf | Afford. DU | Total DU | Zoning | MF (gsf) | Com. (gsf) | CF (gsf) | Res. (gsf) | Parking (gsf) | Total gsf | Afford. DU | Total DU | | |
| Projected Development Site 1 | 2577 | 9* | 7,774 | M1-2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | M1-2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | R7D/M1-4 (MX) | 3,874 | 33,011 | 7,581 | 102,094 | 8,130 | 154,690 | 24 | 120 | | |
| | | 14 | 12,774 | | 12,500 | 0 | 0 | 0 | 12,500 | 0 | 0 | | | | | | | | | | | | | | | | | | | |
| Projected Development Site 2 | | 7 | 2,500 | | 0 | 0 | 0 | 1,500 | 1,500 | 0 | 2 | | 0 | 0 | 0 | 1,500 | 1,500 | 0 | 2 | | 0 | 0 | 0 | 0 | 16,253 | 13,121 | 5,604 | 34,979 | 3 | 15 |
| | | 8* | 2,500 | | 0 | 0 | 0 | 1,940 | 1,940 | 0 | 2 | | 0 | 0 | 0 | 1,940 | 1,940 | 0 | 2 | | | | | | | | | | | |
| Total | | | 25,548 | - | 12,500 | 0 | 0 | 3,440 | 15,940 | 0 | 4 | - | 12,500 | 0 | 0 | 3,440 | 15,940 | 0 | 4 | - | 3,874 | 33,011 | 23,834 | 115,215 | 13,734 | 189,669 | 27 | 135 | | |

* Approximately 640 square feet of lot area would be transferred from Lot 9 to lot 8

- DU = Dwelling Units
- gsf = gross square feet
- Res. = Residential
- Com. = Commercial
- MF = Manufacturing
- CF = Community Facility
- Afford. = Affordable

Table 1.8-2: RWCDs Incremental Analysis Table

| Use | No-Action Condition | With-Action Condition | Increment |
|------------------------|----------------------------|------------------------------|------------------|
| Commercial GSF | 0 | 33,011 ³ | +33,011 |
| Manufacturing GSF | 12,500 | 3,874 | -8,626 |
| Community Facility GSF | 0 | 23,834 | +23,834 |
| Residential GSF | 3,440 | 115,215 | +111,775 |
| Total GSF | 15,940 | 189,669 | +173,729 |
| Residential DUs | 4 | 135 | +131 |
| | | | |
| Residents ¹ | 11 | 371 | +360 |
| Workers ² | 13 | 226 | +213 |

1: Assumes 2.75 residents per household average - 2020 Census data, Bronx CD 1

2: Assumes 3 employees per 1,000 sf

3: 30,003 GSF of Office Area and 3,008 GSF of Local Retail

2 Environmental Review

The following technical sections are provided as supplemental assessments to the Environmental Assessment Statement (“EAS”) Short Form. Part II: Technical Analyses of the EAS forms a series of technical thresholds for each analysis area in the respective chapter of the *CEQR Technical Manual*. If the proposed project was demonstrated not to meet or exceed the threshold, the ‘NO’ box in that section was checked; thus, additional analyses were not needed. If the proposed project was expected to meet or exceed the threshold, or if this was not able to be determined, the ‘YES’ box was checked on the EAS Short Form, resulting in a preliminary analysis to determine whether further analyses were needed. For those technical sections, the relevant chapter of the CEQR Technical Manual was consulted for guidance on providing additional analyses (and supporting information, if needed) to determine whether detailed analysis was needed.

A ‘YES’ answer was provided in the following technical analyses areas on the EAS Short Form:

- Land Use, Zoning, and Public Policy
- Open Space
- Shadows
- Historic and Cultural Resources
- Urban Design and Visual Resources
- Hazardous Materials
- Transportation
- Air Quality
- Noise
- Neighborhood Character
- Construction

2.1 Land Use, Zoning, and Public Policy

The *CEQR Technical Manual* recommends procedures for analysis of land use, zoning and public policy to ascertain the impacts of a project on the Surrounding Area. Land use, zoning, and public policy are described in detail below. This section considers existing conditions, development trends, and zoning and other public policies in relation to the Affected Area and the Surrounding Area, as well as the larger area in which the Proposed Actions may have an effect. Because the Proposed Actions would permit the development of multiple family residential uses with a larger bulk and would also reduce the parking requirements for commercial uses compared to existing zoning regulations, a preliminary assessment of Land Use, Zoning, and Public Policy is provided.

Methodology

Existing land uses were determined by reference to the New York City Zoning and Land Use (Zola) database and PLUTOTM 20v4 shapefiles. These uses were then confirmed through site visits. The evaluation of lots within the 400-foot Study Area was performed with reference to New York City Zoning Maps and the Zoning Resolution of the City of New York and served as the basis for the zoning evaluation of the Future No Action and Future With-Action Conditions. Public Policy research was performed through an evaluation of New York City Department of City Planning (NYCDPC) and other city agencies programs and documentation.

2.1.1 Land Use

The *CEQR Technical Manual* suggests that a land use, zoning, and public policy Study Area should generally extend 400 feet from the Affected Area (“the Surrounding Area”). Existing land uses within approximately 400 feet of the Affected Area are presented in **Figure 1.1-2**.

Existing Conditions

Land Use Study Area

As shown in **Figure 1.1-2** and stated in **Section 1.3**, the Surrounding Area features predominantly manufacturing uses with a mixture of community facility and residential uses, as well as mixed commercial and residential buildings, transportation and utility uses, and vacant land. The manufacturing buildings range from 1 to 2 stories in height. The residential buildings consist of multi-family apartment buildings ranging from 2 to 6 stories in height and two-story one-and two-family buildings. The Surrounding Area also features two- to four-story community facility buildings, including four schools: Mott Haven Community High School (P.S.557), JM Rapport School for Career Development (P.S. 754), Neighborhood Charter School: Bronx, and The American Dream School. Concord Avenue and Wales Avenue do not have significant commercial activity, and are more residential in character north of East 145th Street and more industrial in character south of East 145th Street.

The Affected Area is located close to the Port Morris Industrial Business Zone, which begins south of East 144th Street and east of Timpson Place. St. Mary’s Park, located 500 feet west of the

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Affected Area, is a 35-acre park, the largest in the South Bronx, and includes several playgrounds, barbecue areas, baseball and basketball fields, an indoor pool, and a recreation center.

Among recent rezonings affecting the land use within the 400-foot Study Area is 431 Concord Avenue Rezoning (C 200274 ZMX, N 200275 ZRX, effective May 27, 2021). The rezoning proposed:

- A Zoning Map Amendment from an existing M1-2 district to an R7D district of properties bounded by Concord Avenue and East 145th Street in the Mott Haven neighborhood of the Bronx, Community District 1.
- A Zoning Text Amendment to modify Appendix F to designate the newly mapped R7D district as a Mandatory Inclusionary Housing (MIH) designated area.

Affected Area

The Applicant-controlled lots include Lots 7, 8, 9, and 14:

- Lot 7 is a 2,500-SF interior lot with 25 feet of frontage on Concord Avenue. The lot is currently improved with a two-story, two-family, 1,500 GSF residential building constructed in 1901.
- Lot 8 is a 2,500-SF interior lot with 25 feet of frontage on Concord Avenue. The lot is currently improved with a two-story, two-family, 1,904 GSF residential building constructed in 1901.
- Lot 9 is a 7,774-SF corner lot with frontages on East 145 Street and Concord Avenue. The lot is a surface lot classified as an unlicensed parking lot.
- Lot 14 is a 12,774-SF corner lot with frontages on East 145 Street and Wales Avenue. The lot is currently improved with a one-story 12,500 GSF manufacturing building constructed in 1931.

Other lots within the Affected Area include the non-Applicant-controlled Lots 6 and p/o 20:

- Lot 6 is a 2,500-SF lot with frontage on Concord Avenue. The lot is currently improved with a 1.5-story, two-family, 1,638 GSF residential building constructed in 1901.
- Lot 20 is a 5,000-SF lot with frontage on Wales Avenue. The lot is currently improved with a two-story, two-family, 1,305 GSF residential building constructed in 1901 and two other one-story supplementary structures. Only approximately 50% of lot 20 is within the Affected Area.

The current land uses within Lots 6, 7, 8, and 20 are One- & Two-Family Residential Buildings. The structures on these lots were turned into residential buildings prior to the enactment of the Zoning Resolution in 1961 which mapped the area with a manufacturing district. As a result, these existing residential buildings are now legal nonconforming.

Future No-Action Condition

Land Use Study Area

There are currently no active construction permits within the 400-foot Study Area. However, there is a recently effectuated rezoning on the western side of Concord Avenue at 431 Concord Avenue (C 200274 ZMX, N 200275 ZRX, effective May 27, 2021). The affected area includes Block 2578, Lots p/o 15, p/o 16, p/o 18. The worst-case development scenario for the applicant-owned Lots 16 and 18 is an 11-story, 115-foot tall, 87,369 GSF (5.51 FAR) Quality Housing residential building with approximately 93 residential dwelling units and 29 accessory parking spaces located on the first/ground floor of the building. Approximately 20% of the residential floor area would be reserved as affordable to households with incomes at or below 80% of the AMI, resulting in 19 affordable units. Based on the review of the DOB web-site, no construction permit applications have been submitted for Lots 15, 16, and 18. However, there are applications for demolition on Lot 18 received on July 7th 2021. The development on Lots 16 and 18 is expected to be completed within two years.

No-Action Developments are shown below in **Table 2.1-1**.

Affected Area

The No-Action Condition for the Affected Area would be the same as the existing conditions. The Affected Area contains Projected Development Site 1 (Lots 9 and 14) and Projected Development Site 2 (lots 7 and 8). There are no records of construction work permit applications submitted by the Applicant on the DOB website. As such, it is assumed that under the No-Action Scenario, existing conditions would continue on both Projected Development Sites.

The non-Applicant owned Lots 6 and 20 do not pass the soft site criteria established by the *CEQR Technical Manual*, Chapter 2. Although the lots are built to substantially less than the maximum allowable FAR, because of the small lot size (5,000 square feet or less), Lots 6 and 20 are not considered likely to be redeveloped under No-Action Conditions.

In the Future, without the Proposed Actions, all residential uses within the Affected Area will remain legal non-conforming.

Future With-Action Condition

Land Use Study Area

In the future, with the Proposed Actions, land use and development patterns in the Surrounding Area are anticipated to remain the same as under No-Action Conditions. Any new development would be consistent with the underlying zoning regulations.

Affected Area

The RWCDs is consistent with the Applicant's proposal to use a Zoning Lot Merger (ZLM) involving Lots 7, 8, 9, and 14 to apply 8,535 ZSF of the Development Rights of Projected Development Site 2 (Lots 7 and 8) to Projected Development Site 1 (Lots 9 and 14). The Applicant-controlled Lots 7, 8, 9, and 14 would be merged into a 25,548-SF zoning lot within the proposed R7D/M1-4 (MX) district. Approximately 640 square feet of lot area would also be conveyed from Lot 9 to Lot 8 to match the fence line against the existing retaining wall serving as a factual boundary between tax Lots 8 and 9.

Projected Development Site 1 (Lots 9 and 14)

Under Future With-Action conditions, it is assumed that Projected Development Site 1 would be developed with a single 154,690 GSF (138,171 ZSF, 6.93 FAR) mixed-use building with 100% lot coverage. The building would contain approximately 7,581 GSF (7,289 ZSF, 0.37 FAR) of community facility use, 3,874 GSF (3,725 ZSF, 0.19 FAR) of light industrial and manufacturing use, 3,008 GSF (2,892 ZSF) of local retail and 30,003 GSF (28,849 ZSF) of office use (1.59 total commercial FAR), and 102,094 GSF (95,415 ZSF, 4.72 FAR) of residential use. There would be approximately 120 dwelling units (assuming 850 SF per DU on average), 25-30% (30-36 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. At the base height of 95 feet, there would be a 15-foot setback on Concord Avenue, 145th Street and Wales Avenue, as these streets are considered to be narrow (less than 75 feet wide). A 10-foot mechanical bulkhead would be assumed for the Development Site for a conservative shadows analysis under CEQR. One curb cut would be proposed on Concord Avenue.

The projected development on Lots 9 and 14 would introduce a new commercial office use currently not present in the surrounding area and significantly contribute to the job generation in the area. The building projected to be developed would be unique for the neighborhood and allow the residents to live, work, and shop in the same building ensuring the optimal use of space and resources. The Proposed Actions would reflect the city-wide trend of revitalization of manufacturing areas with mixed-use development that follows the changing nature of the workplace and urban development. NYC has a long history of mixing light industrial, commercial and community facility uses in one form or another - and this mix of uses has been codified into zoning and land use procedure in NYC in the form of MX districts - which is proposed under this Action. Currently, an effort by Community Board 8 Brooklyn, supported by Mayor Adams is underway to create a plan for portions of Crown Heights called M-Crown that would establish an areawide MX zoning district, intended to support mixed use development of residential, community facility, commercial and light manufacturing all housed under one building on lots within the proposed district.

Projected Development Site 2 (Lots 7 and 8)

Under Future With-Action conditions, it is assumed that Projected Development Site 2 would be developed with a single 34,979 GSF (27,891 ZSF, 4.98 FAR) mixed-use building with 100% lot coverage. The building would contain approximately 13,121 GSF (12,263 ZSF, 2.19 FAR) of residential use and 16,253 GSF (15,628 ZSF, 2.79 FAR) of community facility use (Medical Office). There would be approximately 15 dwelling units (assuming 850 SF per DU on average), 25-30% (4 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. A 5,604 SF below-grade parking lot would contain approximately six spaces. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. At the base height of 95 feet, there would be a 15-foot setback on Concord Avenue. A 10-foot mechanical bulkhead would be assumed for the development site for a conservative shadows analysis under CEQR. One curb cut would be proposed on Concord Avenue.

Other Lots (Block 2577, Lots 6 and p/o 20)

Other lots within the Affected Area (Other Affected Sites) are not projected to redevelop under the With-Action Condition. The non-Applicant-owned Lots 6 and 20 do not pass the soft site criteria established by the *CEQR Technical Manual*, Chapter 2. Although Lots 6 and 20 are built to substantially less than the maximum allowable FAR, they are not considered likely to be redeveloped under the future With-Action Condition because of their small lot sizes (5,000 square feet or less). In addition, only approximately 50% of Lot 20 is within the Affected Area.

The Proposed Rezoning would also bring into conformance the non-conforming residential uses within Lots 6, 7, 8, and p/o 20.

Conclusion

The Applicant believes that the density and uses permitted by the Proposed Actions would increase utilization of the lots within the Affected Area and economic viability of the surrounding area. The Proposed Actions could alter existing development patterns in the Surrounding Area by encouraging new residential uses and the development of higher density. However, considering the recently effectuated 431 Concord Avenue Rezoning from M1-2 district to R7D district, the proposed actions only continue the trend toward higher-density residential development in the area. Besides, the Proposed Actions would be in compliance with City policies to encourage the development of new housing in underutilized areas of the City. Moreover, the proposed Zoning Text Amendment to Appendix F to add Mandatory Inclusionary Housing (MIH) would allow for residential growth with affordable housing and contribute to the City's goals for affordable housing. Therefore, no potentially significant adverse impacts related to land use are expected to occur as a result of the Proposed Actions, and further analysis of land use is not warranted.

Table 2.1-1: No-Action Developments

| Address | Type | Land Use | Additional Floor Area (GSF) | Dwelling Units | Stories |
|--------------------------------|--------------|-----------------|------------------------------------|-----------------------|----------------|
| 431, 439 Concord Avenue | New Building | Residential | 85,381 | 115 | 11 |

GSF = Gross Square Feet

2.1.2 Zoning

The *CEQR Technical Manual* suggests that a zoning Study Area should extend 400 feet from the Affected Area. The proposed zoning map amendment would rezone the following lots: Block 2577, Lots 6, 7, 8, 9, 14, and p/o 20 from M1-2 to R7D/M1-4 (MX). Existing zoning districts within approximately 400 feet of the Affected Area are presented in **Figure 1.1-3**.

Existing Conditions

Zoning Study Area

The zoning districts within 400 feet of the Affected Area are M1-2, M1-3, R7-1, and R7D zoning districts, as illustrated in **Table 2.1-2** and described below:

M1-2

M1 districts often serve as buffers between M2 or M3 and adjacent residential or commercial districts. M1-2 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Permitted uses in M1-2 districts are as follows: UG 4-14, 16, and 17. M1-2 districts permit a FAR of 2.0 for permitted commercial and manufacturing uses, and 4.80 for permitted community facility uses. M1-2 districts are subject to parking requirements based on the type of use and size of an establishment (1 per 300 sf for PRC-B). Building heights are regulated by a sky exposure plane beginning at 60 feet (or four stories) above the street line.

M1-3

M1 districts often serve as buffers between M2 or M3 and adjacent residential or commercial districts. M1-3 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Permitted uses in M1-2 districts are as follows: UG 4-14, 16, and 17. M1-3 districts permit an FAR of 5.0 for permitted commercial and manufacturing uses, and 6.5 for permitted community facility uses. M1-3 districts are subject to parking requirements based on the type of use and size of an establishment (1 per 300 sf for PRC-B). Building heights are regulated by a sky exposure plane beginning at 85 feet (or six stories) above the street line.

R7-1

R7 districts are medium-density apartment house districts mapped in much of the Bronx, as well as the Upper West Side in Manhattan and Brighton Beach in Brooklyn. The height factor regulations for R7 districts encourage lower apartment buildings on smaller zoning lots and, on larger lots, taller buildings with less lot coverage.

Height factor buildings are often set back from the street and surrounded by open space and on-site parking. The floor area ratio (FAR) in R7 districts ranges from 0.87 to a high of 3.44; the Open Space Ratio (OSR) ranges from 15.5 to 25.5. As in other non-contextual districts, a taller building

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may be obtained by providing more open space. The maximum FAR is achievable only where the zoning lot is large enough to accommodate a practical building footprint as well as the required amount of open space. The building must be set within a sky exposure plane which, in R7 districts, begins at a height of 60 feet above the street line and then slopes inward over the zoning lot.

Off-street parking is generally required for 60 percent of a building's dwelling units in an R7-1 district, but requirements are lower for income-restricted housing units (IRHU) and are further modified in certain areas, such as within the Transit Zone and the Manhattan Core, or for lots less than 15,000 square feet in R7-1 districts. Off-street parking requirements can be waived if 5 or fewer parking spaces are required in R7-1 districts.

R7D

R7D districts are medium-density contextual districts to promote new developments along transit corridors where Quality Housing bulk regulations are mandatory. The permitted uses within R7D districts are residential and community facility.

In R7D districts, the community facility FAR is 4.2 and the basic residential FAR is 4.2, which allows greater residential density than R7A districts and less than R7X districts. Above a base height of 60 to 85 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 its maximum height of 100 feet, or 105 feet, if providing a qualifying ground floor. Higher maximum residential FAR of 5.6, base height of 95 feet, and building height of 110 feet (115 feet with a qualifying ground floor) are available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities.

Off-street parking is generally required for 50 percent of a building's dwelling units, but requirements are lower for income-restricted housing units (IRHU) and are further modified in certain areas, such as within the Transit Zone and the Manhattan Core, or for lots 10,000 square feet or less. Off-street parking requirements can be waived if 15 or fewer parking spaces are required.

Table 2.1-2: Zoning Districts in the Surrounding Area¹

| Zoning District | Type and Use Group | Floor Area Ratio (FAR) | Parking |
|-----------------|----------------------------|---|---|
| M1-2 | Light Manufacturing | 2.0 FAR – Manufacturing | 1 per 300 sf |
| | Ugs 4-14, 16-17 | 2.0 FAR – Commercial 4.8 FAR – Community Facility | |
| M1-3 | Light Manufacturing | 5.0 FAR – Manufacturing | 1 per 300 sf |
| | Ugs 4-14, 16-17 | 5.0 FAR – Commercial 6.5 FAR – Community Facility | |
| R7-1 | Non-Contextual Residential | 3.44 – Residential (Basic, Narrow Street) | 50% of DU; 50% of DU for lots 10,000sf or less; 0 for IRHU inside TZ 15% of DU for IRHU outside TZ |
| | Ugs 1-4 | 4.00 – Residential (Basic, Wide Street) 4.60 – Residential (MIH/VIH) FAR – Community Facility | |
| R7D | Contextual Residential | 4.20 – Residential (Basic) | 50% of DU; 30% of DU for lots 10,000sf or less; 0 for IRHU |
| | Ugs 1-4 | 5.60 – Residential (MIH/VIH) 4.20 – Community Facility | |

Affected Area

The Affected Area is zoned M1-2, which permits light manufacturing developments up to four stories along with commercial and certain community facility uses.

Future No-Action Condition

Zoning Study Area and Affected Area

There are no proposed rezonings within the 400-foot zoning Study Area. No changes to zoning would occur in the future without the Proposed Actions in the Affected Area. Existing zoning patterns would remain, and the Affected Area would continue to be subject to M1-2 zoning regulations.

Future With-Action Condition

Zoning Study Area

Changes to zoning would only occur in the Affected Area in the future with the Proposed Actions.

Affected Area

The Proposed Actions would rezone Block 2577, Lots 6, 7, 8, 9, 14, and the northern portion of Lot 20 (a rectangular area approximately of 30,548 SF bounded in part by East 145th Street,

¹ Zoning Handbook, New York City Department of City Planning, 2019

Wales Avenue, and Concord Avenue) from an M1-2 to an R7D/M1-4 (MX) zoning district. The Applicant is also proposing a Zoning Text Amendment to Appendix F to add a Mandatory Inclusionary Housing (MIH) area coterminous with the Affected Area.

Under the With-Action condition, the proposed R7D/M1-4 (MX) district would permit a maximum of 5.6 FAR for residential use (MIH area), 2.0 FAR for commercial uses, 6.5 for community facility uses, and 2.0 FAR for manufacturing uses. The maximum building height within the R7D/M1-4 (MX) zoning district is 115 feet after a setback from the base height of up to 95 feet. Buildings within the proposed zoning district must have a 10-foot setback above the maximum base height on a wide street and a 15-foot setback on a narrow street before rising to a maximum of 11 floors. Off-street parking is required for 50 percent of the residential dwelling units, but is not required for income-restricted housing units within the Transit Zone.

In comparison with the existing M1-2 zoning districts currently mapped over the Affected Area, the proposed R7D/M1-4 (MX) zoning district would allow for residential uses, a wider range of community facility uses, a larger FAR, and increased building heights.

Conclusion

The Applicant believes that the proposed rezoning would increase the utilization of the lots within the Affected Area and the economic viability of the Surrounding Area. The proposed R7D/M1-4 (MX) zoning district would match the adjacent R7D district across Concord Avenue and serve as a transition between the adjacent to the Affected Area residential districts (R7D and R7-1) to the north and the west and the manufacturing district (M1-2) to the east and south of the Affected Area. The Proposed Actions encourage new residential uses and the development of higher density, which is in compliance with City policies to encourage the development of new housing in underutilized areas of the City. Moreover, the proposed Zoning Text Amendment to Appendix F to add a Mandatory Inclusionary Housing (MIH) would allow for residential growth with affordable housing, furthering city goals for affordable housing. Lastly, the Proposed Actions would effectuate a use consistent with and complementary to the existing community facility uses (schools) within the immediate Surrounding Area. Therefore, no potentially significant adverse impacts related to zoning are expected as a result of the Proposed Actions, and further analysis of zoning is not warranted.

2.1.3 Public Policy

According to the *2021 CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. 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 the Proposed Actions could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

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The Affected Area is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. In addition, the Affected Area is located within a designated FRESH-eligible area but would not include any FRESH programming.

The Proposed Actions include a Zoning Text Amendment to ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 1, Bronx, to establish the Affected Area as an MIH Area. As a result, analysis of the Proposed Development's alignment with Housing New York is warranted.

Though the Proposed Actions are not a large publicly sponsored project, consistency with the City's OneNYC for sustainability is provided below.

In addition, the Proposed Actions consistency with "Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery" is provided below.

Existing Conditions

Housing New York 2.0

Carried out by Housing Preservation and Development (HPD), *Housing New York* is the Mayor's plan to build or preserve 300,000 affordable homes by 2026. The plan outlines a comprehensive set of policies and programs to address the city's affordable housing crisis and retain the diversity and vitality of its neighborhoods.

OneNYC

OneNYC is New York City's long-term strategy and Green New Deal to confront climate crisis, achieve equity, and strengthen democracy so that people can build a strong and fair city. It covers eight strategies: a vibrant democracy, an inclusive economy, thriving neighborhoods, healthy lives, equity and excellence in education, a livable climate, efficient mobility, and modern infrastructure.

Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery

Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery aims to accelerate job creation and make communities more resilient to future environmental and public health emergencies, financially stronger, and more connected. It contains five main strategies, including

1. Restarting the city's economic engines and reactivating the public realm, supporting small businesses, entrepreneurship, and a more equitable economy
2. Driving inclusive sector growth
3. Building a future-focused economy
4. Connecting New Yorkers to quality jobs and in-demand skills

5. Planning and building for inclusive growth now and in the future

Future No-Action Condition

No changes to *Housing New York 2.0*, *OneNYC* or *Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery* are anticipated under Future No-Action Conditions.

Future With-Action Condition

Housing New York 2.0

The Proposed Actions are consistent with the goals of Housing New York as an MIH area would be established over the Affected Area to introduce more affordable residential units to the area. The development of the two Projected Development Sites would set aside 27 dwelling units, far more than the total four existing market-rate residential units, as permanently affordable units for households making an income at or below 80% AMI, which makes up 20% of the total 135 project induced dwelling units. The affordable units that would be provided pursuant to the Proposed Actions would foster diverse and livable neighborhoods, preserve the affordability and quality of the housing stock, and build new affordable housing for all New Yorkers.

OneNYC

The Proposed Actions support the OneNYC strategies in terms of an inclusive economy and thriving neighborhoods by creating new job opportunities within the proposed commercial and light manufacturing spaces.

The Proposed Actions would support OneNYC initiatives by constructing new multi-family housing, as well as community facility uses on underbuilt land. The Proposed Actions are consistent with the goals of OneNYC 2050, as it would create additional affordable housing and contribute to the community and economic development of the Mott Haven neighborhood and Bronx as a whole. Therefore, the Proposed Actions would not conflict with this public policy.

Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery

The Proposed Development would provide new-built spaces for small businesses, increase the community's economic diversity, and create quality jobs for New Yorkers. Thus, the Proposed Actions are supportive of this policy.

Conclusion

The development effectuated as a result of the Proposed Actions would not create a land use conflict, nor would it conflict with public policies and plans for the site or surrounding area. The Proposed Actions would also not result in significant material changes to existing regulations or policy. Therefore, no significant adverse impacts are anticipated to public policies, and no further analysis is warranted.

2.2 Open Space

The *2021 CEQR Technical Manual* defines the need for an open space assessment if the Proposed Actions would have a direct or indirect effect on open space resources. Direct effects would occur if the proposed action would result in the physical loss of a public open space; change of use of an open space so that it no longer serves the same user population; limit public access to an open space; or cause increased noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness, whether temporary or permanent. Indirect effects would occur if a proposed action would result in an increase of population sufficiently large enough to noticeably diminish the ability of an area's open space to serve future population.

Open space is defined as publicly or privately-owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment.

Pursuant to Chapter 7, Section 100 of the *2021 CEQR Technical Manual*, Open Space Resources are defined as active and/or passive, and may include, but are not limited to, the following:

- Parks operated or managed by City, State, or federal governments and include neighborhood and regional parks, beaches, pools, golf courses, boardwalks, playgrounds, ballfields, and recreational facilities that are available to the public at no cost or through a nominal fee, such as NYC Parks recreation centers and golf courses;
- Open Space designated through regulatory approvals (e.g., zoning), including large-scale permits that prescribe publicly accessible Open Space, such as public plazas;
- Outdoor schoolyards, if available to the public during non-school hours;
- Publicly-accessible institutional campuses;
- Promenades and esplanades;
- Designated greenways, as shown on the NYC Bike Map, and defined as multi-use pathways for non-motorized recreation and transportation along natural or other linear spaces, such as rail and highway rights-of-way, river corridors, and waterfront spaces;
- Landscaped medians or malls with seating;
- Housing complex grounds, if publicly accessible;
- Nature preserves, if publicly accessible;
- Gardens, if publicly accessible;
- Church yards (with seating) or cemeteries, if publicly-accessible for passive recreation;
- Waterfront piers used for recreation.

Methodology

According to the guidelines of the City's *2021 CEQR Technical Manual* for analysis of residential development, census tracts with at least half of their geographic area within a one-half mile radius of the Affected Area comprise the residential Open Space Study Area. Using current population figures, an Open Space Ratio is calculated for both the future no-action and future with-action conditions, expressed as the amount of open space acreage per 1,000 user population. Typically, a comparison is made to the city's planning goal of 2.50 acres of Open Space per 1,000 residents.

In addition to field surveys, information from the NYC Department of City Planning's Community District Needs Statements and Housing Database, NYC Parks Department website, and U.S. Census data were utilized in preparing the Open Space analysis.

Direct Effects

Direct effects to Open Space are addressed in the sections for those specific technical areas where warranted. Construction impacts to Open Space are not anticipated as there would be no physical loss of public Open Space, no change in existing Open Space so that it no longer serves the same user population, would not limit public access, and would not increase noise or air pollutant emissions, odors, or shadows on public Open Space that would affect its usefulness. An assessment of the effects of the Proposed Actions related to shadows on Open Space resources is provided in **Section 2.3**.

Indirect Effects

Pursuant to the *2021 CEQR Technical Manual*, the threshold for assessment of the potential for indirect impacts is 200 new residents or 500 additional employees. As indicated in **Table 1.8-2**, the Future With-Action Condition at the Affected Area is projected to generate 360 new incremental residents. Accordingly, a preliminary residential Open Space assessment for indirect effects is warranted. The Future With-Action Condition is projected to result in an increase of 213 employees in the Affected Area. Accordingly, a preliminary commercial Open Space assessment for indirect effects is not warranted.

2.2.1 Preliminary Residential Open Space Assessment for Indirect Effects

As previously discussed, the Proposed Actions are projected to result in the incremental development of 131 new dwelling units within the Affected Area. Assuming an average household size of 2.75 persons within Bronx, Community District 1 (based on 2020 United States Decennial Census Data), the incremental residential population increase in the Affected Area would be approximately 360 persons ($2.75 \times 131 = 360$).

Study Area Definition

In accordance with the guidelines established in the City's *2021 CEQR Technical Manual*, the Open Space Study Area is defined to analyze both the nearby Open Spaces and the population

using those Open Space resources. The Study Area is generally defined by a reasonable walking distance that users would travel to reach local Open Spaces and recreational areas. Pursuant to the *2021 CEQR Technical Manual*, the Open Space Study Area includes all U.S. Census Tracts that have 50 percent or more of their area within a half-mile radius of the Affected Area for residential users. As shown in **Figure 2.2-1**, there are nine census tracts with 50 percent or more of their area within the Generalized Open Space Study Area, including Bronx Census Tracts 27.01, 27.02, 31, 33, 35, 43, 73, 79, and 83.

Existing Condition

Based on census tract level population data provided in the 2020 United States Decennial Census, the 1/2-mile Study Area had a total population of 41,490 persons. According to the Project-Level DCP Housing Database, three (3) building permits were completed within the nine census tracts comprising the Study Area since January 1, 2020 (see **Appendix C**). One of these permits was issued for an alteration of existing building and two for new building construction. The three permits ultimately resulted in 42 net residential dwelling units which multiplied by the average household size (2.75) for Bronx Community District 1 (2020 ACS) came out to 116 additional residents. As such, the Study Area population under Existing Conditions is estimated to be 41,606 persons.

Future No-Action Condition

A review of active major construction projects² and approved BSA applications and ULURP actions was undertaken to determine known developments within 1/2-mile Study Area. Based on this review, there are 20 active permits for alteration and/or demolition of existing buildings and construction of new buildings that would result in a net gain of 614 residential dwelling units by the 2026 Project Build Year. In addition, 431 Concord Avenue Rezoning was identified as a land use and/or zoning action with the potential to generate 93 new residential dwelling units within the 1/2-mile Study Area by the 2026 Project Build Year. Overall, the No-Action construction projects are projected to add an additional 1,944 persons to the 1/2-mile study area population, for a total of 43,550 persons in the Future No-Action Condition (see **Table 2.2-1** below).

² https://nycdob.github.io/DOB_Dashboards/layouts/two-and-one/Active_ConstructionTM_withGraphs, Accessed April 6, 2022

**Table 2.2-1: No-Action Developments within Census Tracts
27.01, 27.02, 31, 33, 35, 43, 73, 79, 83**

| Address | Land Use | Permit Type | SF | DU | Story |
|-----------------------|-------------|-------------------|---------|-----|-------|
| 810 E 147 Street | Mercantile | New Building | 3,120 | 0 | 1 |
| 740 East 137th Street | Business | New Building | 10,886 | 0 | 2 |
| 582 East 138 Street | Residential | New Building | 10,528 | 8 | 5 |
| 350 Cypress Avenue | Educational | New Building | 5,742 | 0 | 1 |
| 602 Oak Terrace | Residential | New Building | 7,431 | 8 | 4 |
| 600 Oak Terrace | Residential | New Building | 7,294 | 8 | 4 |
| 345 St Ann's Ave | Residential | New Building | 180,155 | 178 | 10 |
| 880 East 147th Street | Residential | New Building | 73,899 | 80 | 11 |
| 494 Jackson Ave | Residential | New Building | 14,462 | 16 | 4 |
| 531 Tinton Avenue | Residential | New Building | 23,352 | 34 | 8 |
| 536 Wales Avenue | Institution | New Building | 55,201 | 70 | 7 |
| 569 Prospect Ave | Residential | New Building | 66,000 | 45 | 7 |
| 516 E 147 Street | Residential | New Building | 5,666 | 7 | 4 |
| 518 E 147 Street | Residential | New Building | 5,666 | 7 | 4 |
| 571 Jackson Avenue | Residential | New Building | 44,289 | 45 | 7 |
| 554 Trinity Avenue | Residential | New Building | 49,203 | 52 | 7 |
| 567 East 149th Street | Business | New Building | 49,248 | 0 | 3 |
| 603 Jackson Avenue | Residential | New Building | 33,800 | 25 | 7 |
| 444 East 149 Street | Residential | New Building | 20,226 | 31 | 9 |
| 671 Prospect Avenue | Educational | Alt 1 Enlargement | 6,552 | 0 | 4 |

Future With-Action Condition

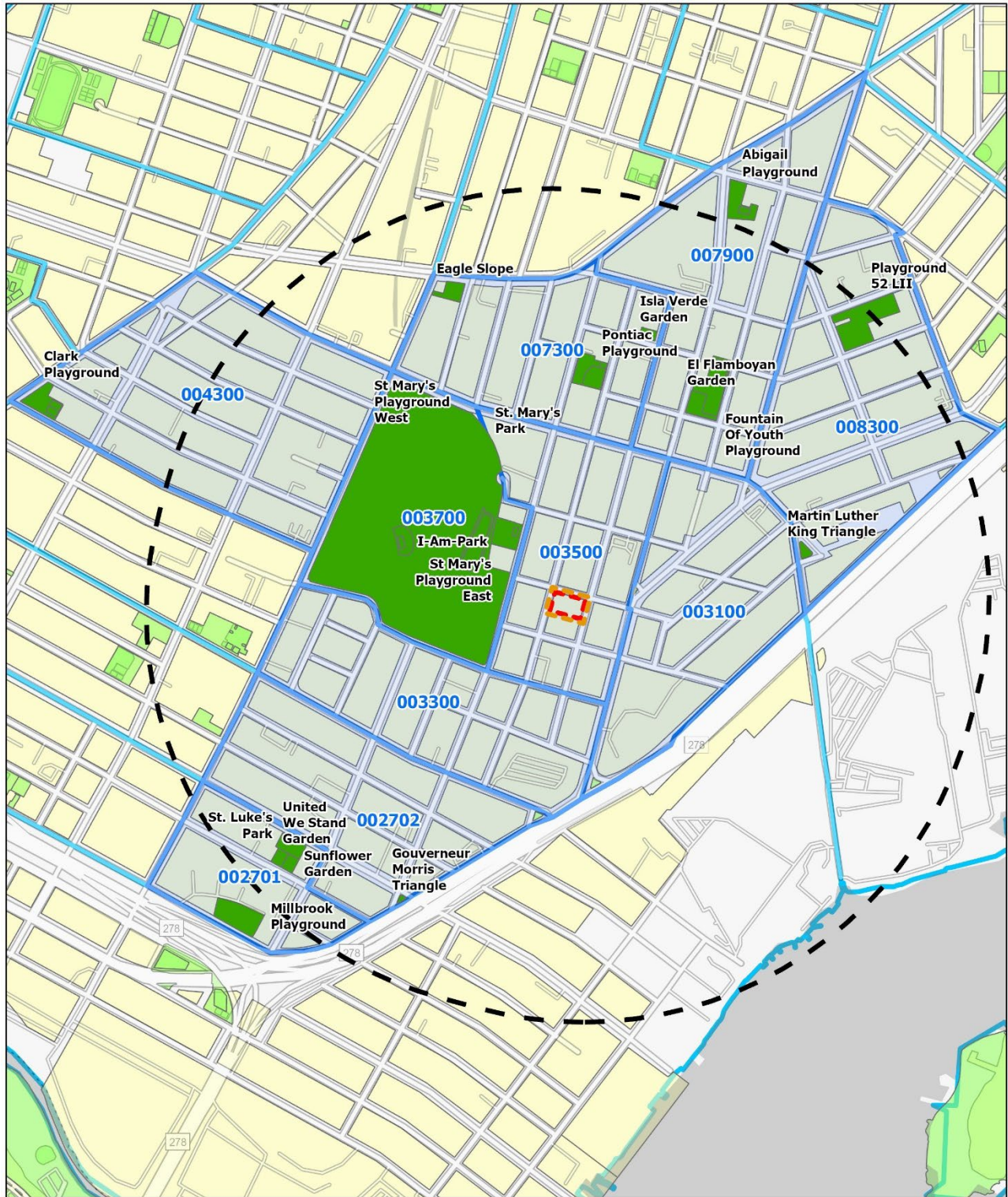
Compared to No-Action Conditions, the Proposed Actions would introduce 131 more dwelling units. Assuming an average household size of 2.75 persons, there would be 360 incremental residents resulting from the Proposed Actions. The Future With-Action population, then, would be 43,910 residents as shown below in **Table 2.2-2**.

Table 2.2-2: Existing, No-Action, and With-Action Populations³

| Existing | No-Action | With-Action |
|----------|-----------|-------------|
| 41,606 | 43,550 | 43,910 |

³ Existing = 2020 American Community Survey plus completed DUs since January 1st 2020; No-Action = Existing plus 1,944 residents; With-Action = No-Action plus 336 additional residents from the Projected Developments

Figure 2.2-1: Open Space Study Area Boundary, Census Tracts, and Open Spaces



Legend

- Projected Development Site 1
- Rezoning Area
- 1/2 Mile Study Area
- Census Tracts
- Study Census Tracts
- Open Space
- Open Space within Study Area
- Walk To A Park Service Area

0 0.05 0.1 0.2 Miles



2.2.2 Open Space Resources

There are 10 Open Space resources with regular open access to the public within the Study Area identified in **Table 2.2-3**. There are 42.87 acres of Open Spaces resources in the Study Area—31.80 are considered active, and 11.07 are considered passive based on field visits and a review of Open Space site plans. The location of these resources, as well as community gardens present in the Study Area, are shown in **Figure 2.2-1**. Community gardens are not considered Open Space resources under many circumstances given their small size and limited public accessibility; therefore, community gardens are not included in the analysis.

Existing Condition

The Study Area has 42.87 acres of Open Space and an existing residential population of 41,606. The Open Space Ratio (OSR) under existing conditions is 1.030 acres per thousand residents, which is below the citywide average of 1.5 acres per thousand residents and reflects the shortfall of Open Spaces within the Study Area.

Future No-Action Condition

In the future, without the Proposed Actions, the population within the Study Area in the 2026 build year is projected to be 43,550 persons. As no new Open Spaces are planned within this Study Area by the 2026 build year, the existing conditions, with a total of 42.87 acres of Open Space serving the Study Area, would remain unchanged in the Future No-Action Condition. As such, the OSR under the Future No-Action Condition would be 0.984, which is also below the citywide average of 1.5 acres per thousand residents.

Future With-Action Condition

The Proposed Actions would result in an increase in the Future No-Action population of 360 residents by the 2026 build year, resulting in a total Future With-Action Condition population of 43,910 persons within the Study Area. The Proposed Actions would not facilitate the development of any new publicly-accessible Open Spaces within the Affected Area. Accordingly, the Future No-Action Condition total of 42.87 acres of Open Space serving the Study Area would remain unchanged in the Future With-Action Condition. As such, the OSR under the Future With-Action Condition would be 0.976 acres per 1,000 residents.

The decrease in the OSR from 0.984 in the Future No-Action Condition to 0.976 in the Future With-Action Condition constitutes a 0.81 percent decrease in the Study Area's OSR. Pursuant to the *2021 CEQR Technical Manual*, the OSR range between 0.51 and 1 can tolerate up to a two percent decrease in the OSR between the Future No-Action and Future With-Action Condition without warranting additional analyses. As the projected OSR decrease of 0.81 percent under the Future With-Action Condition is below the 2 percent threshold, the Proposed Actions do not warrant a detailed analysis of Open Space.

2.2.3 NYC Parks Walk to a Park Initiative

New York City, as part of the OneNYC 2050 Building a Strong and Fair City plan, has put forth a goal for 85 percent of New York City residents living within walking distance of a park by 2030. To help the City reach this goal, NYC Parks has a Walk to a Park initiative that focuses on increasing access to parks and Open Space in areas of the City where residents live further than walking distance to a park. Areas outside of Walk to a Park Service Areas are considered “walk gaps” – i.e., areas of the City that are not within walking distance to a park.

As part of the preliminary assessment for Open Space, a project should be reviewed to determine if it is located in an area of the city within a Walk to a Park Service Area. Project sites that are located outside of a Walk to a Park Service Area (i.e., located in a known walk gap areas) suggests there is a need for a detailed analysis to be performed to determine if the project may further exacerbate a condition of residents living in areas of the city with inadequate park access, potentially leading to a significant impact. While the focus of the Walk to a Park initiative is on residents living within walking distance to a park, projects that create a non-residential population (e.g., new workers) should also review if the project is located within a known walk gap and assess if the project would generate a new non-residential population within areas of the City with inadequate access to open space resources.

As shown in **Figure 2.2-1**, the Affected Area is located within a Walk to Park Service Area, and is therefore not identified as a walk gap area.

Table 2.2-3: Open Space Resources

| Name | Park ID Number | Property Type | Responsible Agency | Acreage | % Active | % Passive | Total Active | Total Passive | Features |
|------------------------------|----------------|-----------------------------|--------------------|--------------|----------|-----------|--------------|---------------|---|
| Abigail Playground | X216 | Playground | NYC DPR | 0.53 | 75% | 25% | 0.3975 | 0.1325 | BC, PG, SS, Ba |
| Clark Playground | X200 | Jointly Operated Playground | NYC DPR/DOE | 0.72 | 75% | 25% | 0.54 | 0.18 | BC, Ba, HC, PG, SS |
| Fountain Of Youth Playground | X233 | Jointly Operated Playground | NYC DPR/DOE | 1.38 | 75% | 25% | 1.035 | 0.345 | HC, PG, SS |
| Gouverneur Morris Triangle | X139 | Triangle/Plaza | NYC DPR | 0.31 | 0% | 100% | 0 | 0.31 | - |
| I-Am-Park | X228 | Jointly Operated Playground | NYC DPR/DOE | 0.71 | 75% | 25% | 0.5325 | 0.1775 | BC, Pg |
| Martin Luther King Triangle | X063 | Triangle/Plaza | NYC DPR | 0.16 | 0% | 100% | 0 | 0.16 | - |
| Millbrook Playground | X182 | Playground | NYC DPR | 1.05 | 75% | 25% | 0.7875 | 0.2625 | BC, Ba, FE, HC, PG, SS |
| Playground 52 LII | X179 | Jointly Operated Playground | NYC DPR/DOE | 1.79 | 75% | 25% | 1.3425 | 0.4475 | BC, HC, Ba, PG, SP, SS |
| Pontiac Playground | X207 | Jointly Operated Playground | NYC DPR/DOE | 0.91 | 75% | 25% | 0.6825 | 0.2275 | HC, PG |
| St. Mary's Park | X045 | Community Park | NYC DPR | 35.31 | 75% | 25% | 26.4825 | 8.8275 | BF, BC, Ba, DFA, FE, FF, HC, IP, ML, PG, RC, SS, RT, SF, TC, WFHS |
| Totals | | | | 42.87 | - | - | 31.80 | 11.07 | - |

SS = Spray Showers; Pg = Playgrounds; Bi = Bicycling; BC = Basketball Courts; BA = BBQ Area; FE = Fitness Equipment; Ba = Bathrooms; Be = Benches; HC = Handball Courts; GW = Greenway; CG = Community Garden; VB = Volley Ball; BF = Baseball Fields; FF = Football Fields; DFA = Dog Friendly Areas; IP = Indoor Pools; ML = Media Labs; WFHS = Wifi Hot Spots; SF = Soccer Fields; RC = Recreation Centers; RT = Running Tracks.

2.2.4 Conclusion

The Future With-Action Condition would result in the development of 131 additional dwelling units over the Future No-Action Condition, projected to generate an additional population of 360 new residents. This would result in a decrease of the OSR within the Study Area from 0.984 acres per 1,000 residents in the Future No-Action Condition to 0.976 in the Future With-Action Condition, a decrease of approximately 0.81 percent. Pursuant to the *2021 CEQR Technical Manual*, OSR range between 0.51 and 1 can tolerate up to a two percent decrease in the OSR between the Future No-Action and Future With-Action Condition without warranting additional analyses. Further, the Affected Area is within a Walk to a Park service area, indicating all future projected residents are within a reasonable walking distance to public Open Spaces. Therefore, the Proposed Actions would not result in a significant adverse impact on Open Space within the Study Area, and further analysis is not 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 Action 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 farther 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.

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, places containing no seating areas and no vegetation, no unusual or historic plantings, or containing 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 *CEQR Technical Manual* guidance.

Methodology

This preliminary analysis of shadows follows the guidelines set forth in the *2021 CEQR Technical Manual* for a preliminary assessment (Section 310). According to the *2021 CEQR Technical Manual*, a preliminary shadow assessment includes the development of a base map showing the site location in relationship to any sunlight-sensitive resources as per guidelines provided in the *2021 CEQR Technical Manual*. Following these guidelines, the longest shadow Study Area is determined, and a Tier 1 screening assessment is conducted to determine if any sunlight-sensitive resources fall within the Study Area. If no resources are identified, no further analysis would be required. If sunlight-sensitive resources lay within the longest shadow Study Area, the next tier of screening assessment should be conducted. This preliminary assessment includes a basic description of the proposed project that would be facilitated by the Proposed Actions in order to determine whether a more detailed assessment would be appropriate.

Analysis Framework

Projected Development Site 1

Projected Development Site 1 is located on Block 2577, Lots 9 and 14. Under Future With-Action conditions, it is assumed that Projected Development Site 1 would be developed with a new 11-story mixed-use building that would reach a height of 115 feet. Additionally, the development would be expected to exceed the maximum building height by 10 feet to accommodate rooftop mechanical space, which would result in a total potential building height of 125 feet. Since Projected Development Site 1 is currently utilized as parking and improved with a one-story warehouse, the Development would result in an incremental change in height greater than 50 feet, and a preliminary assessment for shadows is warranted.

Projected Development Site 2

Projected Development Site 2 is located on Block 2577, Lots 7 and 8. Under Future With-Action conditions, it is assumed that Projected Development Site 2 would be developed with a new 11-story mixed-use building that would reach a height of 115 feet. Additionally, the development would be expected to exceed the maximum building height by 10 feet to accommodate rooftop mechanical space, which would result in a total potential building height of 125 feet. Since Projected Development Site 2 is currently improved with two two-story residential buildings, the Development would result in an incremental change in height greater than 50 feet, and a preliminary assessment for shadows is warranted.

No other sites within the Affected Area are anticipated to be redeveloped as a result of the Proposed Actions, thus, only Projected Development Sites 1 and 2 will be assessed for potential shadow impacts.

2.3.1 Tier 1 Shadow Screening Assessment

Under the Future With-Action Condition, the Projected Development Sites 1 and 2 could be developed with new buildings having a maximum height of 125 feet. Therefore, the longest action-induced shadow would be approximately 537.5 feet (4.3 x 125 feet) in length.

The first step in a shadow analysis is to determine whether there are any sunlight-sensitive resources located within the length of the radius equal to the longest action-induced shadow length for each of the Sites.

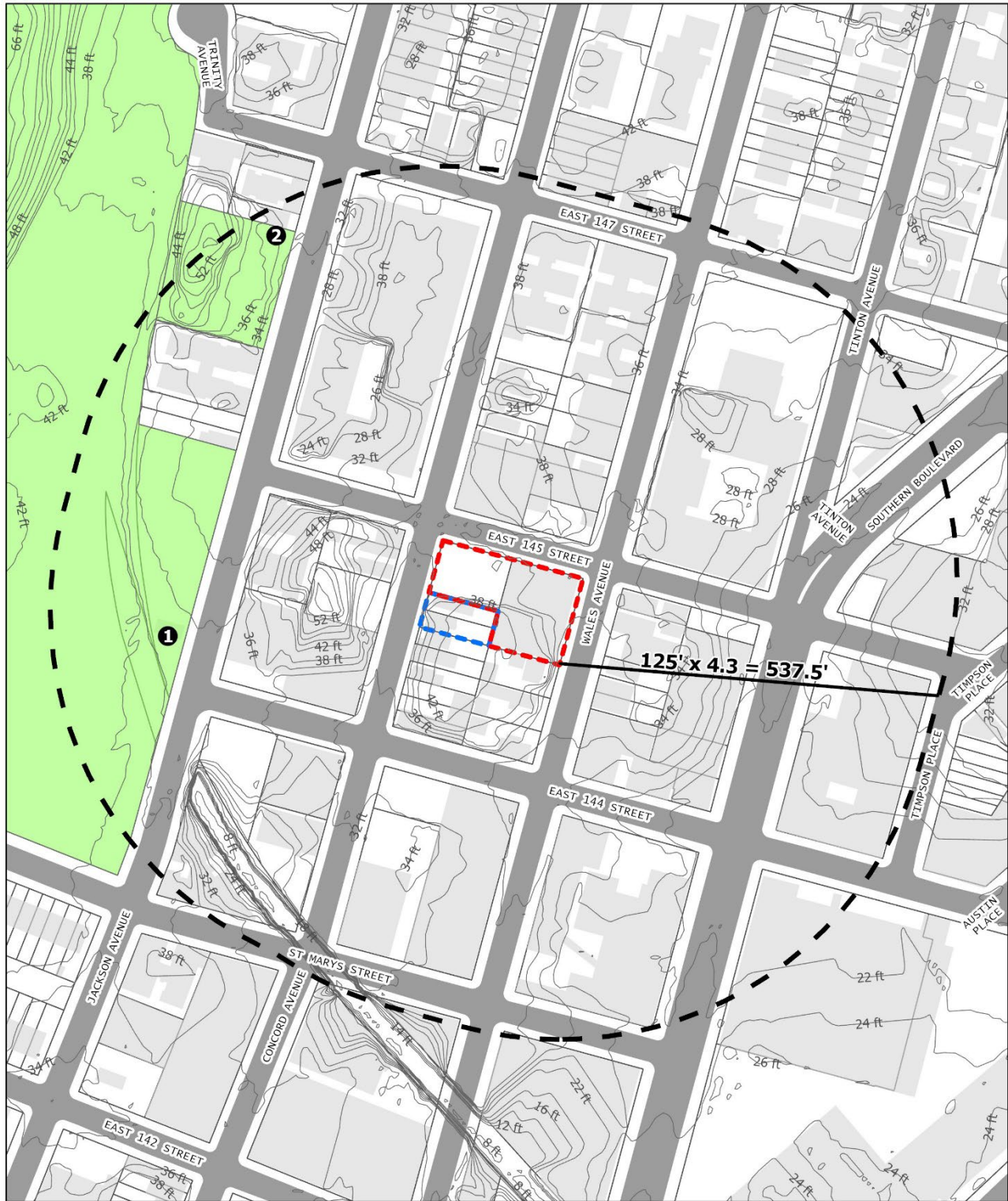
As **Figure 2.3-1** shows below, two sunlight-sensitive resources, St. Mary's Park (Sunlight Sensitive Resource 1) and I-Am-Park (Sunlight Sensitive Resource 2) lie within the longest shadow Study Areas of Projected Development Sites 1 and 2. As such, a Tier 2 screening assessment is required.

2.3.2 Tier 2 Shadow 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 Projected 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 2.3-2**, the Tier 2 screening assessment shows that St. Mary's Park (Sunlight Sensitive Resource 1) and I-Am-Park (Sunlight Sensitive Resource 2) are outside of the -108/+180-degree triangular area south of the Projected Sites where no shadow can be cast. Accordingly, a Tier 3 shadow screening assessment is required.

Figure 2.3-1: Tier 1 Shadow Screening Assessment



Legend

- Projected Development Site 1
- Projected Development Site 2
- Sunlight Sensitive Resources
- Longest Shadow Study Area
- 2 ft Elevation Contours

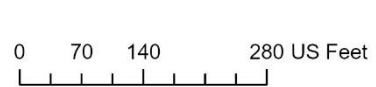
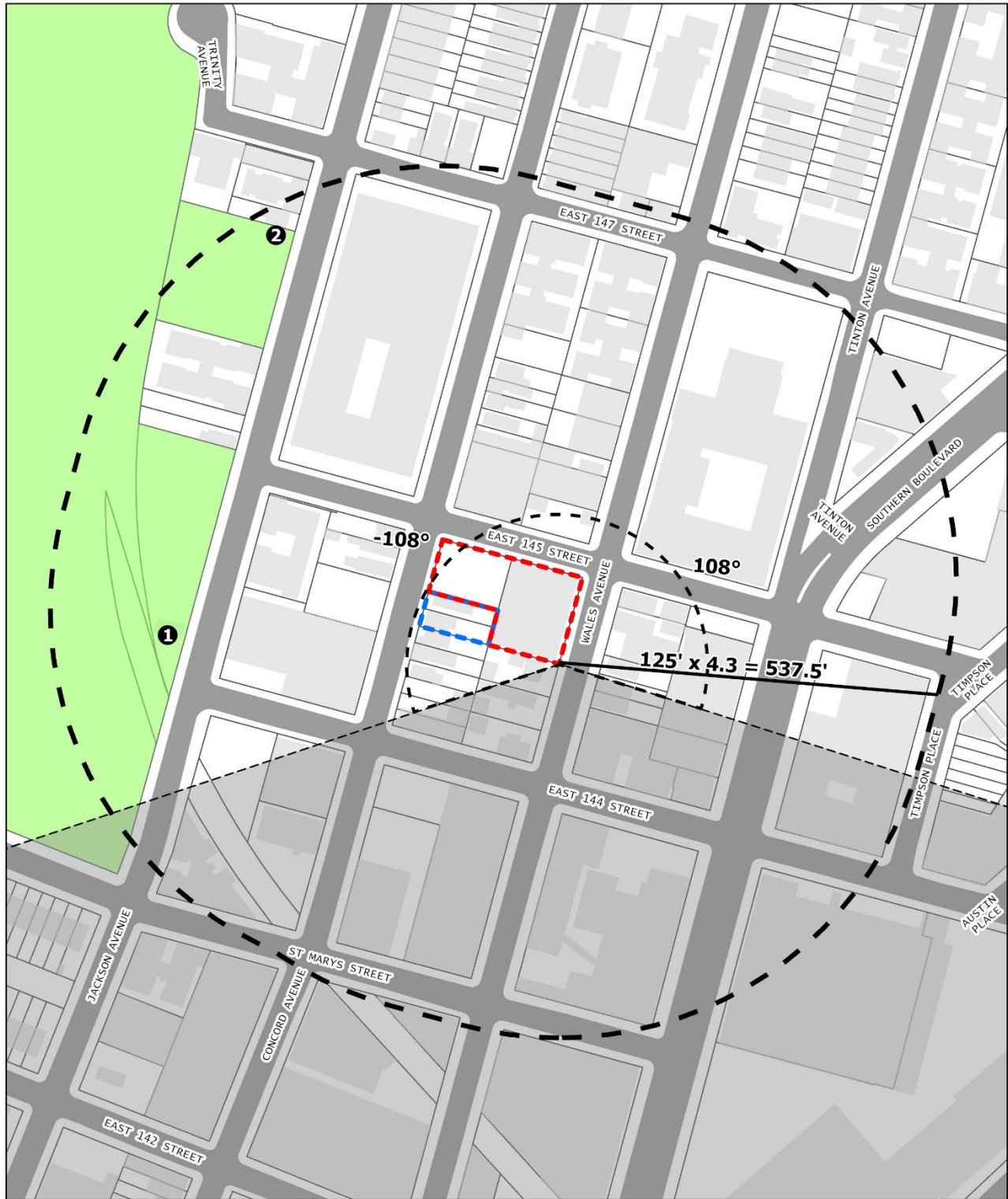






Figure 2.3-2: Tier 2 Shadow Screening Assessment



Legend

-  Projected Development Site 1
-  Projected Development Site 2
-  Sunlight Sensitive Resources

-  Longest Shadow Study Area
-  Area That Cannot Be Shaded by The Proposed Building



2.3.3 Tier 3 Shadow Screening Assessment

The *CEQR Technical Manual* states that if any portion of a sunlight-sensitive resource is within the area that could be shaded by the Proposed Project, a Tier 3 screening assessment should be performed. Because the sun rises in the east and travels across the southern part of the sky to set in the west, a project's earliest shadows would be cast almost directly westward. Throughout the day, they would shift clockwise (moving northwest, then north, then northeast) until sunset, when they would fall east. Therefore, a project's earliest shadow on a sunlight-sensitive resource would occur in a similar pattern, depending on the location of the resource in relation to the Project Site. For a Tier 3 screening assessment, if the assessment determines that no shadows from the development would reach any of the sunlight-sensitive resources on any of the representative analysis days, then no further assessment for those days is needed. If, however, in the absence of intervening buildings shadows from the proposed buildings would reach sunlight-sensitive resources on any of the representative analysis days, then a detailed shadow analysis would be warranted for those days.

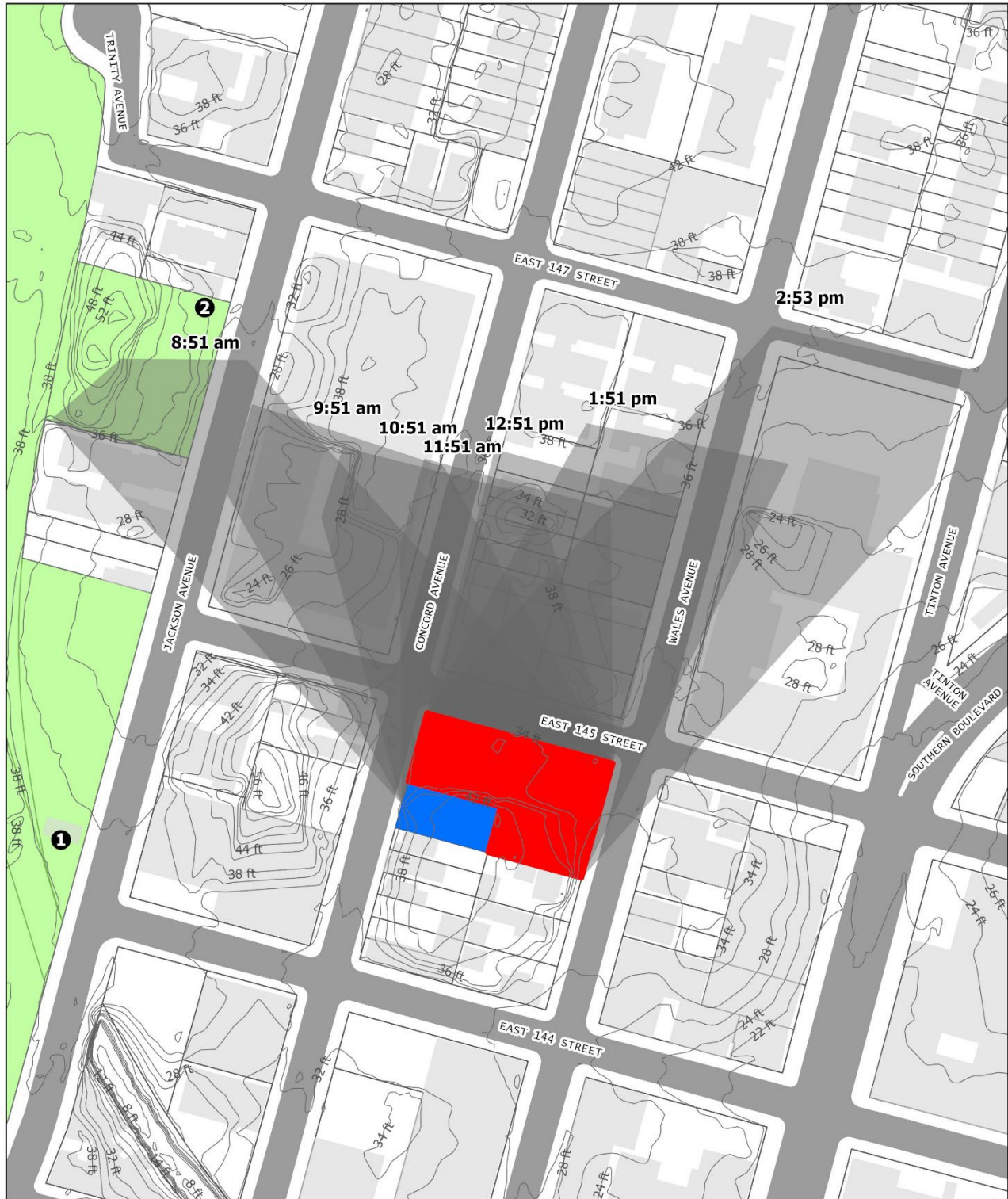
Three-dimensional computer modeling was used for the Tier 3 screening assessment. At this stage of the assessment, the surrounding buildings were not included in the model to determine whether shadows from the proposed project would reach the sunlight-sensitive resource.

The following representative days were included in the modeling:

- December 21 (Winter Solstice),
- March 21/ September 21 (Vernal Equinox/Autumnal Equinox),
- June 21 (Summer Solstice),
- May 6/ August 6.

As shown in **Figure 2.3-3** to **Figure 2.3-6** below, shadows from the Projected Developments would reach the sunlight-sensitive resource, I-Am-Park (Sunlight Sensitive Resource 2), on December 21st (Winter Solstice) and reach St. Mary's Park on March 21st/September 21st (Vernal and Autumnal Equinox), May 6th / August 6th, and June 21st (Summer Solstice). Therefore, a detailed shadow analysis is required to determine the impacts on St. Mary's Park (Sunlight Sensitive Resource 1) and I-Am-Park (Sunlight Sensitive Resource 2).

Figure 2.3-3: Tier 3 Shadow Screening December 21st (Winter Solstice)



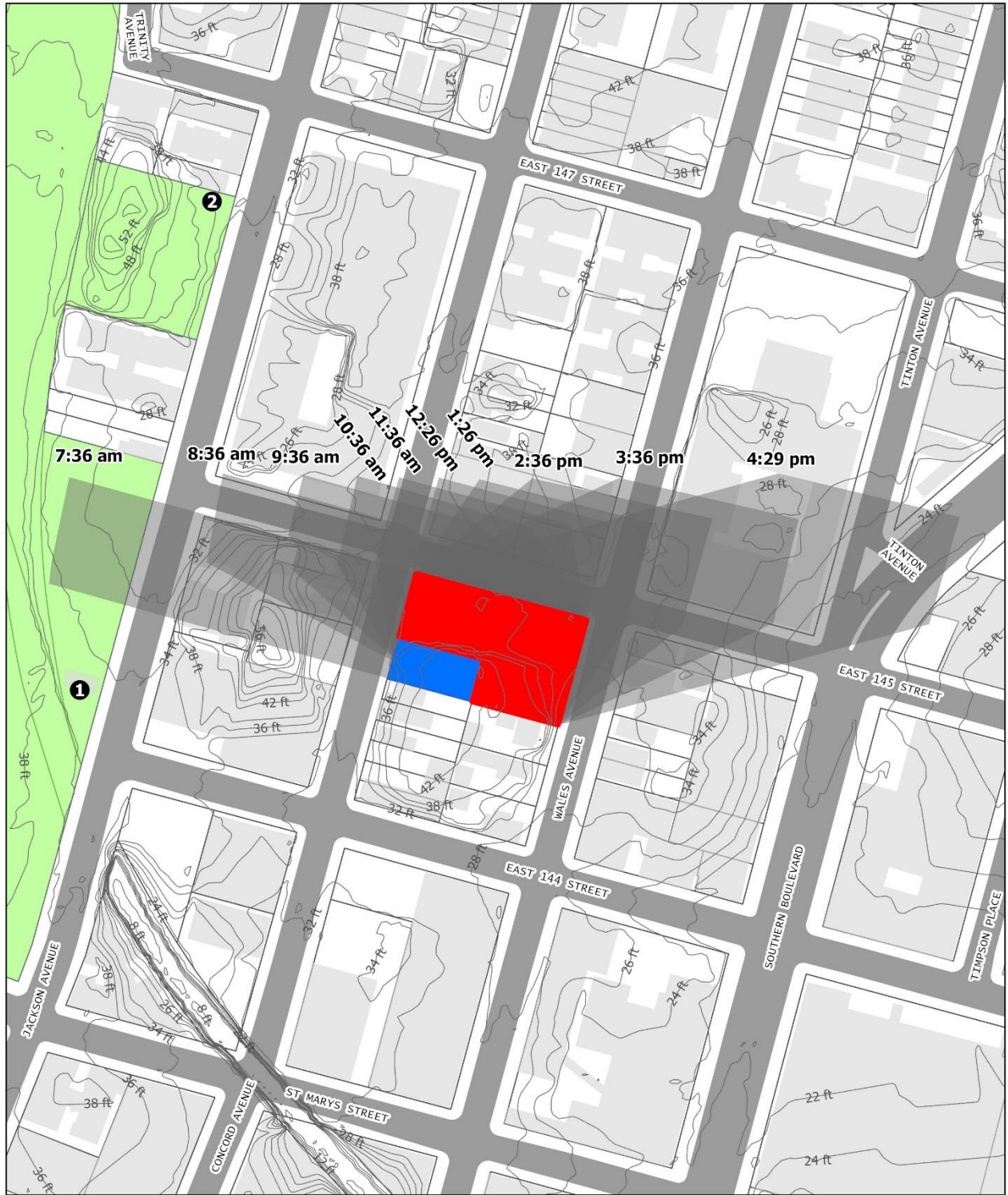
Legend

- Projected Development Site 1
- Sunlight Sensitive Resources
- With-Action Scenario Shadows
- Projected Development Site 2
- 2 ft Elevation Contours

0 50 100 200 US Feet



**Figure 2.3-4: Tier 3 Shadow Screening March 21st/September 21st
(Vernal and Autumnal Equinox)**

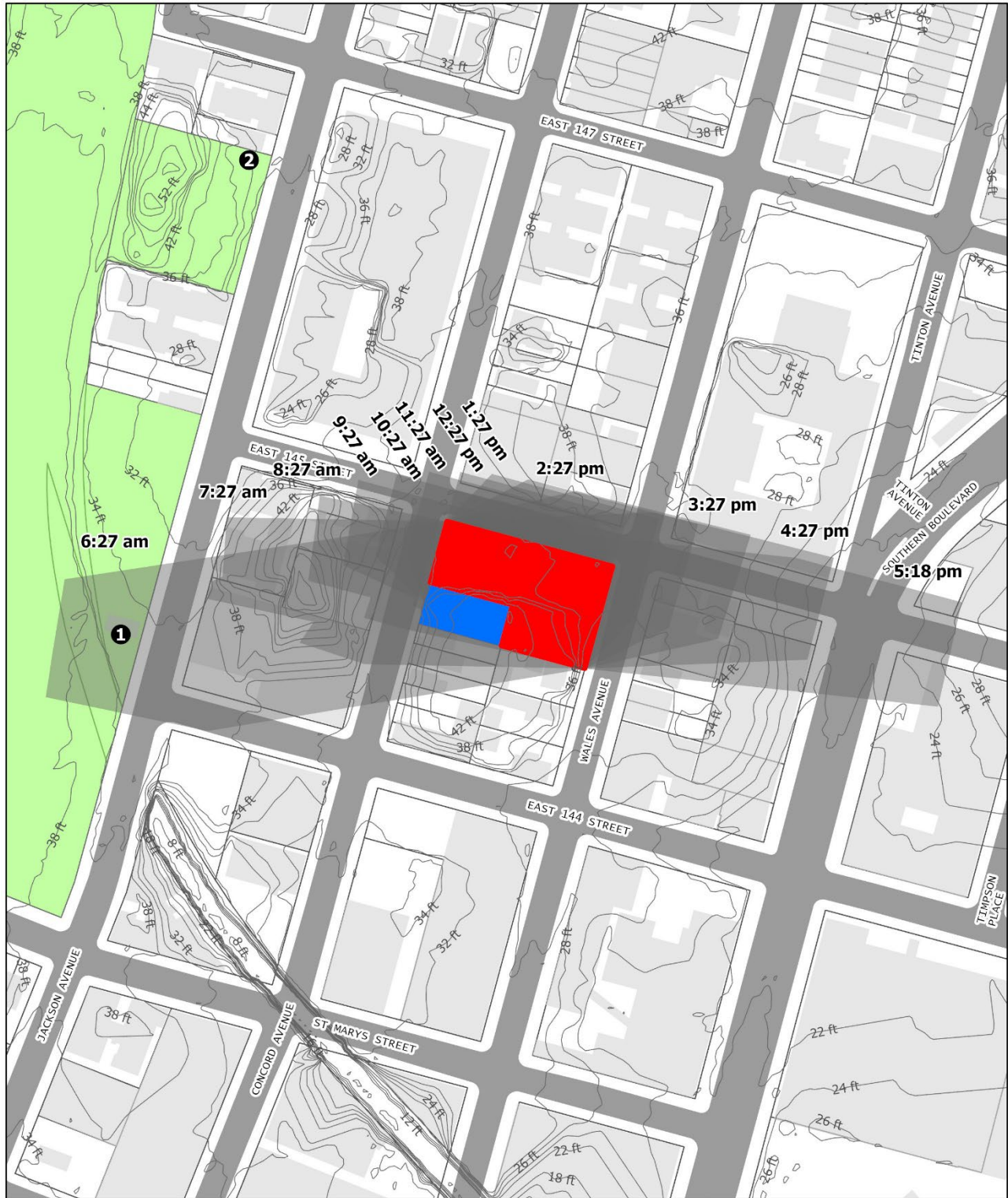


Legend

- Projected Development Site 1
- Projected Development Site 2
- Sunlight Sensitive Resources
- 2 ft Elevation Contours
- With-Action Scenario Shadows



Figure 2.3-5: Tier 3 Shadow Screening May 6th/August 6th



Legend

- Projected Development Site 1
- Projected Development Site 2
- Sunlight Sensitive Resources
- 2 ft Elevation Contours
- With-Action Scenario Shadows

0 60 120 240 US Feet



Figure 2.3-6: Tier 3 Shadow Screening June 21st (Summer Solstice)



Legend

- Projected Development Site 1
- Projected Development Site 2
- Sunlight Sensitive Resources
- 2 ft Elevation Contours
- With-Action Scenario Shadows

0 60 120 240 US Feet



2.3.4 Detailed Shadow Analysis

Owned and managed by NYC DPR, St. Mary's Park is a publicly accessible outdoor space located in the Bronx, NY (Block 2557, Lot 1) and is 35.31 acres in size. The park includes walking paths, baseball fields, a dog-run, handball courts, playgrounds, soccer fields, basketball courts, tennis courts, football fields, and an indoor recreation center with a pool and fitness equipment. **Figure 2.3-7** shows an aerial view of the park. The playground is open from 6 am to 9 pm all year round.

Owned and managed by NYC DPR, I-Am-Park is a publicly accessible outdoor space located in the Bronx, NY (Block 2557, Lot 49) and is 0.71 acres in size. The park includes basketball courts and a playground. **Figure 2.7-8** shows an aerial view of the 3.2-acre playground. The playground is open from 6 am to 9 pm all year round.

The purpose of the detailed analysis is to determine the extent and duration of shadows that fall on a sunlight-sensitive resource due to the proposed project. In order to carry out the detailed shadow analysis, the three-dimensional computer model used for the previous screening assessment was augmented by adding the existing and future buildings near the Projected Development Sites that could cast shadows on any of the sunlight-sensitive resources.

The results of the detailed shadow analyses on the identified resources of concern are summarized in **Table 2.3-1**. The incremental shadows cast by the Projected Development Sites are shown below in **Figure 2.3-9** to **Figure 2.3-12**.

Based on the findings of the Detailed Shadow Analysis, the Proposed Actions would result in incremental shadows on I-Am-Park during the December 21st analysis period. Shadows cast from the Projected Development Sites during the representative day in December enter I-Am-Park at 8:51 am and leave the park at 9:35 am. The total Incremental Shadow Duration on December 21st is 34 Minutes, which leaves 5 hours and 28 minutes of the parks unaffected sunlight exposure.

Based on the findings of the Detailed Shadow Analysis, the Proposed Actions would result in incremental shadows on St. Mary's Park during the December March 21st / September 21st analysis period. Shadows cast from the Projected Developments during the representative day in March / September enter St. Mary's Park at 7:36 am and leave the park at 8:06 am. The total Incremental Shadow Duration on March 21st / September 21st is 30 Minutes, which leaves 6 hours and 23 minutes of the parks unaffected sunlight exposure.

Based on the findings of the Detailed Shadow Analysis, the Proposed Actions would result in incremental shadows on St. Mary's Park during the December May 6th / August 6th analysis period. Shadows cast from the Projected Developments during the representative day in May / August enter St. Mary's Park at 6:27 am and leave the park at 7:00 am. The total Incremental Shadow Duration on May 6th / August 6th is 33 Minutes, which leaves 9 hours and 18 minutes of the parks unaffected sunlight exposure.

Based on the findings of the Detailed Shadow Analysis, the Proposed Actions would result in incremental shadows on St. Mary’s Park during the December June 21st analysis period. Shadows cast from the Projected Developments during the representative day in June enter St. Mary’s Park at 5:57 am and leave the park at 6:20 am. The total Incremental Shadow Duration on June 21st is 23 Minutes, which leaves 11 hours and 41 minutes of the parks unaffected sunlight exposure.

Table 2.3-1: Detailed Shadow Analysis Results

| Analysis Day | 21-Dec | March 21 / September 21 | May 6 / August 6 | 21-Jun |
|--------------------------------------|-----------------------|----------------------------|-----------------------|-----------------------|
| Timeframe Window | 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. |
| Sunlight Sensitive Resource 1 | St. Mary's Park | | | |
| Shadow enter - exit times | - | 7:36 am - 8:06 am | 6:27 am - 7:00 am | 5:57 am - 6:20 am |
| Incremental Shadow Duration | - | 30 Minutes | 33 Minutes | 23 Minutes |
| Sunlight Sensitive Resource 2 | I-Am-Park | | | |
| Shadow enter - exit times | 8:51 am - 9:25 am | - | - | - |
| Incremental Shadow Duration | 34 Minutes | - | - | - |
| Note: Daylight savings time not used | | | | |

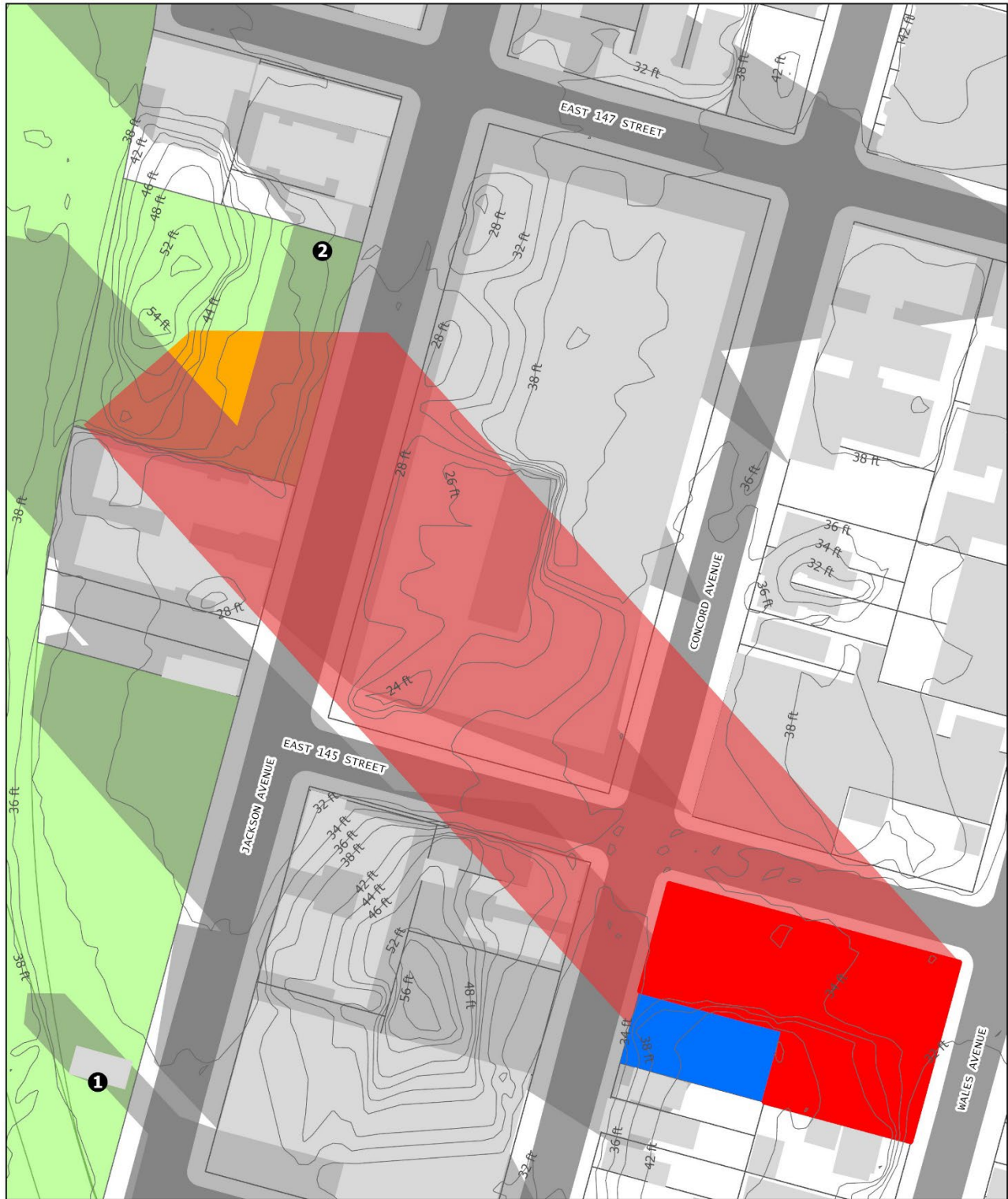
Figure 2.3-7: St. Mary's Park (Sunlight Sensitive Resource 1)



Figure 2.3-8: I-Am-Park (Sunlight Sensitive Resource 2)



Figure 2.3-9: Incremental Shadows December 21st, 8:51 pm



Legend

- Projected Development Site 1
- Projected Development Site 2
- Sunlight Sensitive Resources
- 2 ft Elevation Contours
- With-Action Scenario Shadow - 8:51 am
- Surrounding Buildings Shadows - 8:51 am
- Incremental Shadow

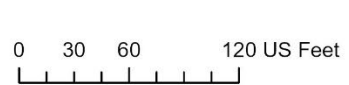
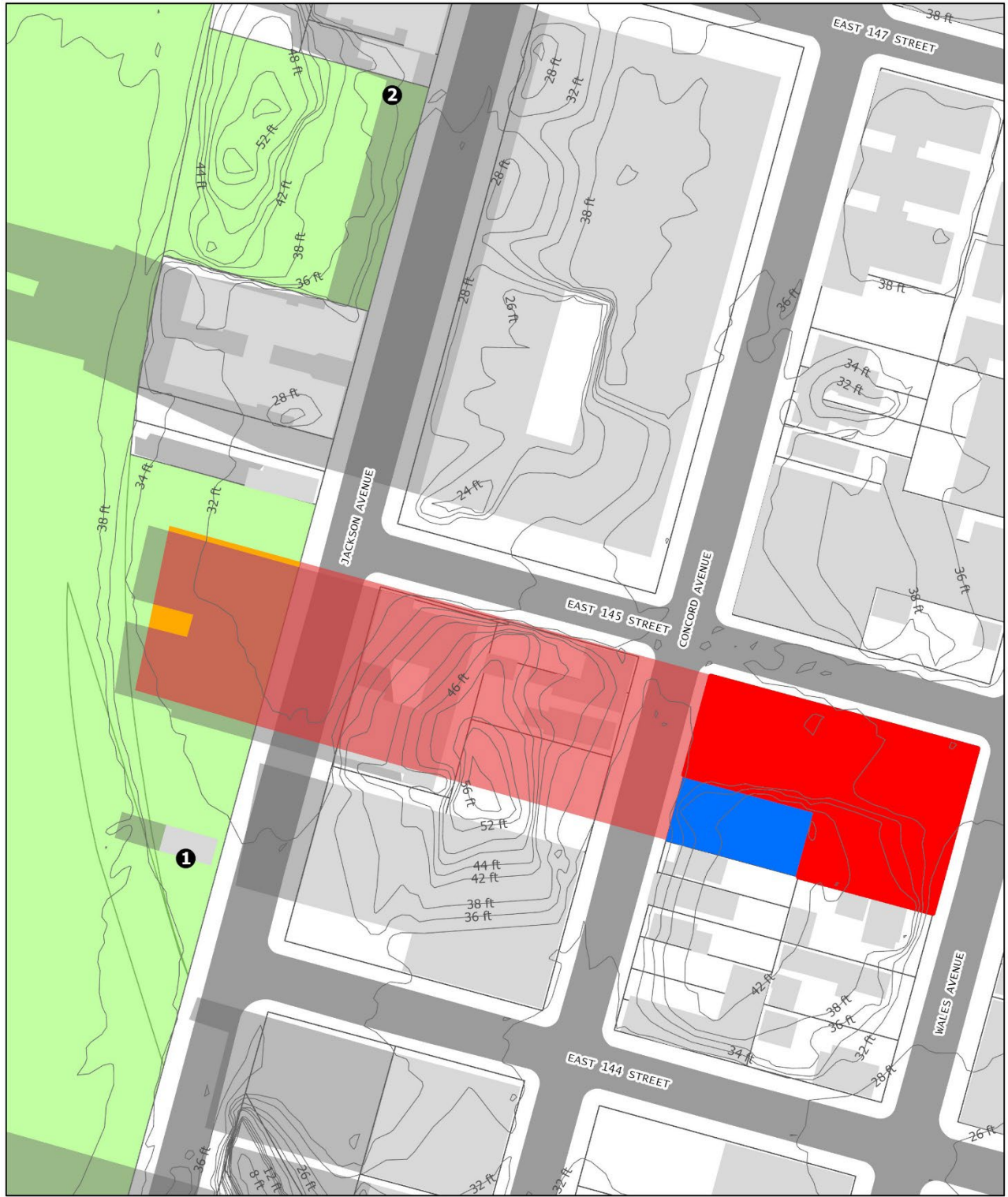


Figure 2.3-10: Incremental Shadows March 21st / September 21st, 7:36 am

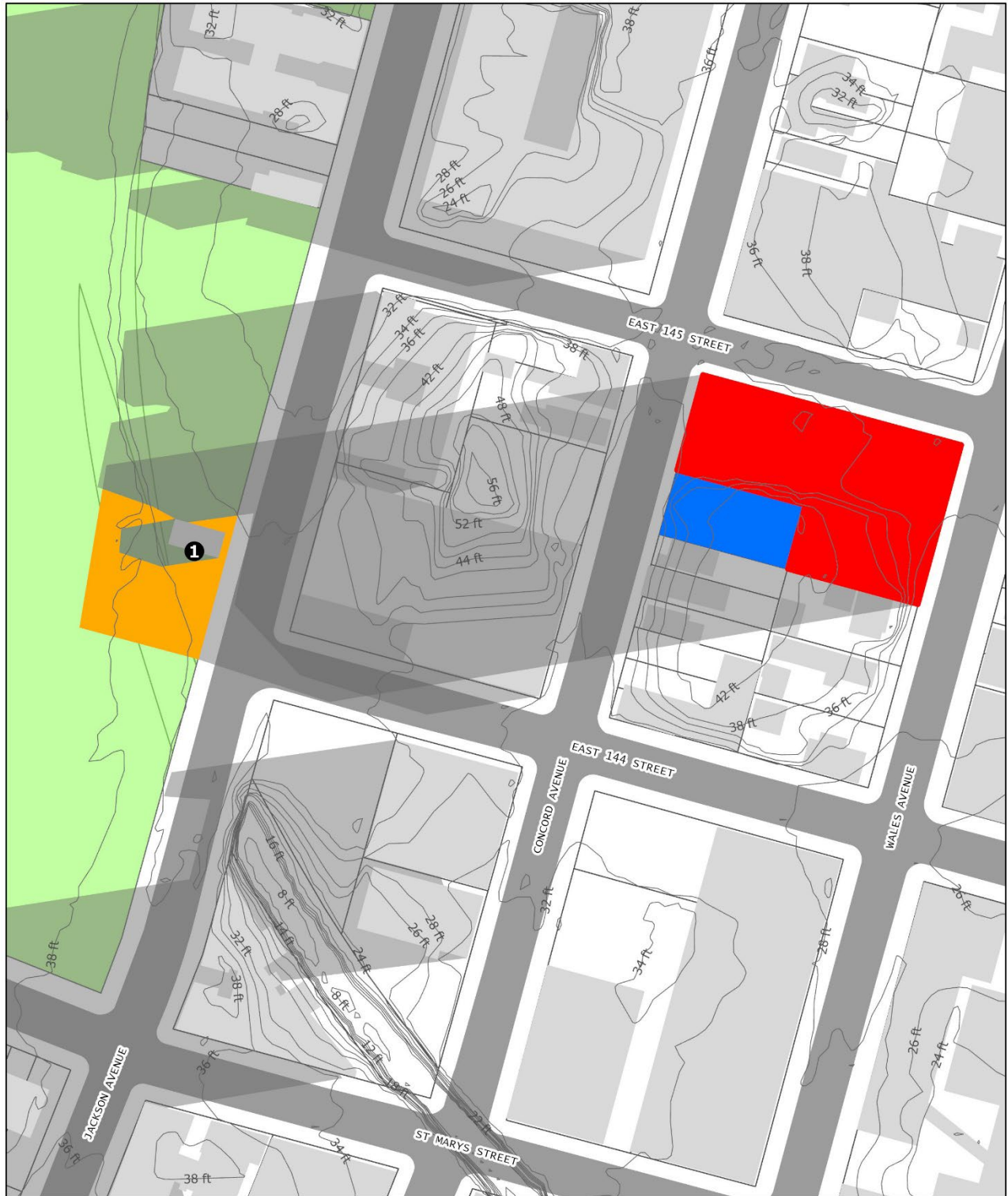


Legend

- Projected Development Site 1
- Projected Development Site 2
- Sunlight Sensitive Resources
- 2 ft. Elevation Contours
- With-Action Scenario Shadow - 7:36 am
- Surrounding Buildings Shadows - 7:36 am
- Incremental Shadow



Figure 2.3-11: Incremental Shadows May 6th / August 6th, 6:27 am



Legend

- Projected Development Site 1
- Projected Development Site 2
- Sunlight Sensitive Resources
- Incremental Shadow
- With-Action Scenario Shadow - 6:27 am
- Surrounding Buildings Shadows - 6:27 am
- 2 ft Elevation Contours

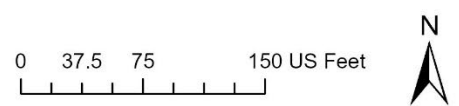
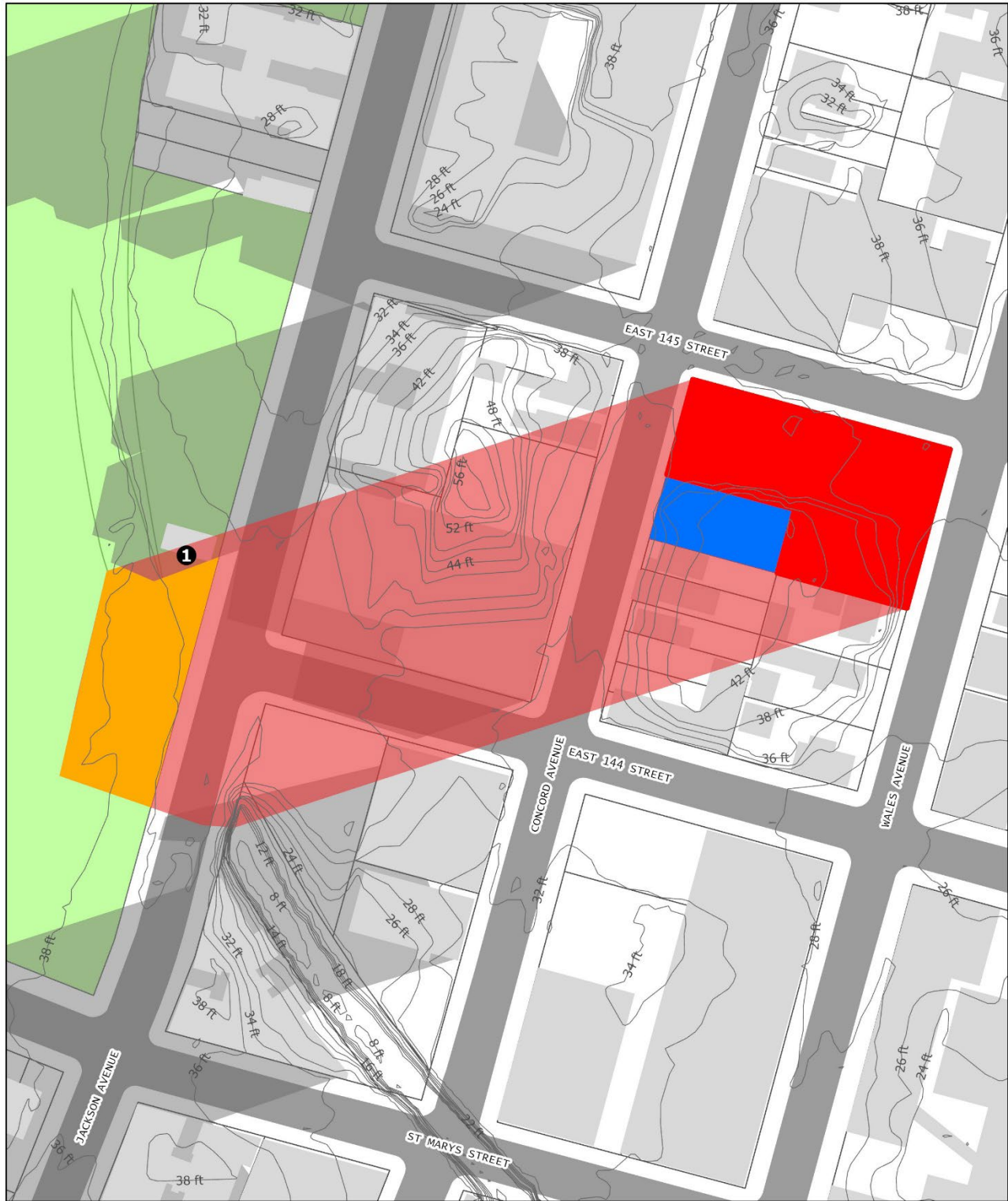


Figure 2.3-12: Incremental Shadows June 21st, 5:57 am



Legend

- Projected Development Site 1
- Projected Development Site 2
- Sunlight Sensitive Resources
- 2 ft Elevation Contours
- With-Action Scenario Shadow - 5:57 am
- Incremental Shadow
- Surrounding Buildings Shadows - 5:57 am

0 37.5 75 150 US Feet



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. 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, for example, generally do not affect the growing season of outdoor vegetation. This sensitivity is assessed for warm-weather-dependent features such as 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. Generally, six to eight 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.

On December 21st, incremental shadows cast from the Projected Developments enter Marcy playground at 12:25 pm at the corner of Myrtle Avenue and Nostrand Avenue and start covering the southwestern part of the handball court (1) at about 12:51 pm (Figure 2.3-9). In the December analysis period, as the shadows move, they cover the southern half of the park and basketball courts of I-Am-Park at about 8:51 am (**Figure 2.3-9**). The incremental shadows last until 9:25 am.

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During the period that the Proposed Developments are shadowing the park, there are shadows on the park from the existing buildings surrounding the park. The total new shadow added to the park from the proposed development is 2,400 square feet of the 30,927 square foot park.

The new shadows created by the Projected Developments cover a small fraction of the park for a limited amount of time. Therefore, the utilization of the active Open Space resources at I-Am-Park would not be significantly impacted during the December 21st analysis period.

In the March 21st/September 21st analysis period, as the shadows move, they cover a portion of the basketball courts and playground on the eastern portion of St. Mary's Park at about 7:36 am (**Figure 2.3-10**). The incremental shadows last until 8:06 am. During the period that the Proposed Developments are shadowing the park, there are shadows on the park from the existing buildings surrounding the park. The total new shadow added to the park from the Projected Developments is 948 square feet of the 35.31-acre park.

The new shadows created by the Projected Developments cover a small fraction of the park for a limited amount of time. Therefore, the utilization of the active Open Space resources at St. Mary's Park would not be significantly impacted during the March 21st / September 21st analysis period.

In the May 6th/August 6th analysis period, as the shadows move, they cover a portion of the baseball field and walking path on the eastern portion of St. Mary's Park at 6:27 am (**Figure 2.3-11**). The incremental shadows last until 7:00 am. During the period that the Projected Developments are shadowing the park, there are shadows on the park from the existing buildings surrounding the park. The total new shadow added to the park from the Projected Developments is 8,500 square feet of the 35.31-acre park.

The new shadows created by the Projected Developments cover a small fraction of the park for a limited amount of time. Therefore, the utilization of the active Open Space resources at St. Mary's Park would not be significantly impacted during the May 6th / August 6th analysis period.

In the June 21st analysis period, as the shadows move, they cover a portion of the baseball field and walking path on the eastern portion of St. Mary's Park at 5:57 am (**Figure 2.3-12**). The incremental shadows last until 6:20 am. During the period that the Projected Developments are shadowing the park, there are shadows on the park from the existing buildings surrounding the park. The total new shadow added to the park from the Projected Developments is 14,000 square feet of the 35.31-acre park.

The new shadows created by the Projected Developments cover a small fraction of the park for a limited amount of time. Therefore, the utilization of the active Open Space resources at St. Mary's Park would not be significantly impacted during the June 21st analysis period.

2.3.5 Conclusion

The Proposed Actions would not affect the vitality or usage of the sunlight-sensitive resources identified within the Study Area, and significant adverse impacts from shadows would not result from the Proposed Actions.

2.4 Historic and Cultural Resources

An assessment of historic and cultural resources is usually necessary for projects that are located in close proximity to historic or landmark structures or districts, or for projects that require in-ground disturbance, unless such disturbance occurs in an area that has been formerly excavated, according to the *CEQR Technical Manual*.

The term “historic resources” defines districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, architectural and archaeological importance. In assessing both historic and cultural resources, the findings of the appropriate city, state, and federal agencies are consulted. Historic resources include: the New York City Landmarks Preservation Commission (LPC) designated landmarks, interior landmarks, scenic landmarks, and historic districts; locations being considered for landmark status by the LPC; properties/districts listed on, or formally determined eligible for, inclusion on the State and/or National Register (S/NR) of Historic Places; locations recommended by the New York State Board for Listings on the State and/or National Register of Historic Places and National Historic Landmarks.

Methodology

Archaeological and architectural resources usually need to be assessed for projects that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site.

For projects that may affect historic or cultural resources, the first step in evaluating a project's potential effects on historic resources is to consider what area the project might affect and then identify historic resources—whether officially recognized or eligible for such recognition—within that area. The area of subsurface work for the proposed project is considered the impact area for archaeological resources while the Study Area for architectural resources is the area in which any resources may be affected by the project, which is defined by the radius of 400 feet from the borders of the project site for most proposals.

After the Study Areas have been established, all known archaeological and architectural resources within the Study Areas are identified, and the potential for unknown resources is investigated. It is recommended that lead agencies and applicants contact LPC for archaeological and architectural resources review. Based on the report from LPC, if any listed historic or cultural resources are located in the Study Areas, then further analysis of the project's impact on these resources must be performed. The proposed project's effects on any designated or potential archaeological and architectural resources are then analyzed under Existing, No-Action, and With-Action Condition. The assessment specifically considers whether the project may result in disturbance or destruction of those archaeological and architectural resources as a result of the Proposed Actions.

2.4.1 Architectural Resources

Per *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the Proposed Actions and in the area surrounding identified development sites. The historic resources Study Area is therefore defined as the project site plus an approximately 400-foot radius around the Proposed Action area.

According to the *CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a proposed action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. This section assesses the potential for the Proposed Actions to result in significant adverse impacts on identified historic and cultural resources. **Table 2.4-1** below provides information about possible direct, indirect and construction-related impacts to historic and cultural resources. Generally, architectural resources should be surveyed and assessed if the proposed project would result in any of the following, whether or not any known historic resources are located near the site of the project:

Table 2.4-1: Possible Impacts to Historic and Cultural Resources

| |
|---|
| Construction resulting in ground disturbance, including construction of temporary roads and access facilities, grading, and landscaping. |
| Below-ground construction, such as excavation or installation of utilities. |
| Physical destruction, demolition, damage, alteration or neglect of all or part of an historic property. |
| Changes to the architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features. |
| Isolation of the property from, or alteration of, its setting or visual relationship with the streetscape. This includes changes to the resource’s visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor. |
| Introduction of incompatible visual, audible, or atmospheric elements to a resource’s setting. |
| Replication of aspects of the resource so as to create a false historical appearance. |
| Elimination or screening of publicly accessible views of the resource. |
| Construction-related impacts such as falling objects, vibration, dewatering, flooding, subsidence, or collapse. |
| Introduction of significant new shadows, or significant lengthening of the duration of existing shadows, over an historic landscape or an historic structure to the extent that the architectural details that distinguish that resource as significant are obscured. |

Direct Impacts

Historic resources could be directly affected by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. Direct impacts also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

NR-listed and eligible resources are given a measure of protection from the effects and impacts of projects sponsored, assisted, or approved by federal agencies under Section 106 of the National Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. S/NR-listed and eligible resources are similarly protected against impacts resulting from projects sponsored, assisted, or approved by State agencies under the State Historic Preservation Act. However, private owners of S/NR-listed and eligible resources using private funds can alter or demolish their properties without such a review process. Privately owned properties that are NYCLs, in LPC-designated historic districts, or pending designation as Landmarks by LPC are protected under the New York City Landmarks Law. The law requires LPC review and approval before any alteration or demolition occurs, regardless of whether the project is publicly or privately funded. Publicly owned resources are also subject to review and advisement by LPC before project implementation.

Construction Impacts

The assessment of construction impacts on historic and cultural resources considers the possibility of physical damage to any architectural or archaeological resources identified in the project's historic and cultural resources assessment.

Pursuant to Chapter 22, Section 300 of the *2021 CEQR Technical Manual*, if a project's construction activities are located within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained-glass windows, could be impacted by falling objects from an adjacent construction site.

The City has two procedures for avoidance of damage to historic structures from adjacent construction.

1. All buildings are provided some protection from accidental damage through New York City Department of Buildings (DOB) controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the code requirements.

2. The second protective measure applies only to designated NYCL and S/NR listed historic buildings that are located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 is applicable. The DOB's TPPN 10/88 supplements the standard building protections afforded by the Building Code C26-112.4 by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet), and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

If the project is not located within 90 feet of a historic or cultural resource that is NYC-landmark eligible, eligible for the State and National Register of Historic Places, or within an eligible New York City Historic District, then no special protections apply. Therefore, the potential for physical disturbance and adverse impacts on those historic and cultural resources should be disclosed.

Indirect Impacts

As per the *CEQR Technical Manual*, visual and contextual impacts on historic resources can include: isolation of a property from or alteration of its setting or visual relationship with the streetscape; introduction of incompatible visual, audible, or atmospheric elements to a resource's setting; elimination or screening of publicly accessible views of a resource; or introduction of significant new shadows, over a historic landscape or on a historic structure (if the features that make the resource significant depend on sunlight) to the extent that the architectural details that distinguish that resource as significant are obscured.

Architectural Resources within the Study Area

To determine whether the Proposed Actions have the potential to affect nearby off-site historic or architectural resources, the Study Area was screened for historic and architectural resources.

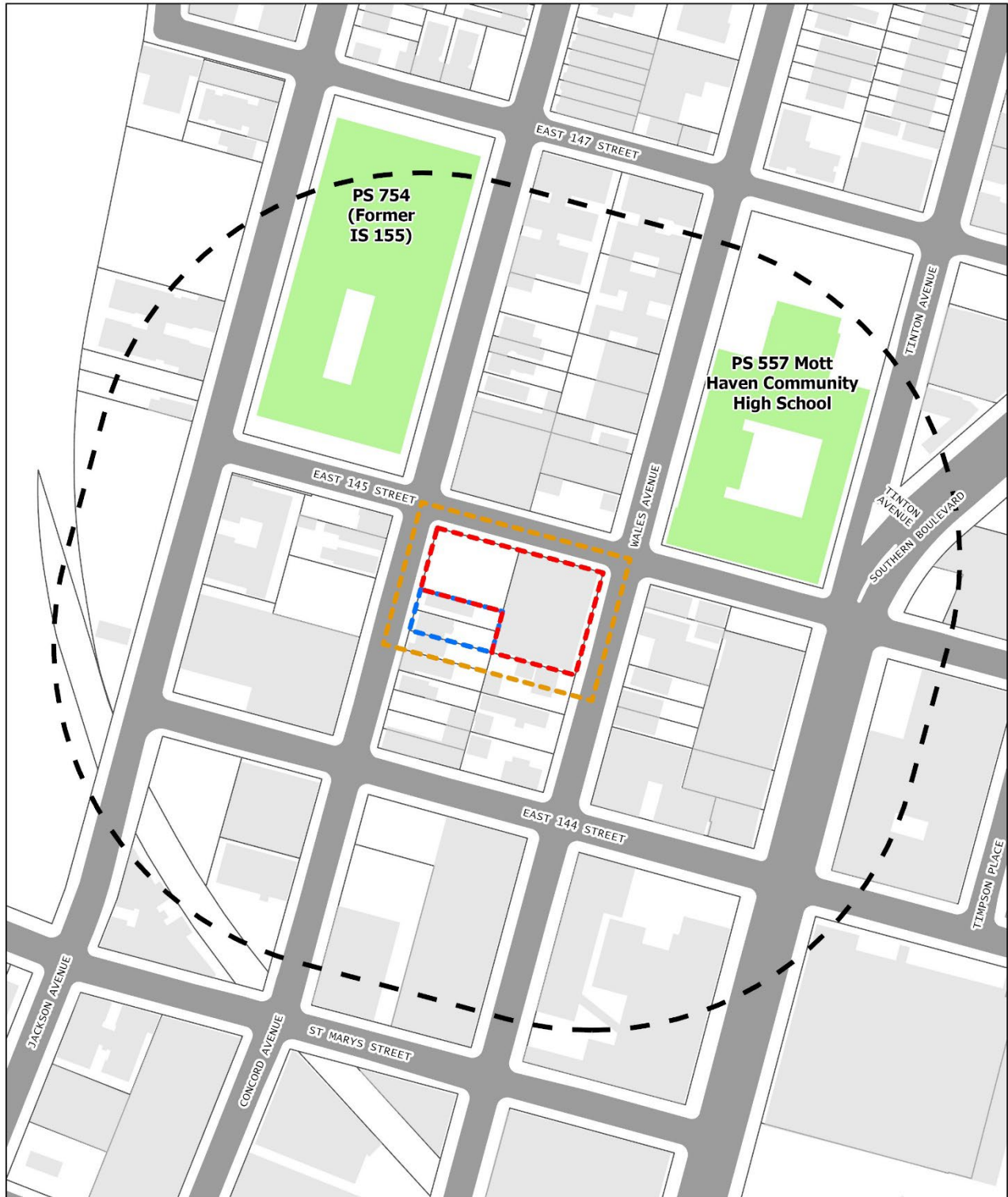
The LPC was contacted for their initial review of the project's potential to impact historic or architectural resources and by letter dated May 18, 2021, indicated that no properties within the Affected Area have architectural significance (see **Appendix A**).

However, the Cultural Resource Information System (CRIS) online resource has indicated two eligible architectural resources within the Study Area:

- S/NR eligible PS 754, JM Rapport School for Career Development at 470 Jackson Avenue;
- S/NR eligible PS 557, Mott Haven Community High School at 455 Southern Boulevard.

Therefore, an analysis of the potential impacts of the Proposed Actions on the identified architectural resources is warranted. **Figure 2.4-1** shows the locations of properties with Architectural significance.

Figure 2.4-1: Historic Resources Within 400-Foot Study Area



Legend

- Projected Development Site 1
- Projected Development Site 2
- Rezoning Area
- 400' Study Area
- Eligible Historic Landmark

260 US Feet



Existing Condition

According to the LPC letter dated May 18, 2021, no properties within the Affected Area have architectural significance.

The Cultural Resource Information System (CRIS) has indicated two S/NR-eligible architectural resources within the Study Area:

- 470 Jackson Ave, P.S. 754, JM Rapport School for Career Development: a 3-story buff-colored brick building constructed in 1965 and altered in 2010. The school is rectangular in plan with an interior courtyard. The building is located approximately 100 feet northwest of the Affected Area. The school is significant in the area of architecture as a reflection of postwar changes in architectural design, building materials and technology, and educational philosophy. P.S. 754 possesses the character-defining features of schools of its period, including flat roofs, modern application of materials, vertical bays of windows, the use of contrasting color, and an overall horizontality.
- 455 Southern Blvd, P.S. 557, Mott Haven Community High School (former Samuel Gompers High School, closed in 2012): a 4-story brick building constructed in 1931 and altered in 2007 and 2012. The building is located approximately 86 feet northeast of the Affected Area. The school is the site for a notable Federal Art Project mural created in 1936 by Eric Mose. The three-panel, 600-square-foot: 141 fresco, Power, was created in the school library. The work was described in an April 1938 article in The New York Times.

Future No-Action Condition

Without the Proposed Actions, the existing conditions would remain within the Affected Area and within the properties identified as S/NR eligible. In the No-Action Scenario, the S/NR eligible properties within the Study Area would remain unchanged.

Future With-Action Condition

The Future With-Action Scenario's potential for significant adverse impacts on historic resources was assessed in accordance with **Table 2.4-1** above to determine (a) whether there would be a physical change to any designated resource or its setting, and (b) if so, is the change likely to diminish the qualities of the resource that make it important (including non-physical changes such as context or visual prominence).

Direct impacts

In the future, with the Proposed Actions, it is expected that the existing Architectural Resources within the Study Area would be the same as the existing conditions. There are no existing Architectural Resources within the Affected Area (LPC letter dated May 18, 2021). As such, no direct impacts on architectural resources are anticipated.

Construction impacts

S/NR eligible PS 577 Mott Haven Community High School

- Projected Development Site 1 is within 90 feet of S/NR eligible PS 557, Mott Haven Community High School at 455 Southern Boulevard. Mott Haven Community High School is a 3-story brick building constructed in 1931, altered in 2007 and 2012, and located about 86 feet away from Projected Development Site 1. To mitigate any possible construction impact on S/NR-listed properties within a 90-foot radius, a special protective measure TPPN #10/8 applies. TPPN #10/88 requires a monitoring program to reduce the likelihood of construction damage to adjacent NYCLs and NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. As such, no construction impacts from Projected Development Site 1 to S/NR eligible PS 557, Mott Haven Community High School are anticipated.
- Projected Development Site 2 is located 208 feet southwest of S/NR eligible PS 557, Mott Haven Community High School, at 455 Southern Boulevard. PS 557 is buffered from Projected Development Site 2 by the adjacent intervening building on Projected Development Site 1 and is further buffered by the intersection of East 145th Street and Wales Avenue. Accordingly, Projected Development Site 2 would not introduce adverse construction-related impacts to S/NR eligible PS 557, Mott Haven Community High School from ground-borne construction period vibrations, falling debris, and/or collapse. Therefore, significant adverse impacts to this resource are not expected because of the Proposed Actions, and further analysis is not warranted.

S/NR eligible 470 Jackson Ave, P.S. 754, JM Rapport School for Career Development

- Projected Development Site 1 is located 97 feet southeast of S/NR eligible PS 754, JM Rapport School for Career Development at 470 Jackson Avenue. PS 754 is buffered from Projected Development Site 1 by the intersection of East 145th Street and Concord Avenue. Accordingly, Projected Development Site 1 would not introduce adverse construction-related impacts to S/NR eligible PS 754 from ground-borne construction period vibrations, falling debris, and/or collapse. Therefore, significant adverse impacts from Projected Development Site 1 on this resource are not expected, and further analysis is not warranted.
- Projected Development Site 2 is located 158 feet southeast of S/NR eligible PS 754, JM Rapport School for Career Development at 470 Jackson Avenue. PS 754 is partially buffered from Projected Development Site 2 by the adjacent intervening building on Projected Development Site 1 and is further buffered by the intersection of East 145th Street and Concord Avenue. Accordingly, Projected Development Site 2 would not introduce adverse construction-related impacts to S/NR eligible PS 754, JM Rapport

School for Career Development ground-borne construction period vibrations, falling debris, and/or collapse. Therefore, significant adverse impacts to this resource are not expected because of the Proposed Actions, and further analysis is not warranted.

Indirect impacts

The Proposed Actions would not result in any types of visual and contextual impacts to the known historic resources within the Study Area, as the new buildings that could be developed under the Proposed Actions would be residential and mixed-use structures of heights and bulk consistent with urban design features of the Surrounding Area. The Proposed Actions would not introduce any incompatible visual, audible, or atmospheric elements to the settings of historic resources. As discussed in **Section 2.5**, Urban Design and Visual Resources, the buildings effectuated by the Proposed Actions would be designed to be visually compatible and consistent with existing developments, but would not be replicated so as to create a false historical appearance.

Publicly accessible views of the historic architectural resources would not be blocked. In addition, none of the identified historic resources feature sunlight-sensitive physical characteristics based on the CEQR Technical Manual:

- The buildings do not contain design elements that are part of a recognized architectural style that depends on the contrast between light and dark design elements.
- The buildings are not distinguished by elaborate, highly carved ornamentation.
- The buildings do not have stained glass windows.
- The buildings do not contain exterior materials and color that depend on direct sunlight for visual character.
- The buildings do not include a historic landscape, such as scenic landmarks including vegetation recognized as a historic feature of the landscape.
- The buildings do not include features where the effect of direct sunlight is described as playing a significant role in the structure's significance as an historic landmark.

As such, no sunlight-sensitive historic resources would be affected by incremental shadows due to the Proposed Actions.

The Development of the Projected Development Sites would also not pose any changes to the setting or context of historic resources. As such, no significant indirect impacts on architectural resources are anticipated as a result of the Proposed Actions, and further analysis is not warranted.

2.4.2 Archaeological Resources

Unlike the architectural evaluation of a Study Area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts to archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Archeological

resources are physical remains, usually subsurface, of the prehistoric and historic periods such as burials, foundations, artifacts, wells and privies. The *2021 CEQR Technical Manual* requires a detailed evaluation of a project's potential effect on the archeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated.

The Proposed Actions would result in new in-ground construction on the Projected Development Sites. As noted, the LPC was contacted for their initial review of the project's potential to impact nearby cultural or archaeological resources, and a response was received on May 18, 2021 (see **Appendix A**). The LPC has indicated that no archaeological significance is associated with the properties within the Affected Area. Therefore, significant adverse impacts on archaeological resources are not expected because of the Proposed Actions, and further analysis is not warranted.

2.4.3 Conclusion

According to the *CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a Proposed Action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. Based on the above analysis, the Proposed Actions would not introduce significant adverse impacts to architectural resources within the Surrounding Area. In addition, no archeological significance is associated with the Projected Development Sites. Accordingly, no further analysis is warranted.

2.5 Urban Design and Visual Resources

According to the *CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian’s experience of public space. Elements that play an important role in the pedestrian’s experience include streets, buildings, visual resources, open space, and natural features, as well as wind as it relates to channelization and downwash pressure from tall buildings. Pursuant to the *2021 CEQR Technical Manual*, an assessment of Urban Design may be warranted when a Proposed Action may affect one or more of the elements that contribute to the pedestrian experience of an area, specifically the arrangement, appearance, and functionality of the built environment.

The proposed rezoning of the Affected Area from M1-2 to R7D/M1-4 (MX) would alter permitted use, bulk, and height within the Affected Area. Therefore, further analysis is warranted. The differences between existing and proposed zoning, with regards to those aspects of zoning affecting urban design, are presented in the following **Table 2.5-1**.

Table 2.5-1: No-Action and With-Action Zoning

| | No-Action | With-Action |
|----------------------------------|----------------------------------|---|
| Zoning | M1-2 | R7D/M1-4 (MX) |
| Permitted Uses | Manu., Com., CF | Res., Com., CF, Manu. |
| Maximum FAR | Manu. and Com.: 2.00 CF: 4.80 | Res.: 5.60 Com: 2.00 CF: 6.50 Manu: 2.00 |
| Maximum Height | Sky Exposure Plane | Base Height: 95 feet |
| | | Building Height: 115 feet (w/QGF) |
| Lot Coverage (corner lot) | 100% | 100% |

Com. = Commercial; CF = Community Facility; Manu. = Manufacturing; Res. = Residential; QGF = Qualifying Ground Floor

2.5.1 Existing Conditions

The Affected Area is located on the southern side of E 145th Street and includes the northern portion of Block 2577, consisting of the contiguous tax Lots 6-9, 14, and the northern portion of Lot 20, which are described in detail in **Sections 1.4** and **2.1**.

The existing land uses in the 400-foot Surrounding Area primarily consist of multi-family residential buildings, one-and two-family residential buildings, transportation and utility buildings, a variety of manufacturing buildings, four schools (Mott Haven Community High School (P.S.557), JM Rapport School for Career Development (P.S. 754), Neighborhood Charter School: Bronx, and The American Dream School), one commercial building, and parking lots and vacant parcels.

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Built form in the surrounding area varies by use, and generally consists of one- to two-story industrial buildings, three to four-story community facility buildings, two- to six-story multi-family residential buildings, and two-story one-and two-family buildings. Concord Avenue and Wales Avenue do not have significant commercial activity, and are more residential in character north of East 145th Street and more industrial south of East 145th Street.

The Applicant-controlled lots include Lots 7, 8, 9, and 14:

- Lot 7 is a 2,500-SF interior lot with 25 feet of frontage on Concord Avenue. The lot is currently improved with a two-story, two-family, 1,500 GSF residential building constructed in 1901.
- Lot 8 is a 2,500-SF interior lot with 25 feet of frontage on Concord Avenue. The lot is currently improved with a two-story, two-family, 1,904 GSF residential building constructed in 1901.
- Lot 9 is a 7,774-SF corner lot with frontages on East 145 Street and Concord Avenue. The lot is a surface lot classified as an unlicensed parking lot.
- Lot 14 is a 12,774-SF corner lot with frontages on East 145 Street and Wales Avenue. The lot is currently improved with a one-story 12,500 GSF manufacturing building constructed in 1931.

Other lots within the Affected Area include the non-Applicant-owned Lots 6 and p/o 20:

- Lot 6 is a 2,500-SF lot with frontage on Concord Avenue. The lot is currently improved with a 1.5-story, two-family 1,638 GSF residential building constructed in 1901.
- Lot 20 is a 5,000-SF lot with frontage on Wales Avenue. The lot is currently improved with a two-story, two-family, 1,305 GSF residential building constructed in 1901 and two other one-story supplementary structures. Only approximately 50% of lot 20 is within the Affected Area.

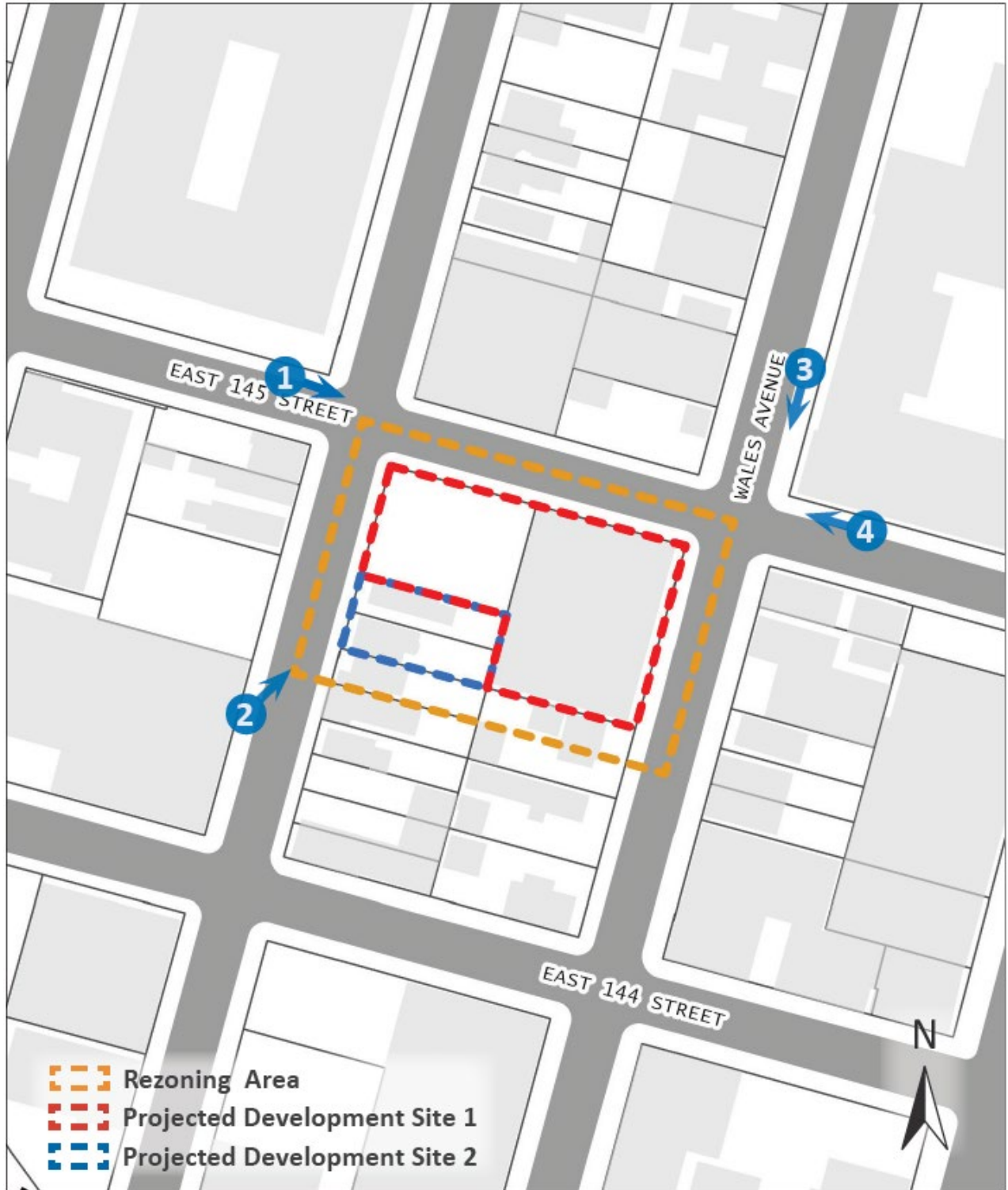
The Surrounding Area features a regular traffic grid to the west of Southern Boulevard, and irregular grid to the east of Southern Boulevard as a result of the direction change of Southern Boulevard to the north from E 145th Street. The closest commercial corridors to the Affected Area are located along East 149th Street and Southern Boulevard at its intersection with East 149th Street. The area is well-served by transit. The E 143 St - St Mary's St subway station with service from the 6 Train is located approximately 800 feet from the Affected Area. The subway station provides full-time connecting service to Downtown Manhattan. There are two bus lines (Bx17/ Bx19) that are accessible to users in the area. The bus lines have two bus stops in different directions, located two blocks north of the Affected Area near the corner of Concord Avenue and East 149th Street. Bus Bx17 connects the Affected Area with the Fordham Plaza/Bus Terminal in the northern Bronx. Bus Bx19 provides connection to Hamilton Heights, Manhattan and New York Botanical Garden, Bronx.

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Sidewalks, ranging from 8 to 13 feet wide, are in fair condition with paved surfaces, sufficient street trees, and regular street lights throughout the Study Area except for the newly improved sidewalks within the adjacent Block 2574, which are in excellent condition. Most of the intersections within the 400-foot Study Area are controlled by two-way or all-way stop signs and feature clear crosswalk markings on all legs, or certain legs, depending on the stop controls.

Figure 2.5-1 contains a photo key map with locations of Urban Design Massing Views. The Urban Design Massing Views with the existing conditions are shown in **Figures 2.5-2 to 2.5-5**.

Figure 2.5-1: Locations of Urban Design Massing Views



Study Area Map with Photo Key

Figure 2.5-2: Urban Design Massing View 1. Existing Conditions



1 Looking southeast toward the intersection of E 145 Street and Concord Avenue

Figure 2.5-3: Urban Design Massing View 2. Existing Conditions



2 Looking northeast along Concord Avenue toward the Rezoning Area

Figure 2.5-4: Urban Design Massing View 3. Existing Conditions



3 Looking south toward the intersection of E 145 Street and Wales Avenue

Figure 2.5-5: Urban Design Massing View 4. Existing Conditions



4 Looking west toward the intersection of E 145 Street and Wales Avenue

2.5.2 Future No-Action Conditions

Affected Area

The No-Action Condition for the Affected Area would be the same as the existing conditions.

There are no records of construction work permit applications submitted by the Applicant on the DOB website. As such, it is assumed that under the No-Action Scenario, existing conditions would continue on the Projected Development Sites 1 and 2.

The Other non-Applicant-owned Lots 6 and 20 do not pass the soft site criteria established by the *CEQR Technical Manual*, Chapter 2. Although the lots are built to substantially less than the maximum allowable FAR, Lots 6 and 20 are not considered likely to be redeveloped under the No-Action Conditions because of their small lot sizes (5,000 square feet or less).

Redevelopment is also not considered likely in the Future Without No Action because of the bulk permitted under the current M1-2 district (2.00 commercial and manufacturing FAR; 4.80 community facility FAR) and significant parking requirements (1 space per 300 sf of uses).

Urban Design Study Area

There are currently no active construction permits within the 400-foot Study Area. However, there is a recently effectuated rezoning on the western side of Concord Avenue at 431 Concord Avenue (C 200274 ZMX, N 200275 ZRX, effective May 27, 2021). The Affected Area associated with this action includes Block 2578, lots p/o 15, p/o 16, p/o 18. The worst-case development scenario for the Projected Development Site composed of the Applicant-owned Lots 16 and 18 is an 11-story, 115-foot tall, 87,369 GSF (5.51 FAR) Quality Housing residential building with approximately 93 residential dwelling units and 29 accessory parking spaces. Based on the review of the DOB web-site, no construction permit applications have been submitted for Lots 15, 16, and 18. However, there are applications for demolition on Lot 18 received on July 7th 2021. The development on lots 16 and 18 is expected to be completed within two years.

Pedestrian activity within the Study Area under Future No-Action Conditions would not experience significant changes compared to existing conditions. The sidewalks would be expected to remain in existing fair condition with street trees and lights. Built form in the Surrounding Area would remain, except for the potential new 11-story development on Block 2578, Lots 16 and 18.

The Urban Design Massing Views with the 2026 Build Year No-Action conditions are shown in **Figures 2.5-6 to 2.5-9**. The No-Action views include the building envelope of the projected development site expected to be redeveloped as a result of 431 Concord Avenue Rezoning. The envelope is illustrated in white.

2.5.3 Future With-Action Conditions

Under Future With-Action conditions, the RWCDs is consistent with the Applicant's proposal to use a Zoning Lot Merger (ZLM) involving Lots 7, 8, 9, and 14 to apply 8,535 ZSF of the Development Rights of Projected Development Site 2 (Lots 7 and 8) to Projected Development Site 1 (Lots 9 and 14). The Applicant-controlled Lots 7, 8, 9, and 14 would be merged into a 25,548-SF zoning lot within the proposed R7D/M1-4 (MX) district. Approximately 640 square feet of lot area would also be conveyed from Lot 9 to Lot 8 to match the fence line against the existing retaining wall serving as a factual boundary between tax Lots 8 and 9.

Projected Development Site 1 (Lots 9 and 14)

Under Future With-Action Conditions, it is assumed that Projected Development Site 1 would be developed with a single 154,690 GSF (138,171 ZSF, 6.93 FAR) mixed-use building with 100% lot coverage. The building would contain approximately 7,581 GSF (7,289 ZSF, 0.37 FAR) of community facility use, 3,874 GSF (3,725 ZSF, 0.19 FAR) of light industrial and manufacturing use, 3,008 GSF (2,892 ZSF) of local retail and 30,003 GSF (28,849 ZSF) of office use (1.59 total commercial FAR), and 102,094 GSF (95,415 ZSF, 4.72 FAR) of residential use. An 8,130 SF below-grade parking lot would contain approximately 48 spaces. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. At the base height of 95 feet, there would be a 15-foot setback on Concord Avenue, 145th Street and Wales Avenue, as these streets are considered narrow (less than 75 feet wide). A 10-foot mechanical bulkhead would be assumed for the Development Site for a conservative shadows analysis under CEQR. One curb cut would be proposed on Concord Avenue.

Projected Development Site 2 (Lots 7 and 8)

Under Future With-Action Conditions, it is assumed that Projected Development Site 2 would be developed with a single 34,979 GSF (27,891 ZSF, 4.98 FAR) mixed-use building with 100% lot coverage. The building would contain approximately 13,121 GSF (12,263 ZSF, 2.19 FAR) of residential use and 16,253 GSF (15,628 ZSF, 2.79 FAR) of community facility use (Medical Office). A 5,604 SF below-grade parking lot would contain approximately six spaces. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. At the base height of 95 feet, there would be a 15-foot setback on Concord Avenue. A 10-foot mechanical bulkhead would be assumed for the development site for a conservative shadows analysis under CEQR. One curb cut would be proposed on Concord Avenue.

Other lots within the Affected Area (Block 2577, Lots 6 and p/o 20) are not projected to redevelop under the With-Action Condition. The non-Applicant-owned Lots 6 and 20 do not pass the soft site criteria established by the *CEQR Technical Manual*, Chapter 2. Although the lots are built to substantially less than the maximum allowable FAR, Lots 6 and 20 are not considered likely to be redeveloped under the future With-Action Conditions because of their small lot sizes (5,000 square feet or less). In addition, only approximately 50% of lot 20 is within the Affected Area.

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The Proposed Actions would introduce development that is larger in scale compared to the existing surrounding buildings but features similar uses. It should also be mentioned that there was another recently effectuated rezoning on the western side of Concord Avenue at 431 Concord Avenue (C 200274 ZMX, N 200275 ZRX, effective May 27, 2021). As the result of 431 Concord Avenue Rezoning, Block 2578, lots p/o 15, p/o 16, p/o 18 have been rezoned to an R7D district located right across Concord Avenue from the Projected Development Sites 1 and 2. The proposed rezoning of the Affected Area to R7D/M1-4 (MX) would match the R7D district across Concord Avenue and serve as a transition between the adjacent to the Affected Area residential districts (R7D and R7-1) to the north and to the west and manufacturing district (M1-2) to the east and to the south of the Affected Area. The proposed development would be designed to be visually compatible and consistent with existing developments, but would not be replicated so as to create a false historical appearance. The proposed development would also improve the pedestrian experience by renovating sidewalks and providing a mixture of ground floor uses, including local retail, office lobby, and residential lobby on E 145th Street, and local retail and community facility on Wales Avenue.

The urban design figures under the With-Action conditions in comparison to No-Action conditions are shown in **Figures 2.5-6 to 2.5-9** below. Different colors were used to illustrate building envelopes of the two Projected Development Sites: the building envelope of Projected Development Site 1 is colored red and the building envelope of Projected Development Site 2 is colored blue. The development facilitated by the 431 Concord Avenue rezoning would be right across Concord Avenue from Projected Development Sites 1 and 2, and would have an effect on the pedestrian experience and other urban design characteristics in the vicinity of the Affected Area. Accordingly, the illustrations of Massing Views under With-Action Conditions presented in **Figures 2.5-6 to 2.5-9** include the building envelope of the projected development site expected to be redeveloped as a result of the 431 Concord Avenue Rezoning (illustrated in white). The worst-case development scenario for the site projected to be redeveloped as a result of 431 Concord Avenue Rezoning (Block 2578, lots 16 and 18) is an 11-story, 115-foot tall, 87,369 GSF (5.51 FAR) Quality Housing residential building with approximately 93 residential dwelling units and 29 accessory parking spaces located on the first/ground floor of the building.

Figure 2.5-6: Massing View 1. Illustrative Comparison of the No-Action and With-Action Conditions

No-Action Condition



With-Action Condition



1 Looking southeast toward the intersection of E 145 Street and Concord Avenue

Figure 2.5-7: Massing View 2. Illustrative Comparison of the No-Action and With-Action Conditions

No-Action Condition



With-Action Condition



2 Looking northeast along Concord Avenue toward the Rezoning Area

Figure 2.5-8: Massing View 3. Illustrative Comparison of the No-Action and With-Action Conditions

No-Action Condition



With-Action Condition



3 Looking south toward the intersection of E 145 Street and Wales Avenue

Figure 2.5-9: Massing View 4. Illustrative Comparison of the No-Action and With-Action Conditions.

No-Action Condition



With-Action Condition



4 Looking west toward the intersection of E 145 Street and Wales Avenue

2.5.4 Conclusion

The development facilitated by the Proposed Actions would not adversely impact any of the constituent urban design elements or the overall character of the neighborhood. The Proposed Actions would not adversely change the pedestrian experience or negatively affect the vitality, walkability, or the visual character of the area. The mixed-use residential development with ground-floor commercial and community facility uses would improve the pedestrian experience and increase the vitality of the area. Therefore, a detailed analysis is not warranted.

2.6 Hazardous Materials

According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: (a) hazardous material exists on a site, and (b) an action would increase pathways to their exposure, or (c) an action would introduce new activities or processes using hazardous materials.

Methodology

The hazardous materials assessment begins with a Phase 1 ESA, which is a qualitative evaluation of the environmental conditions present at a site, based on a review of available information, site observations, and interviews. Pursuant to the *2021 CEQR Technical Manual*, the Phase 1 ESA is conducted in accordance with the standards established by the current ASTM Phase 1 ESA Standard and includes research and field observations to determine whether the site may contain contamination from either past or present activities on the site or as a result of activities on adjacent or nearby properties. If a potential Recognized Environmental Conditions (RECs) is identified during this assessment, then building any subsurface investigations are usually conducted as part of a Phase II ESA to confirm the presence and extent of the contamination.

Analysis

Projected Development Site 1 includes Applicant-controlled Lots 9 and 14. According to a survey conducted by the Applicant, Lot 9 is a 7,774-SF corner lot (varies from ZOLA's 7,758 SF) with frontages on East 145 Street and Concord Avenue. The lot is a surface lot classified as an unlicensed parking lot. Lot 14 is a 12,774-SF corner lot with frontages on East 145 Street and Wales Avenue. The lot is currently improved with a one-story 12,500 GSF manufacturing building constructed in 1931.

Projected Development Site 2 includes Applicant-controlled Lots 7 and 8. Lot 7 is a 2,500-SF interior lot with 25 feet of frontage on Concord Avenue. The lot is currently improved with a two-story, two-family, 1,500 GSF residential building constructed in 1901. Lot 8 is a 2,500-SF interior lot with 25 feet of frontage on Concord Avenue. The lot is currently improved with a two-story, two-family, 1,904 GSF residential building constructed in 1901.

The Proposed Development that would be effectuated by the Proposed Actions is described above in Section 1.5, and the analysis framework under the RWCDs is described above in Section 1.8.

2.6.1 Phase I Environmental Site Assessment Summary

The proposed rezoning would allow for new sensitive uses, not previously permitted by the underlying M1-2 zoning district, to be developed within the Affected Area. Accordingly, a Phase I Environmental Site Assessment (ESA) was conducted for the Applicant-controlled Projected Development Site 1 by Equity Environmental Engineering (Equity) on October 14, 2022. A copy of this report is included in **Appendix D-1**.

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The purpose of a Phase I ESA is to determine whether any type of environmental hazard exists within or adjacent to the project site. Environmental hazards may include, but are not be limited to, hazardous/toxic wastes or raw chemicals stored, dumped, or spilled on the site, underground and above ground storage of petroleum or hazardous materials; asbestos within the building materials/structures; and identification of potential off-site sources of hazardous waste contamination, such as industrial facilities adjacent to the subject property.

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release, or a material threat of a release into structures on the property or into the ground, groundwater or surface waters of the property. De minimis RECs are those that do not present a threat to health or the environment and would not be the subject of an enforcement action by a government agency. All RECs, excluding de minimis RECs, were considered in the Phase I.

Equity has performed a Phase I Environmental Site Assessment, on October 14, 2022, in conformance with the scope and limitations of ASTM Practice E 1527-21. The following conditions were observed:

- Recognized Environmental Condition (RECs): There are no RECs associated with the Subject Property.
- Historical Recognized Environmental Condition (HRECs): There are no HRECs associated with the Subject Property.
- Controlled Recognized Environmental Condition (CRECs): There are no CRECs associated with the Subject Property.
- Vapor Encroachment Conditions (VECs): The EDR Vapor Encroachment database identified three records on the Subject Property. One record is under the FINDS (Facility Index System) database and two records are under the SSTS (Section Seven Tracking Systems) database. These records are included at the Subject Property due to the facility on 435 Wales Avenue (Safeguard Chemical Corp) being an Insecticide, Fungicide, and Rodenticide facility. There are numerous potential VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to multiple NY Spills cases, four E-Designation sites, and one EDR Hist Auto listing. All NY Spills cases have either been closed or are not significant enough to have affected the Subject Property. Therefore, all spill cases are not considered VECs. Three of the four E-Designation sites are within 0.021 miles of the Subject Property. The E-Designation sites are located at 439 Concord Avenue, 431 Concord Avenue, and 441 Concord Avenue. 439 and 431 Concord Avenue have the following E-Designation description: “exhaust stack location limitations”. The E-Designation site at 441 Concord Avenue lists descriptions relating to air quality (HVAC nitrogen oxides), exhaust stack limitations, and hazardous materials

phase I and phase II testing protocol. Based on the E-Designation descriptions, these three sites are not considered VECs. The EDR Hist Auto listing site is 0.086 miles from the Subject Property. The EDR Hist Auto site is cross gradient of the Subject Property, therefore, the EDR Hist Auto listing is not considered a VEC. Due to the records listed on the Subject Property, VECs cannot be ruled out.

Based on the findings of the Phase I ESA, a VEC could not be ruled out due to a number of spills, sites with E-Designations for hazardous materials, historic autobody shops, and the identification of a Section Seven Tracking Systems database site. Therefore, a Phase II Investigation is required at the Projected Development Sites to adequately identify/characterize the surface and subsurface soils, groundwater and soil vapor of the subject property, and to inform and disclose the measures necessary to avoid impacts.

Projected Development Site 1

Equity has prepared a Site Specific Health and Safety Plan (HASP) and Remedial Investigation Workplan (RIWP) for DEP review. Once approved by DEP, a Phase II Investigation for Projected Development Site 1 will be performed, and a Remedial Investigation Report (RIR) will be prepared. The RIR will detail the findings of the investigation. If required, based on the Phase II ESA findings, a Remedial Action Workplan and Site-Specific Construction Health and Safety Plan (RAWP/CHASP) will also be prepared for DEP review.

Projected Development Site 2

Projected Development Site 2 includes Applicant-controlled Lots 7 and 8. Lot 7 is currently improved with a two-story, two-family, 1,500 GSF residential building constructed in 1901. Lot 8 is currently improved with a two-story, two-family, 1,904 GSF residential building constructed in 1901. The buildings are currently tenanted with a sensitive use. In addition, the buildings on these lots are approximately 20 feet wide. The proposed drilling method within the buildings would use a small, hydraulic rig that requires running hoses from an external power source through the buildings to the boring locations. These issues, taken together with the health and safety aspects of investigating a site with potentially unknown levels of contamination while occupants are in the building would not be in compliance with OSHA Hazwoper requirements. As such, Phase II investigative work at Projected Development Site 2 is not feasible at this time, and an E-Designation is required to undertake Phase II work.

2.6.2 Phase II Remedial Investigation Workplan Summary

Based on the results of the Phase I ESA, a January 2023 Phase II Remedial Investigation Workplan (RIWP) and Health and Safety Plan (HASP) were prepared by Equity contained in **(Appendix D-2)**. The RIWP proposes the installation of eight (8) soil borings, four (4) temporary monitoring wells, and six (6) soil vapor sampling points.

Prior to installation of the above, a geophysical survey will be performed across the entire site to investigate for the presence of potential USTs, drums, etc.

2.6.3 Phase II Remedial Investigation Report Summary

Upon DEP approval of the RIWP, a Phase II Site Investigation will be performed.

2.6.4 Remedial Action Workplan Summary

Pending

2.6.5 Conclusion

With the above remedial measures in place, the potential for significant environmental impact associated with hazardous materials would be mitigated for Projected Development Site 1. To preclude the potential for significant adverse impact on Projected Development Site 2, an E-Designation will be placed to assure that testing and mitigation will be performed, as necessary, before any future development and/or soil disturbance. Further hazardous materials assessments for Projected Development Site 2 should be coordinated through the Mayor's Office of Environmental Remediation (OER). With these provisions in place, the Proposed Actions would not result in the potential for significant adverse impact related to Hazardous Materials.

The E-Designation language related to Hazardous Materials is as follows:

E-Designation (E-XXX)

Projected Development Site 2: Block 2577, Lots 7 and 8 (Applicant-Controlled)

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I and Phase II 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 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 test results, a proposed remediation plan must be submitted to OER for review and approval. The Applicant must complete such remediation as determined

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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.

2.7 Transportation

Pursuant to *2021 CEQR Technical Manual* methodology, a transportation assessment may be necessary when a Proposed Action would alter the transportation network by closing, opening, or realigning an element of the transportation system such as a roadway, pedestrian way, or transit route, or if it would generate new trips on the transportation network. 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, bicyclists and vehicles), on- and off-street parking, or goods movement.

Analysis

Future No-Action Conditions

The No-Action Condition for the Affected Area would be the same as the existing conditions.

The Projected Development Site 1 includes Applicant-controlled lots 9 and 14. The Projected Development Site 2 includes Applicant-controlled Lots 7 and 8. The Applicant uses a Zoning Lot Merger (ZLM) involving Lots 7, 8, 9, and 14 to apply 8,535 ZSF of the Development Rights from Projected Development Site 2 (Lots 7 and 8) to Projected Development Site 1 (Lots 9 and 14) to effectuate the Applicant's proposed development. There are no records of construction work permit applications submitted by the Applicant on the DOB website. As such, it is assumed that under the No-Action Scenario, existing conditions would continue on both Projected Development Sites.

Future With-Action Conditions

The RWCDs is consistent with the Applicant's proposal to use a Zoning Lot Merger (ZLM) involving Lots 7, 8, 9, and 14 to apply 8,535 ZSF of the Development Rights of Projected Development Site 2 (Lots 7 and 8) to Projected Development Site 1 (Lots 9 and 14). The Applicant-controlled Lots 7, 8, 9, and 14 would be merged into a 25,548-SF zoning lot within the proposed R7D/M1-4 (MX) district. Approximately 640 square feet of lot area would also be conveyed from Lot 9 to Lot 8 to match the fence line against the existing retaining wall serving as a factual boundary between tax lots 8 and 9.

It should be noted that while Lots 7 and 8 constitute Projected Development Site 2 for the purposes of analysis, the Applicant does not intend to redevelop these lots Pursuant to the Proposed Actions. Under the Proposed Project, Lots 7 and 8 would remain developed as they are under existing conditions, with two two-story residential buildings with two dwelling units in each building.

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Projected Development Site 1 (Lots 9 and 14)

Under Future With-Action conditions, it is assumed that the Projected Development Site 1 would be developed with a single 154,690 GSF (138,171 ZSF, 6.93 FAR) mixed-use building with 100% lot coverage that would contain approximately 7,581 GSF (7,289 ZSF, 0.37 FAR) of community facility use, 3,874 GSF (3,725 ZSF, 0.19 FAR) of light Industrial and manufacturing use, 3,008 GSF (2,892 ZSF) of local retail, 30,003 GSF (28,849 ZSF) of office use (1.59 total commercial FAR), and 102,094 GSF (95,415 ZSF, 4.72 FAR) of residential use. There would be approximately 120 dwelling units (assuming 850 SF per DU on average), 25-30% (30-36 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. A 10-foot mechanical bulkhead would be assumed for the development site for a conservative shadows analysis under CEQR. One curb cut would be proposed on Concord Avenue.

Projected Development Site 2 (Lots 7 and 8)

Under Future With-Action conditions, it is assumed that the Projected Development Site 2 would be developed with a single 34,979 GSF (27,891 ZSF, 4.98 FAR) mixed-use building with 100% lot coverage that would contain approximately 13,121 GSF (12,263 ZSF, 2.19 FAR) of residential use and 16,253 GSF (15,628 ZSF, 2.79 FAR) of community facility use (Medical Office). There would be approximately 15 dwelling units (assuming 850 SF per DU on average), 25-30% (4 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. A 5,604 SF below-grade parking lot would contain approximately 6 spaces. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. One curb cut would be proposed on Concord Avenue.

Overall, the merged zoning lot consisting of Lots 7, 8, 9, and 14 would include 189,669 GSF (166,062 ZSF, 6.5 FAR) of mixed-use development consisting of 115,215 GSF (107,678 ZSF, 4.21 FAR) of residential use, 33,011 GSF (31,741 ZSF, 1.24 FAR) of commercial use, 23,834 GSF (22,918 ZSF, 0.9 FAR) of community facility use, and 3,874 GSF (3,725 ZSF, 0.15 FAR) of Manufacturing use. There would be a total of 135 dwelling units, and 13,734-SF of below-grade parking would be provided over the two Projected Sites containing approximately 54 parking spaces, with two curb cuts constructed on Concord Avenue.

The incremental change in land use for Sites 1 and 2 from the future No-Action Condition to the future With-Action Condition are detailed below in **Table 2.7-1**.

Table 2.7-1: Increment Summary Table

| Site | Land Use | Existing | | No-Action | | With-Action | | Increment | |
|--------|-----------------------------|----------|----|-----------|----|-------------|-----|-----------|-----|
| | | gsf | DU | gsf | DU | gsf | DU | gsf | DU |
| Site 1 | Local Retail (UG 6) | 0 | 0 | 0 | 0 | 3,008 | 0 | 3,008 | 0 |
| | Residential (UG 2) | 0 | 0 | 0 | 0 | 102,094 | 120 | 102,094 | 120 |
| | Professional Offices (UG 9) | 0 | 0 | 0 | 0 | 30,003 | 0 | 30,003 | 0 |
| | Community Facility | 0 | 0 | 0 | 0 | 7,581 | 0 | 7,581 | 0 |
| | Manufacturing | 12,500 | 0 | 12,500 | 0 | 3,874 | 0 | -8,626 | 0 |
| Site 2 | Local Retail (UG 6) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Residential (UG 2) | 3,440 | 4 | 3,440 | 4 | 13,121 | 15 | 9,681 | 11 |
| | Professional Offices (UG 9) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Community Facility | 0 | 0 | 0 | 0 | 16,253 | 0 | 16,253 | 0 |
| | Light Industrial | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | Local Retail (UG 6) | 0 | 0 | 0 | 0 | 3,008 | 0 | 3,008 | 0 |
| | Residential (UG 2) | 3,440 | 4 | 3,440 | 4 | 115,215 | 135 | 111,775 | 131 |
| | Professional Offices (UG 9) | 0 | 0 | 0 | 0 | 30,003 | 0 | 30,003 | 0 |
| | Community Facility | 0 | 0 | 0 | 0 | 23,834 | 0 | 23,834 | 0 |
| | Light Industrial | 12,500 | 0 | 12,500 | 0 | 3,874 | 0 | -8,626 | 0 |

2.7.1 Preliminary Assessment

Based on the Affected Area's location, it is within Traffic Zone 2. According to Table 13-1 of the *2021 CEQR Technical Manual*. In this zone, a residential development of fewer than 200 residential units, 100,000 square feet of commercial office, 15,000 square feet of local retail, or 25,000 square feet of community facility space, or a weighted average below 1.00 of any of the above, typically does not warrant further assessment of the potential for adverse effects on Transportation. Incremental development under the Proposed Actions compared to No-Action conditions, as detailed above in **Table 2.7-1**, results in an average of 2.11 for the Proposed Actions. Therefore, a Tier 1 trip generation is required.

2.7.2 Level 1 Trip Generation Screening Assessment

Methodology

The *2021 CEQR Technical Manual* states that a preliminary trip generation assessment should be prepared to determine whether a quantified analysis of any technical areas of the transportation system is necessary. Except in unusual circumstances, a further quantified analysis would typically not be needed for a technical area if the proposed development would result in fewer than the following increments:

- 50 peak hour vehicle trips;
- 200 peak hour subway/rail or bus transit riders (or 50 bus trips in a single direction on a single route during a peak hour);
- 50 CWFS Ferry Trips; or
- 200 peak hour pedestrian trips.

The *CEQR Technical Manual* also states that if the threshold for traffic is surpassed, a parking assessment may also be warranted.

Transportation Planning Assumptions

As **Table 2.7-2** shows, the assumption of the travel factors is determined based on the listed data sources below. **Table 2.7-3** shows the person trips, vehicular trips, and pedestrian trips generated from the trip factors in **Table 2.7-2**.

Residential

The daily trip generation, temporal distribution, directional splits, truck trip generation, truck temporal distribution, and truck directional splits were taken from the *2021 CEQR Technical Manual*. The modal splits and auto occupancy were taken from 2015 – 2019 ACS Journey to Work data for Census Tracts 31, 33, 35, 37, 73, and 79 in the Bronx.

Manufacturing

The daily trip generation, temporal distribution, directional splits, auto/taxi occupancy, truck trip generation, truck temporal distribution, and truck directional splits were taken from the East New York FEIS. The modal splits were taken from 2014 – 2016 ACS Reverse Journey to Work data for Census Tracts 31, 33, 35, 37, 73, and 79 in the Bronx.

Community Facility

The daily trip generation, temporal distribution, directional splits, modal splits, truck trip generation, truck temporal distribution, and truck directional splits were taken from the *2021 CEQR Technical Manual*. The auto/taxi occupancy were taken from 2014 – 2016 ACS Reverse Journey to Work data for Census Tracts 31, 33, 35, 37, 73, and 79 in the Bronx.

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Professional Offices

The daily trip generation, temporal distribution, directional splits, truck trip generation, truck temporal distribution, and truck directional splits were taken from the *2021 CEQR Technical Manual*. The modal splits and auto/taxi occupancy were taken from 2014 – 2016 ACS Reverse Journey to Work data for Census Tracts 31, 33, 35, 37, 73, and 79 in the Bronx.

Local Retail

The daily trip generation, temporal distribution, directional splits, modal splits, truck trip generation, truck temporal distribution, and truck directional splits were taken from the *2021 CEQR Technical Manual*. The auto/taxi occupancy were taken from the Jerome Avenue Rezoning FEIS.

Table 2.7-2: Transportation Demand Factors

| | Residential | Manufacturing | Community Facility (Medical Office) | Office | Local Retail |
|---|-------------------|-------------------|--|-------------------|-------------------|
| Trip Generation | (1) | (4) | (1) | (1) | (1) |
| Weekday | 8.18 | 14.7 | 66.626x + 141.77 | 18 | 329 |
| Saturday | 9.08 | 2.2 | 37 | 3.9 | 358 |
| | per dwelling unit | per 1,000 sf | per 1,000 sf | per 1,000 sf | per 1,000 sf |
| Linked-trip | | | | | 25% |
| Temporal Distribution | (1) | (4) | (1) | (1) | (1) |
| AM | 9.30% | 13.20% | 11.00% | 12.40% | 4.80% |
| MD | 5.60% | 11.00% | 12.60% | 11.00% | 8.00% |
| PM | 8.50% | 14.20% | 8.50% | 10.50% | 10.90% |
| Sat MD | 8.40% | 10.70% | 16.60% | 14.10% | 11.70% |
| Modal Splits | (2) | (3) | (1) | (3) | (1) |
| Auto | 20% | 41% | 26.0% | 41% | 11% |
| Taxi | 1.8% | 0.4% | 10.0% | 0.4% | 0.0% |
| Bus | 16% | 12% | 23.0% | 12% | 2% |
| Subway | 54% | 35% | 14.0% | 35% | 3% |
| Walk/Other | 9% | 11% | 27.0% | 11% | 84% |
| In/Out Splits | In (1) Out (1) | In (4) Out (4) | In (1) Out (1) | In (1) Out (1) | In (1) Out (1) |
| AM | 22% 78% | 88% 12% | 62% 38% | 86% 14% | 52% 48% |
| MD | 50% 50% | 47% 53% | 53% 47% | 52% 48% | 50% 50% |
| PM | 62% 38% | 12% 88% | 39% 61% | 16% 84% | 50% 50% |
| Sat MD | 55% 45% | 47% 53% | 54% 46% | 48% 52% | 50% 50% |
| Vehicle Occupancy | (2) | (4) | (3) | (3) | (5) |
| Auto | 1.14 | 1.20 | 1.40 | 1.15 | 2.20 |
| Taxi | 1.14 | 1.20 | 1.40 | 1.15 | 2.00 |
| Truck Trip Generation | (1) | (4) | (1) | (1) | (1) |
| Weekday | 0.06 | 0.67 | 0.35 | 0.32 | 0.35 |
| Saturday | 0.02 | 0.67 | 0.04 | 0.01 | 0.04 |
| Temporal Distribution | (1) | (4) | (1) | (1) | (1) |
| AM | 12.00% | 14.00% | 8.00% | 10.00% | 8.00% |
| MD | 9.00% | 9.00% | 11.00% | 11.00% | 11.00% |
| PM | 2.00% | 1.00% | 2.00% | 2.00% | 2.00% |
| Saturday | 9.00% | 0.00% | 11.00% | 11.00% | 11.00% |
| In/Out Splits | In (1) Out (1) | In (4) Out (4) | In (1) Out (1) | In (1) Out (1) | In (1) Out (1) |
| AM/MD/PM/Sat | 50.00% 50.00% | 50.00% 50.00% | 50.00% 50.00% | 50.00% 50.00% | 50.00% 50.00% |
| 1 = 2021 CEQR Technical Manual 2 = JTW ACS 2017-2019 Bronx Census Tracts 31, 33, 35, 37, 73, and 79 3 = RJTW ACS 2014-2016 Bronx Census Tracts 31, 33, 35, 37, 73, and 79 4 = East New York Rezoning FEIS 5 = Jerome Avenue Rezoning FEIS | | | | | |

Table 2.7-3: Total Project Generated Trips

| | Residential | | Manufacturing | | Community Facility (Medical Office) | | Office | | Local Retail | | Total | | |
|--------------------------|-------------|-----|---------------|-----|--|-----|------------|-----|--------------|-----|-------|-----|--------------|
| Size (gsf) | 131 du | | -8,626 gsf | | 23,834 gsf | | 30,003 gsf | | 3,008 gsf | | | | |
| Peak Hour Trips | | | | | | | | | | | | | |
| AM | 100 | | -17 | | 190 | | 67 | | 36 | | 376 | | |
| MD | 60 | | -14 | | 218 | | 59 | | 59 | | 383 | | |
| PM | 91 | | -18 | | 147 | | 57 | | 81 | | 358 | | |
| Sat MD | 100 | | -2 | | 146 | | 16 | | 94 | | 355 | | |
| Person Trips | | | | | | | | | | | | | |
| AM | In | Out | In | Out | In | Out | In | Out | In | Out | In | Out | In/Out Total |
| Auto | 4 | 15 | -6 | -1 | 31 | 19 | 24 | 4 | 2 | 2 | 55 | 39 | 94 |
| Taxi | 0 | 1 | 0 | 0 | 12 | 7 | 0 | 0 | 0 | 0 | 12 | 9 | 21 |
| Bus | 3 | 12 | -2 | 0 | 27 | 17 | 7 | 1 | 0 | 0 | 36 | 30 | 67 |
| Subway | 12 | 42 | -5 | -1 | 17 | 10 | 20 | 3 | 1 | 1 | 44 | 55 | 99 |
| Walk/Other | 2 | 7 | -2 | 0 | 32 | 20 | 6 | 1 | 16 | 14 | 54 | 42 | 95 |
| Total | 22 | 78 | -15 | -2 | 118 | 72 | 58 | 9 | 19 | 17 | 146 | 135 | 282 |
| MD | In | Out | In | Out | In | Out | In | Out | In | Out | In | Out | In/Out Total |
| Auto | 6 | 6 | -3 | -3 | 30 | 27 | 13 | 12 | 3 | 3 | 49 | 45 | 94 |
| Taxi | 1 | 1 | 0 | 0 | 12 | 10 | 0 | 0 | 0 | 0 | 12 | 11 | 23 |
| Bus | 5 | 5 | -1 | -1 | 27 | 24 | 4 | 4 | 1 | 1 | 35 | 32 | 66 |
| Subway | 16 | 16 | -2 | -3 | 16 | 14 | 11 | 10 | 1 | 1 | 42 | 39 | 80 |
| Walk/Other | 3 | 3 | -1 | -1 | 31 | 28 | 3 | 3 | 25 | 25 | 61 | 58 | 119 |
| Total | 30 | 30 | -7 | -7 | 116 | 102 | 31 | 29 | 30 | 30 | 150 | 139 | 289 |
| PM | In | Out | In | Out | In | Out | In | Out | In | Out | In | Out | In/Out Total |
| Auto | 11 | 7 | -1 | -7 | 15 | 23 | 4 | 20 | 4 | 4 | 33 | 48 | 81 |
| Taxi | 1 | 1 | 0 | 0 | 6 | 9 | 0 | 0 | 0 | 0 | 7 | 10 | 17 |
| Bus | 9 | 6 | 0 | -2 | 13 | 21 | 1 | 6 | 1 | 1 | 24 | 31 | 55 |
| Subway | 30 | 19 | -1 | -6 | 8 | 13 | 3 | 17 | 1 | 1 | 42 | 43 | 85 |
| Walk/Other | 5 | 3 | 0 | -2 | 15 | 24 | 1 | 5 | 34 | 34 | 55 | 65 | 120 |
| Total | 56 | 35 | -2 | -16 | 57 | 90 | 9 | 48 | 40 | 40 | 128 | 149 | 276 |
| Saturday | In | Out | In | Out | In | Out | In | Out | In | Out | In | Out | In/Out Total |
| Auto | 11 | 9 | 0 | 0 | 21 | 18 | 3 | 4 | 5 | 5 | 40 | 35 | 74 |
| Taxi | 1 | 1 | 0 | 0 | 8 | 7 | 0 | 0 | 0 | 0 | 9 | 8 | 17 |
| Bus | 9 | 7 | 0 | 0 | 18 | 15 | 1 | 1 | 1 | 1 | 29 | 25 | 53 |
| Subway | 29 | 24 | 0 | 0 | 11 | 9 | 3 | 3 | 1 | 1 | 44 | 38 | 82 |
| Walk/Other | 5 | 4 | 0 | 0 | 21 | 18 | 1 | 1 | 40 | 40 | 67 | 63 | 129 |
| Total | 55 | 45 | -1 | -1 | 79 | 67 | 8 | 9 | 47 | 47 | 149 | 132 | 281 |
| Taxi Overlap Rate | | | | | | | | | | | | | |
| Vehicle Trips | | | | | | | | | | | | | |
| AM | In | Out | In | Out | In | Out | In | Out | In | Out | In | Out | In/Out Total |
| Auto | 4 | 13 | -5 | -1 | 22 | 13 | 21 | 3 | 1 | 1 | 42 | 30 | 73 |
| Taxi | 0 | 1 | 0 | 0 | 8 | 5 | 0 | 0 | 0 | 0 | 9 | 6 | 15 |
| Taxi Balanced | 1 | 1 | 0 | 0 | 12 | 12 | 0 | 0 | 0 | 0 | 13 | 13 | 26 |
| Truck | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 2 |
| Total | 5 | 15 | -5 | -1 | 34 | 26 | 21 | 4 | 1 | 1 | 56 | 44 | 101 |
| MD | In | Out | In | Out | In | Out | In | Out | In | Out | In | Out | In/Out Total |
| Auto | 5 | 5 | -2 | -3 | 21 | 19 | 11 | 10 | 1 | 1 | 37 | 33 | 70 |
| Taxi | 0 | 0 | 0 | 0 | 8 | 7 | 0 | 0 | 0 | 0 | 9 | 8 | 17 |
| Taxi Balanced | 1 | 1 | 0 | 0 | 14 | 14 | 0 | 0 | 0 | 0 | 15 | 15 | 30 |
| Truck | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 1 | 1 | 2 |
| Total | 7 | 7 | -3 | -3 | 36 | 33 | 12 | 11 | 2 | 2 | 53 | 50 | 103 |
| PM | In | Out | In | Out | In | Out | In | Out | In | Out | In | Out | In/Out Total |
| Auto | 10 | 6 | -1 | -5 | 11 | 17 | 3 | 17 | 2 | 2 | 25 | 36 | 61 |
| Taxi | 1 | 1 | 0 | 0 | 4 | 6 | 0 | 0 | 0 | 0 | 5 | 7 | 12 |
| Taxi Balanced | 1 | 1 | 0 | 0 | 9 | 9 | 0 | 0 | 0 | 0 | 10 | 10 | 20 |
| Truck | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 11 | 7 | -1 | -5 | 20 | 26 | 3 | 17 | 2 | 2 | 35 | 47 | 82 |
| Saturday | In | Out | In | Out | In | Out | In | Out | In | Out | In | Out | In/Out Total |
| Auto | 10 | 8 | 0 | 0 | 15 | 13 | 3 | 3 | 2 | 2 | 29 | 25 | 54 |
| Taxi | 1 | 1 | 0 | 0 | 6 | 5 | 0 | 0 | 0 | 0 | 7 | 6 | 12 |
| Taxi Balanced | 1 | 1 | 0 | 0 | 9 | 9 | 0 | 0 | 0 | 0 | 10 | 10 | 20 |
| Truck | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 11 | 9 | 0 | 0 | 24 | 22 | 3 | 3 | 2 | 2 | 39 | 36 | 75 |

* A 25% taxi overlap rate was assumed (i.e., 25% of inbound full taxis are assumed to be available for outbound demand)

Conclusion

The 2021 CEQR Technical Manual provides a methodology for evaluating the potential impacts of a proposed project on the transportation system. In accordance with the 2021 CEQR Technical Manual, a Level 1 Screening Assessment includes a trip generation analysis to determine whether the project would result in more than 50 vehicle trip-ends, 200 subway/rail or bus transit riders, 50 CWFS ferry trips, or 200 pedestrian trip-ends in a peak hour.

Table 2.7-3 shows the Total Trip Generation projected for the proposed development.

Traffic

As shown in **Table 2.7-4**, the Proposed Project would generate greater than 50 vehicle trip-ends during all identified peak hours. Accordingly, further analysis of vehicular trips is warranted.

Subway

As shown in **Table 2.7-4**, the Proposed Project would generate fewer than 200 subway trip-ends during all identified peak hours. Therefore, no further transit analysis is warranted.

Bus

As shown in **Table 2.7-4**, the Proposed Project would generate fewer than 200 MTA bus trip-ends during all identified peak hours. Therefore, further transit analysis is not warranted.

Pedestrian

In addition to walk-only trips, all bus and subway trips generated by the Proposed Project would begin or end as pedestrian trips. The Proposed Project would exceed the Level 1 threshold of 200 trips-ends during all identified peak hours, as shown in **Table 2.7-4**. Therefore, a Level 2 screening assessment is warranted.

Table 2.7-4: Project Generated Trip Ends

| Peak Hour | AM Peak Hour | Midday Peak Hour | PM Peak Hour | Saturday Peak Hour |
|-----------------------------------|--------------|------------------|--------------|--------------------|
| Total Walk Only Trip-Ends | 95 | 119 | 120 | 129 |
| Walk Only Threshold | 200 | 200 | 200 | 200 |
| Total Subway Trip-Ends | 99 | 80 | 85 | 82 |
| Subway Threshold | 200 | 200 | 200 | 200 |
| Total MTA Bus Trip-Ends | 67 | 66 | 55 | 53 |
| MTA Bus Threshold | 200 | 200 | 200 | 200 |
| Total Pedestrian Trip-Ends | 261 | 266 | 260 | 264 |
| Pedestrian Threshold | 200 | 200 | 200 | 200 |
| Total Vehicular Trip-Ends | 101 | 103 | 82 | 75 |
| Vehicular Threshold | 50 | 50 | 50 | 50 |

Highlighted cells denote trips in exceedance of 200 pedestrians or 50 vehicles per peak hour

2.7.3 Level 2 Screening Assessment

A Level 2 Screening Assessment assigns project-generated vehicular and pedestrian trips to specific intersections, bus routes, subway lines, CWFS ferry routes, or parking facilities.

If the results of the analysis conclude that the Proposed Action(s) would result in intersections with 50 or more vehicle trips, pedestrian elements with 200 or more pedestrian trips, 50 or more bus trips in a single direction on a single route, 25 or more passenger ferry trips in a single direction on a single route, 50 or more passengers at a ferry landing, or 200 or more passengers at a subway station or on a subway line during any analysis peak hour, further detailed analysis may be needed for a particular technical area.

Level 2 Vehicular Assignment

As shown previously in **Table 2.7-4**, incremental vehicle trip-ends resulting from the proposed project would exceed the CEQR Level-1 screening threshold during the Weekday AM, Midday, PM, and Saturday Midday peak hours. Accordingly, a Level 2 Trip Assignment was prepared for all peak hours, as shown below in **Figure 2.7-1** through **Figure 2.7-4**.

Site Access and Egress Assumptions

Access and egress to the Projected Development Sites for all auto trips (taxi, truck, and auto) was analyzed to be at the entrance/exits to the parking garage and the loading bay for Projected Development Site 1, located on Concord Avenue (see **Appendix B: Architectural Plans**). Projected Development Site 2 would only permit vehicular access on Concord Avenue, therefore, the vehicular assumptions used for Projected Development Site 1 were mirrored for Projected Development Site 2.

Origin and Destination Assumptions

The most likely travel routes to and from the Projected Development Sites, prevailing travel patterns, commuter origin-destination (O-D) summaries from the most recent census data, the configuration of the roadway network, and the anticipated locations of site access and egress by site and land use were examined and utilized to perform vehicular trip assignments. All vehicular trips (auto, taxi, truck) were conservatively assumed to enter the proposed project location via the specific frontages for Sites 1 and 2. Census Transportation Planning Product Reverse Journey to Work and Journey to Work (2012 – 2016) data was utilized to determine the relative O-D points of trips.

Conclusion

As shown below, based on the assignment of vehicular trips, one intersection (Concord Avenue and East 144th Street) would exceed greater than 50 vehicular trips during the Weekday AM, Weekday Midday, Weekday PM, and Saturday Midday peak hours. Accordingly, this location was selected for detailed Levels of Service analysis.

Figure 2.7-1: Weekday AM Vehicular Trip Assignment (1 of 4)

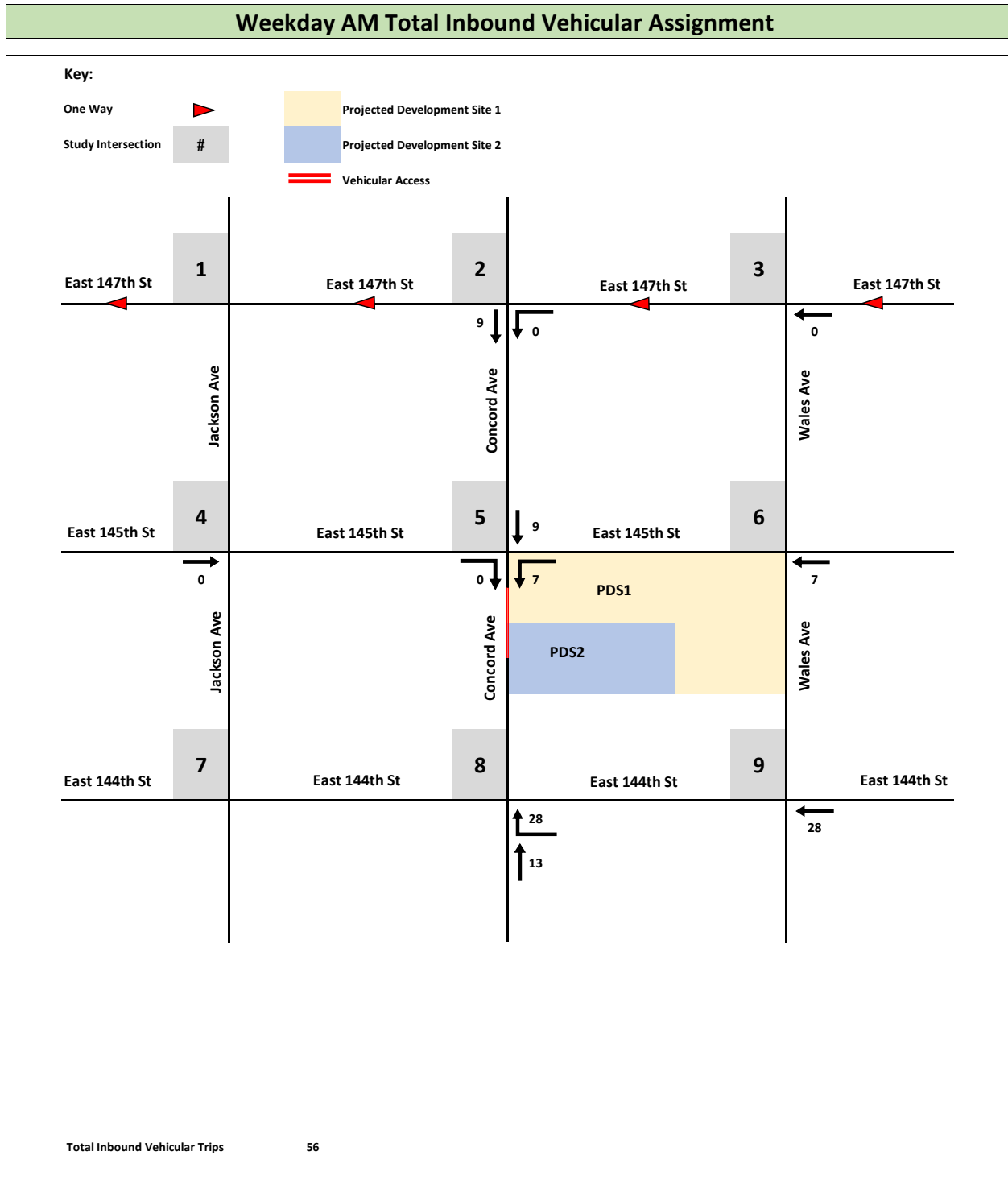


Figure 2.7-1: Weekday AM Vehicular Trip Assignment (2 of 4)

Weekday AM Total Outbound Vehicular Assignment

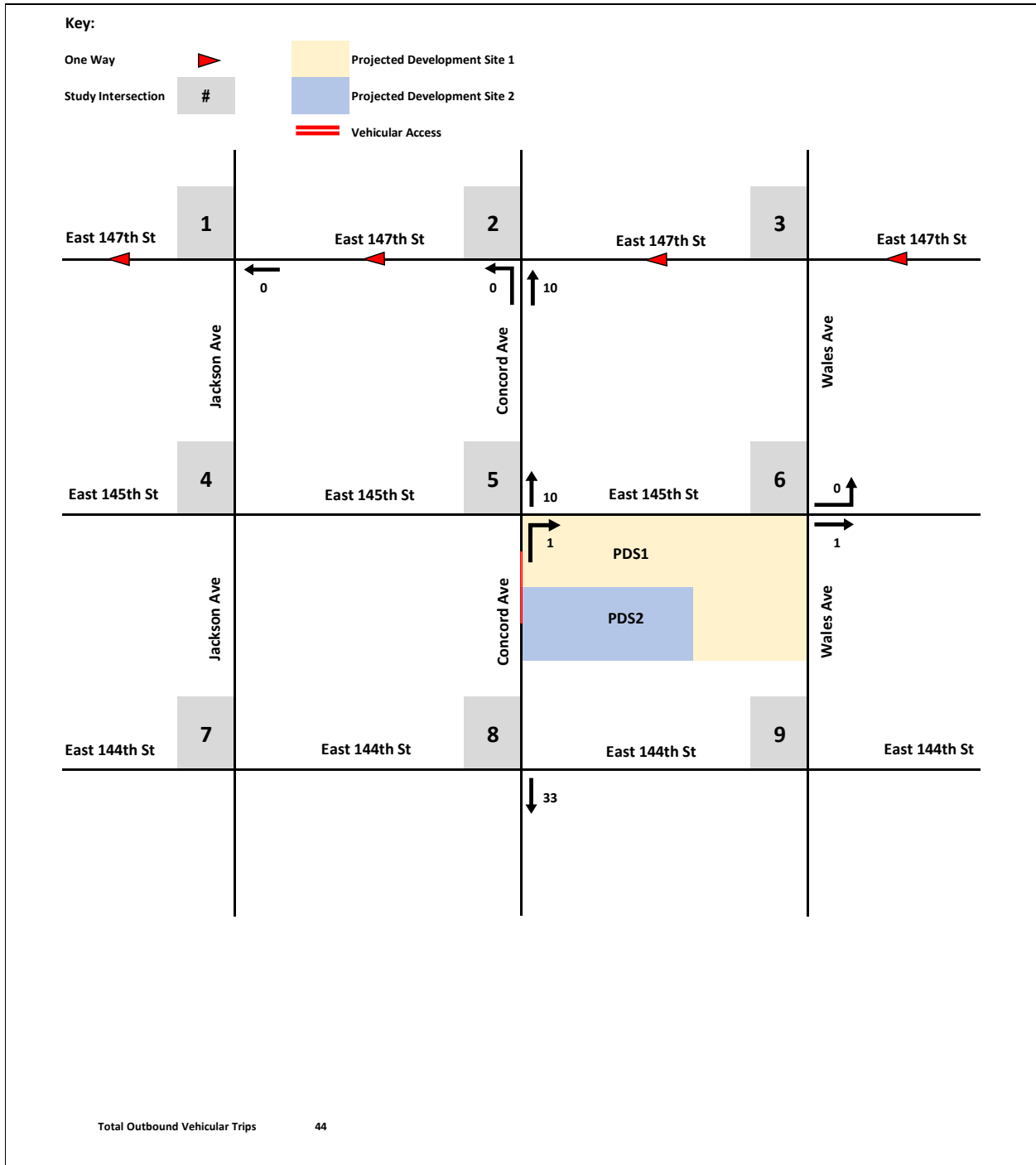


Figure 2.7-1: Weekday AM Vehicular Trip Assignment (3 of 4)

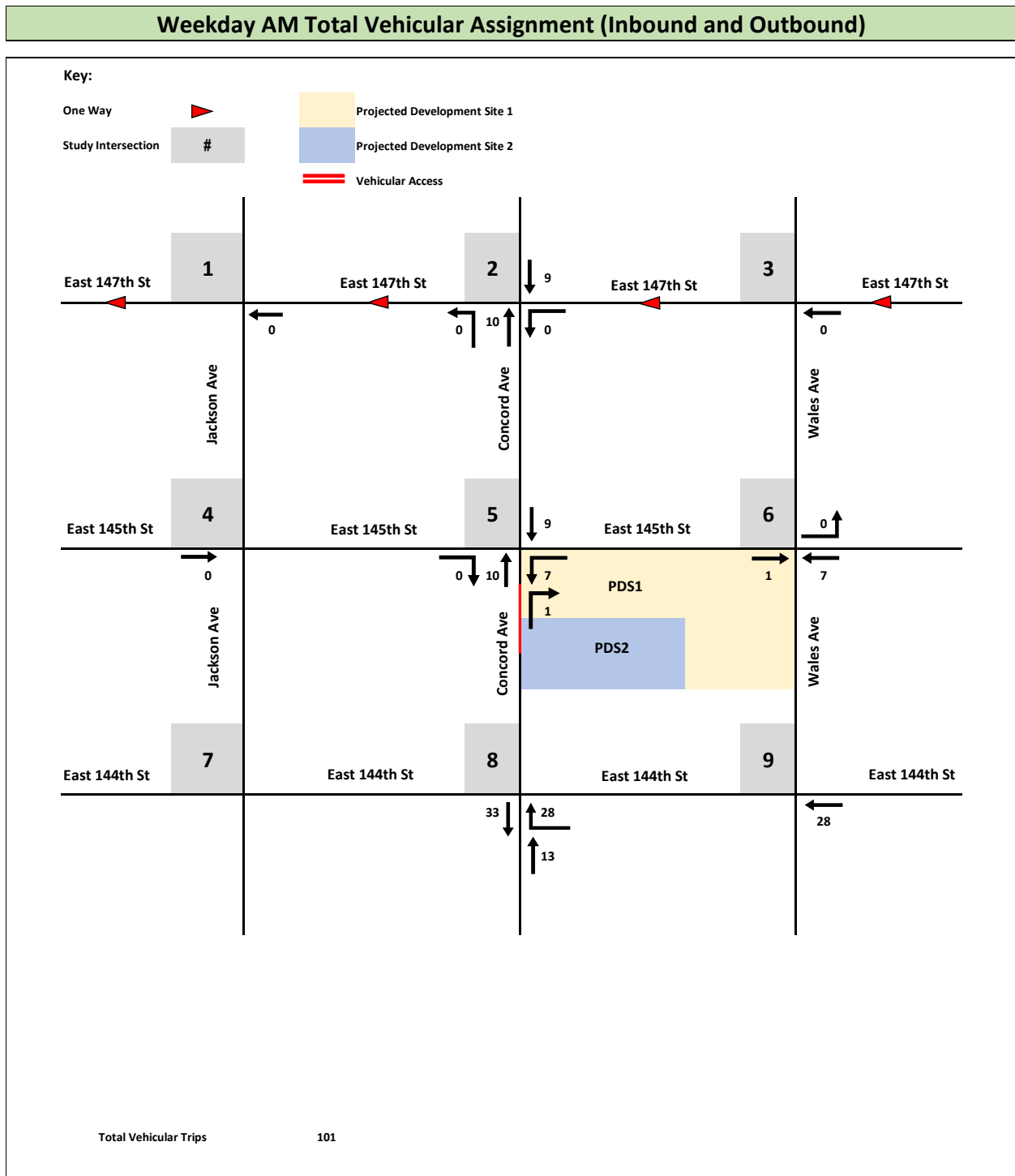


Figure 2.7-1: Weekday AM Vehicular Trip Assignment (4 of 4)

Weekday AM Vehicular Assignment Intersection Summary

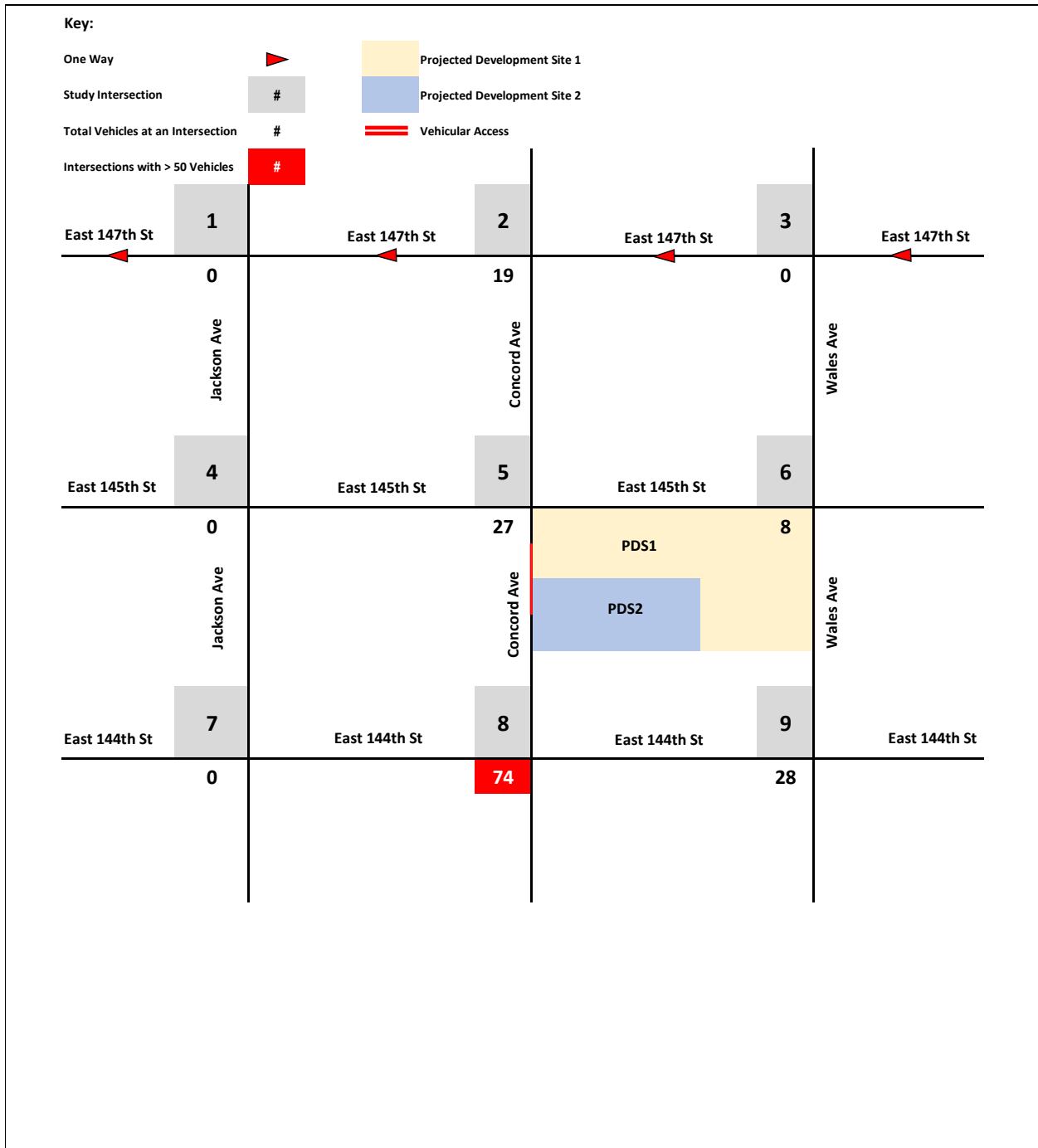


Figure 2.7-2: Weekday Midday Vehicular Trip Assignment (1 of 4)



Figure 2.7-2: Weekday MD Vehicular Trip Assignment (2 of 4)

Weekday Midday Total Outbound Vehicular Assignment

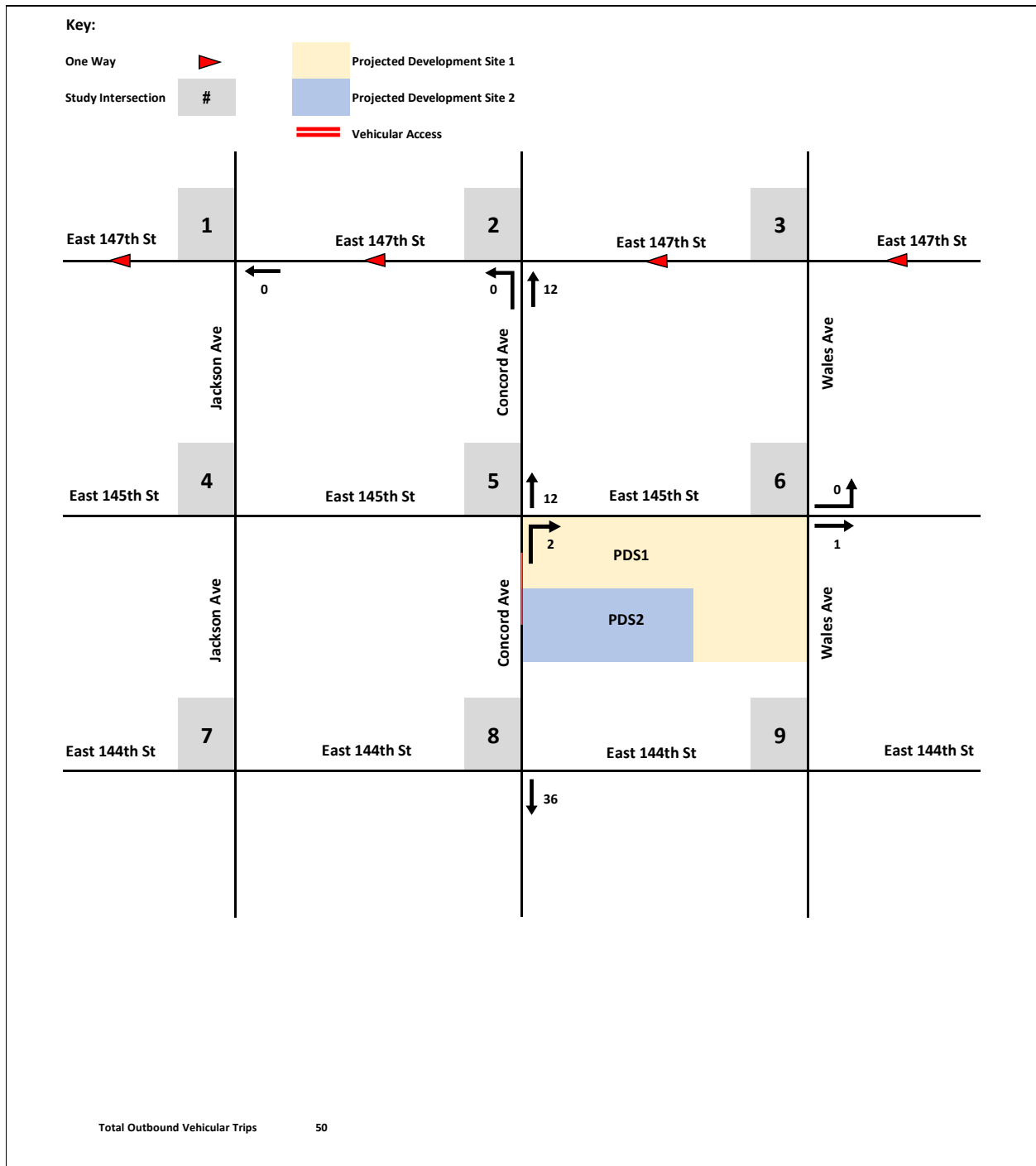


Figure 2.7-2: Weekday MD Vehicular Trip Assignment (3 of 4)

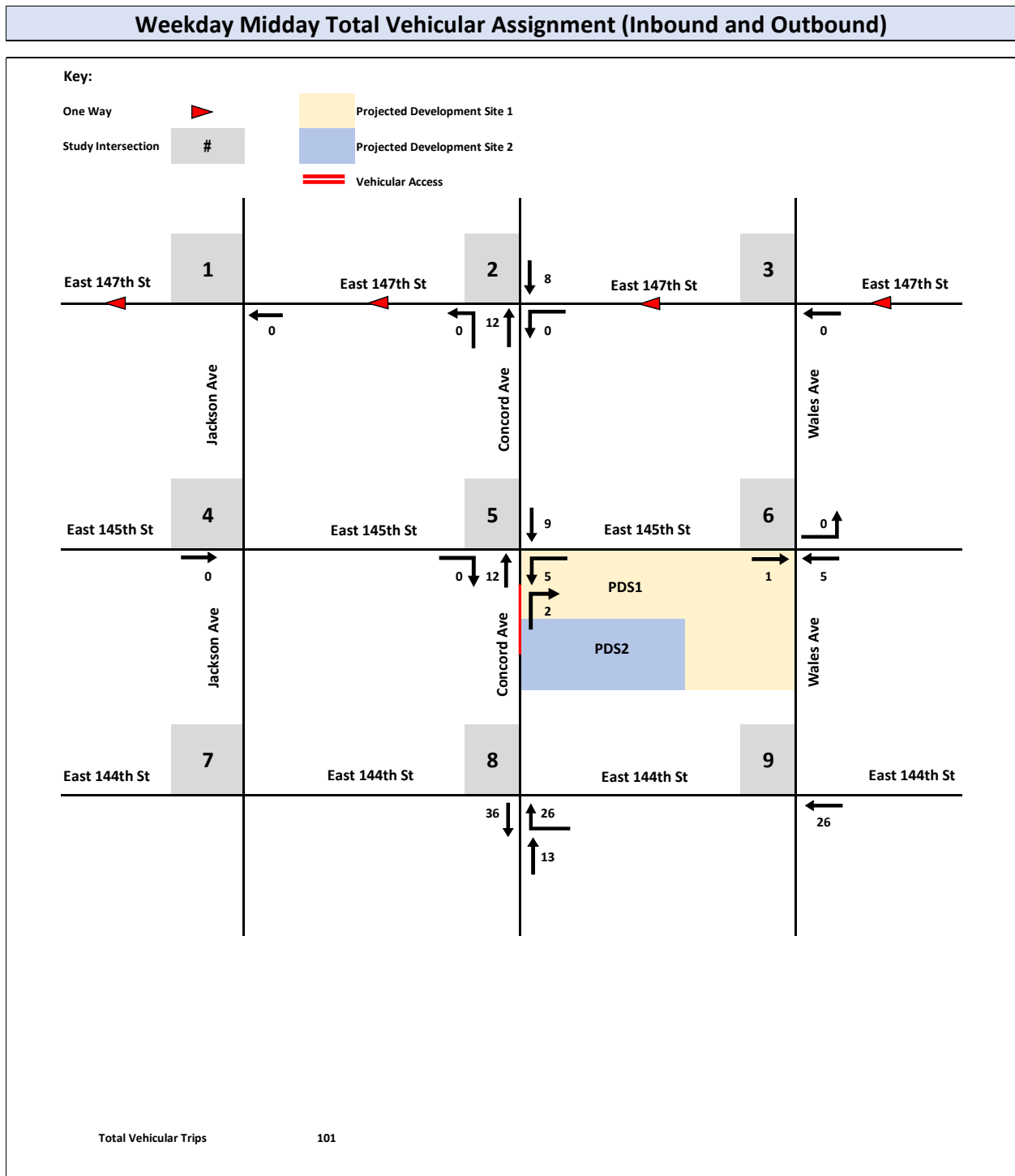


Figure 2.7-2: Weekday MD Vehicular Trip Assignment (4 of 4)

Weekday Midday Vehicular Assignment Intersection Summary

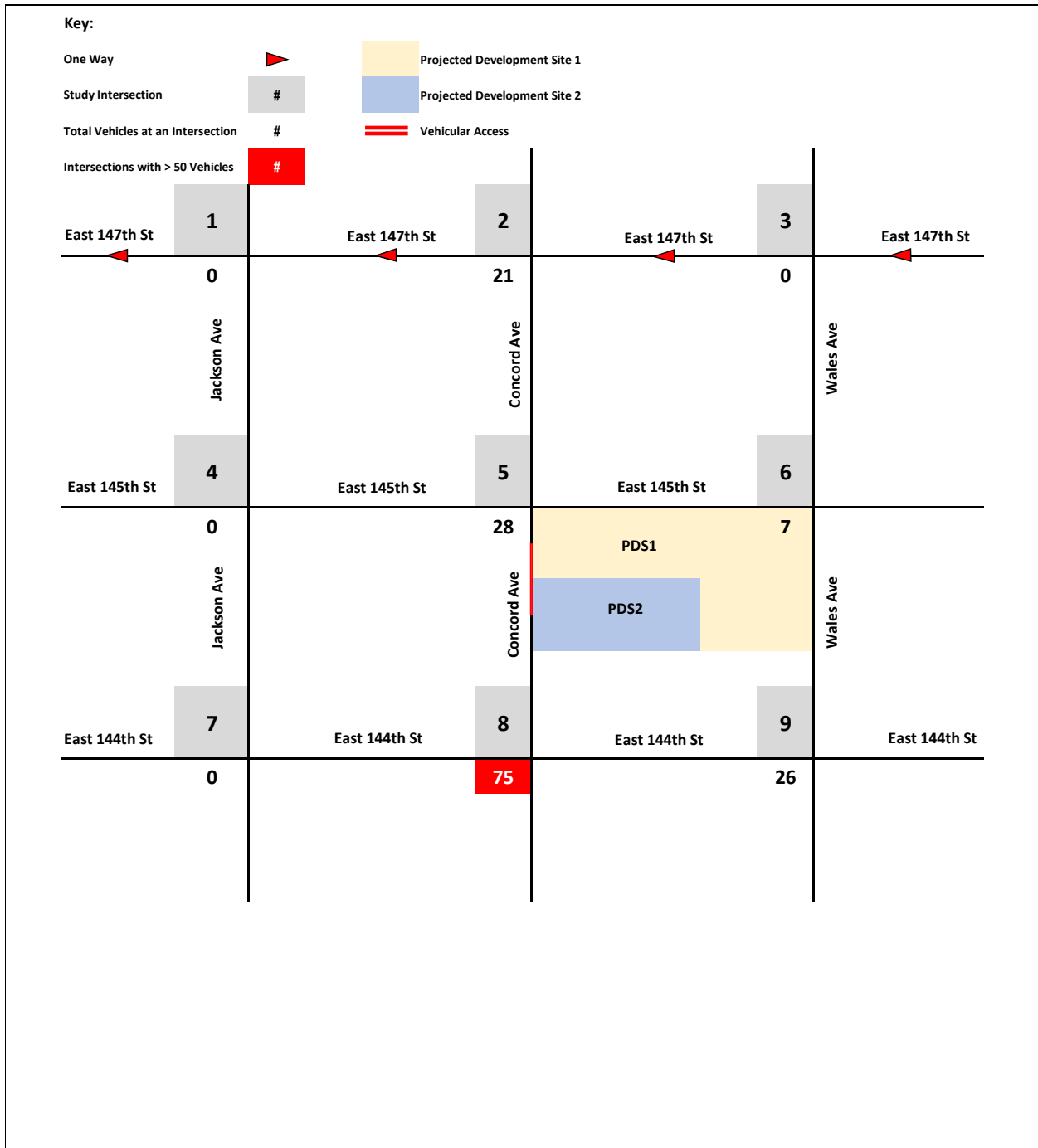


Figure 2.7-3: Weekday PM Vehicular Trip Assignment (1 of 4)



Figure 2.7-3: Weekday PM Vehicular Trip Assignment (2 of 4)

Weekday PM Total Outbound Vehicular Assignment

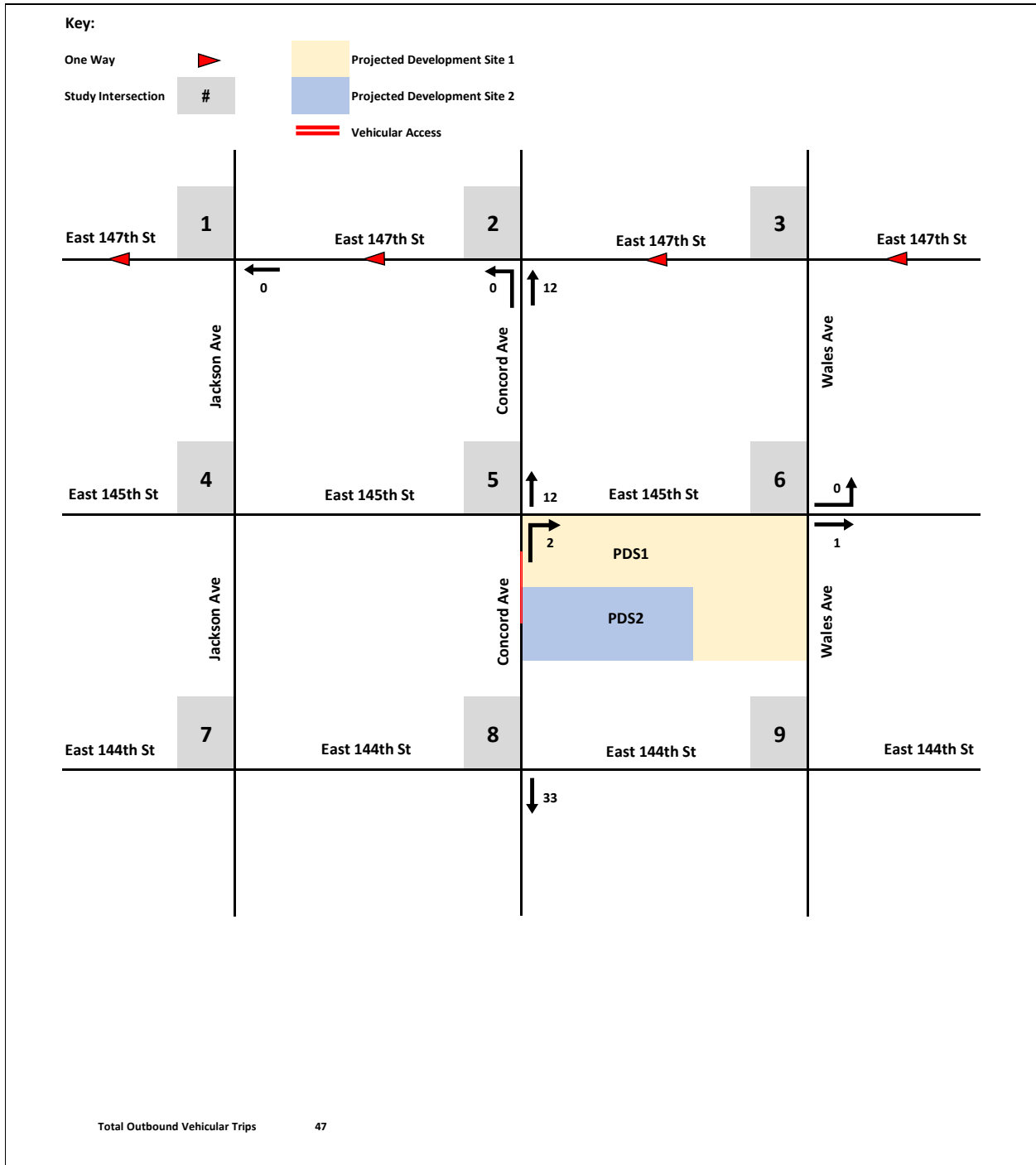


Figure 2.7-3: Weekday PM Vehicular Trip Assignment (3 of 4)

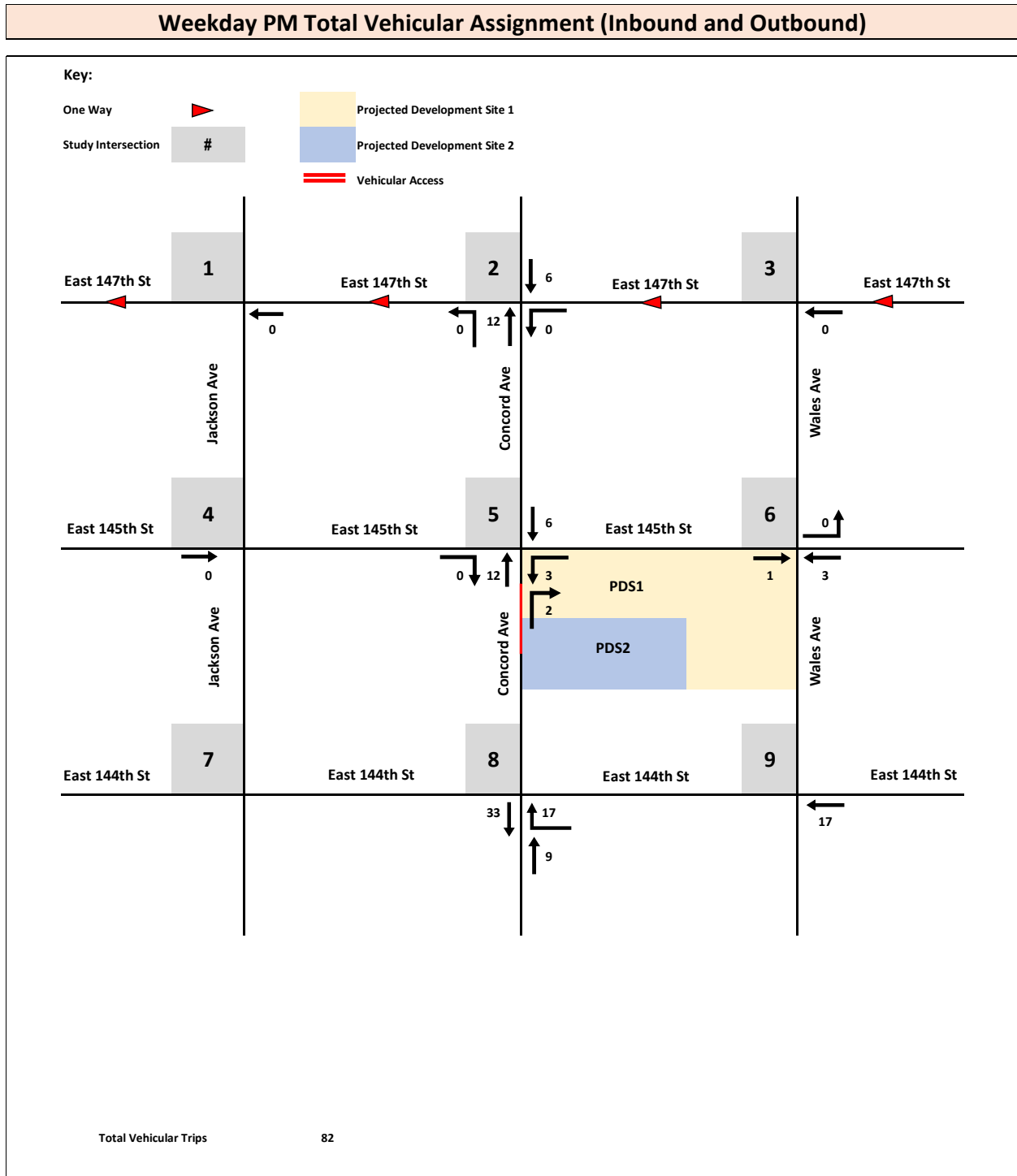


Figure 2.7-3: Weekday PM Vehicular Trip Assignment (4 of 4)

Weekday PM Vehicular Assignment Intersection Summary

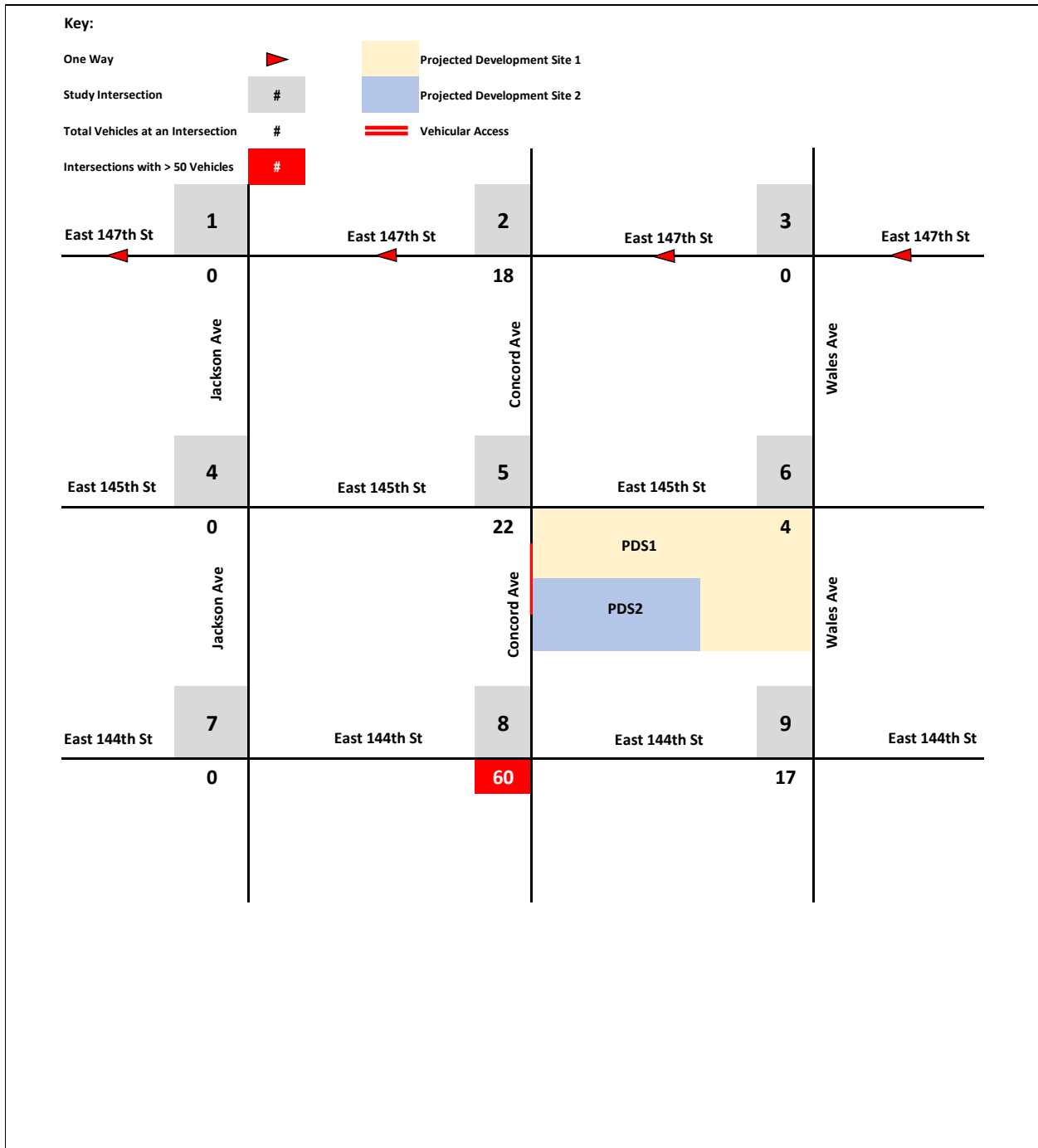


Figure 2.7-4: Saturday Midday Vehicular Trip Assignment (1 of 4)

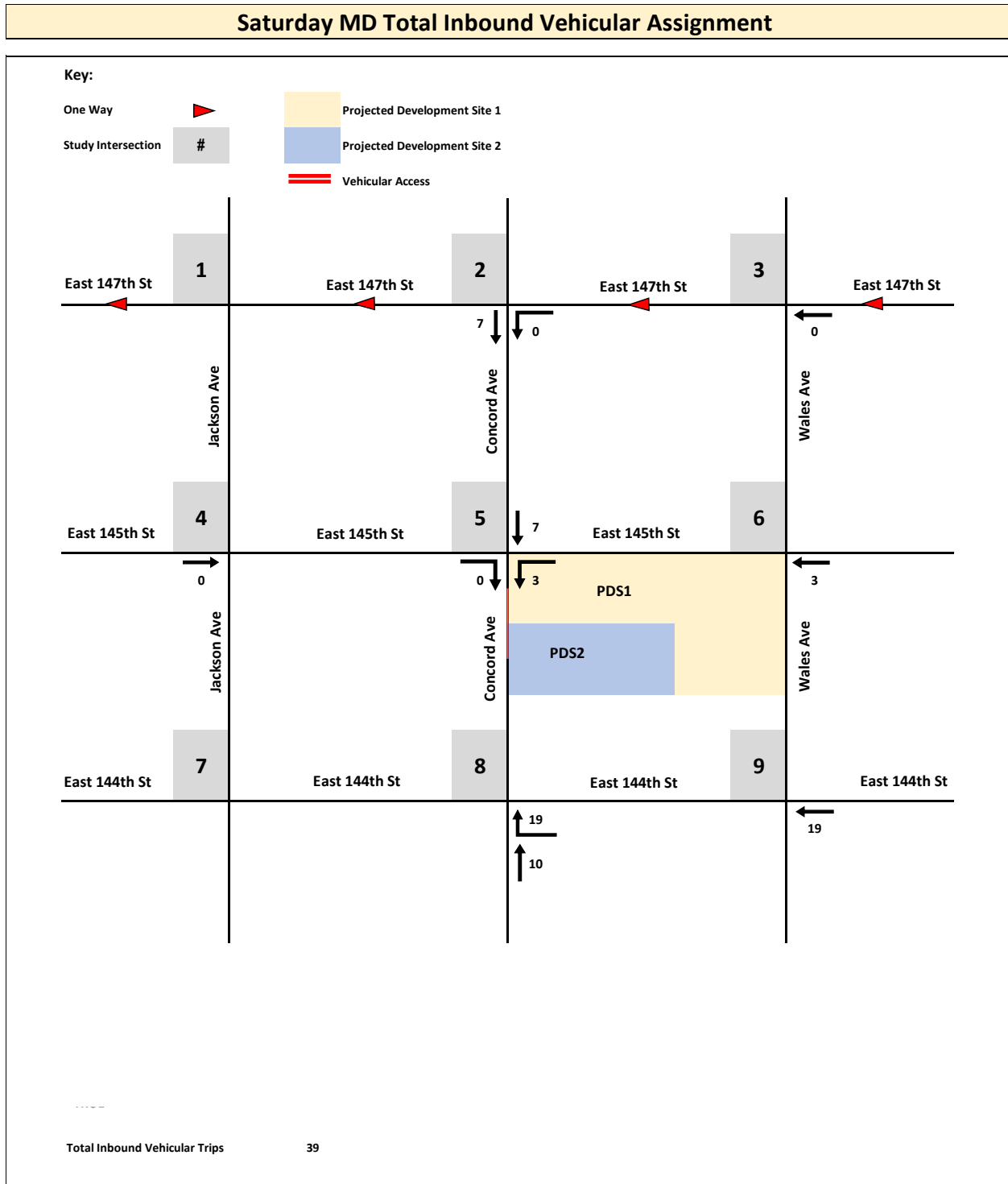


Figure 2.7-4: Saturday MD Vehicular Trip Assignment (2 of 4)

Saturday MD Total Outbound Vehicular Assignment

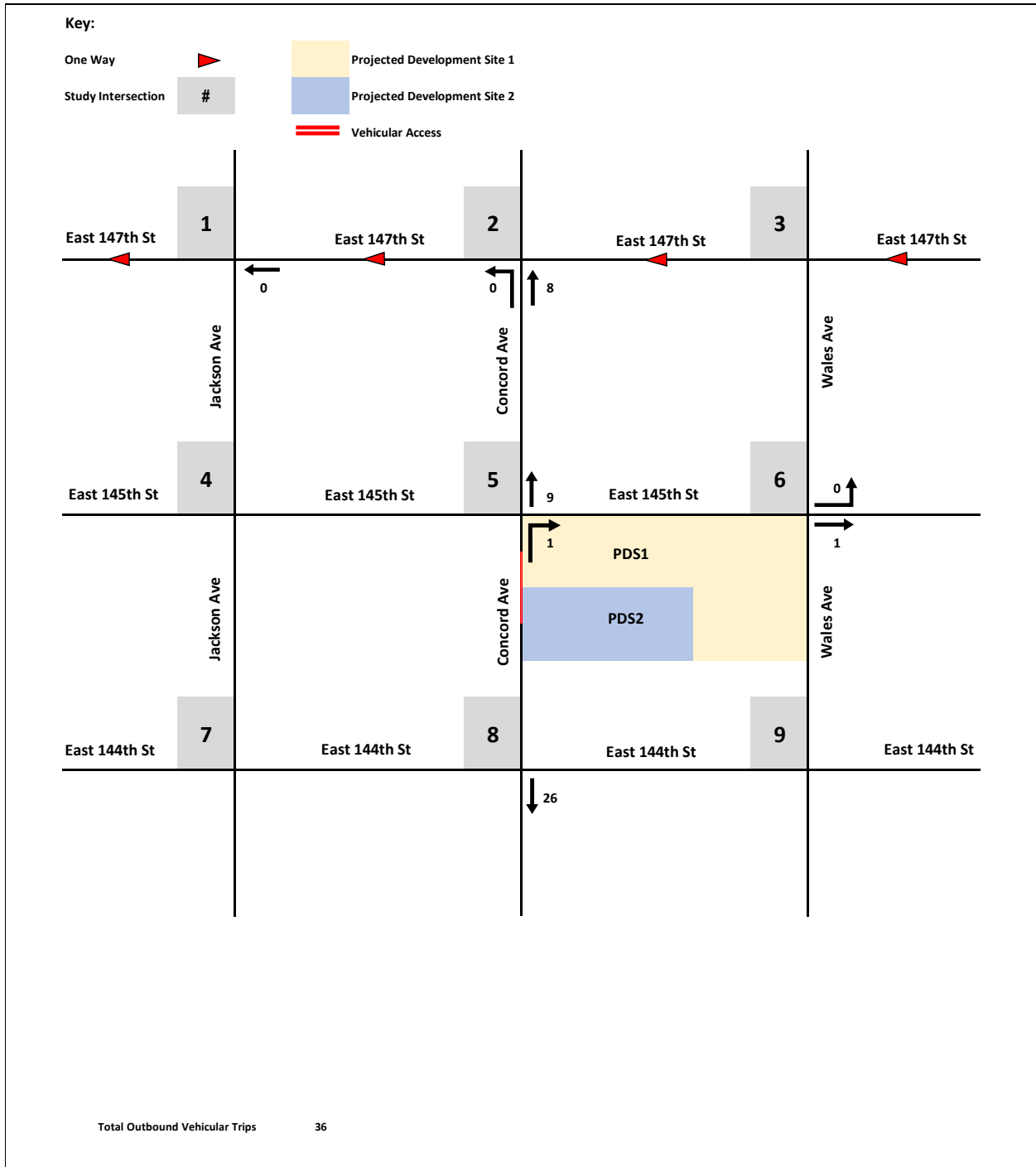


Figure 2.7-4: Saturday MD Vehicular Trip Assignment (3 of 4)

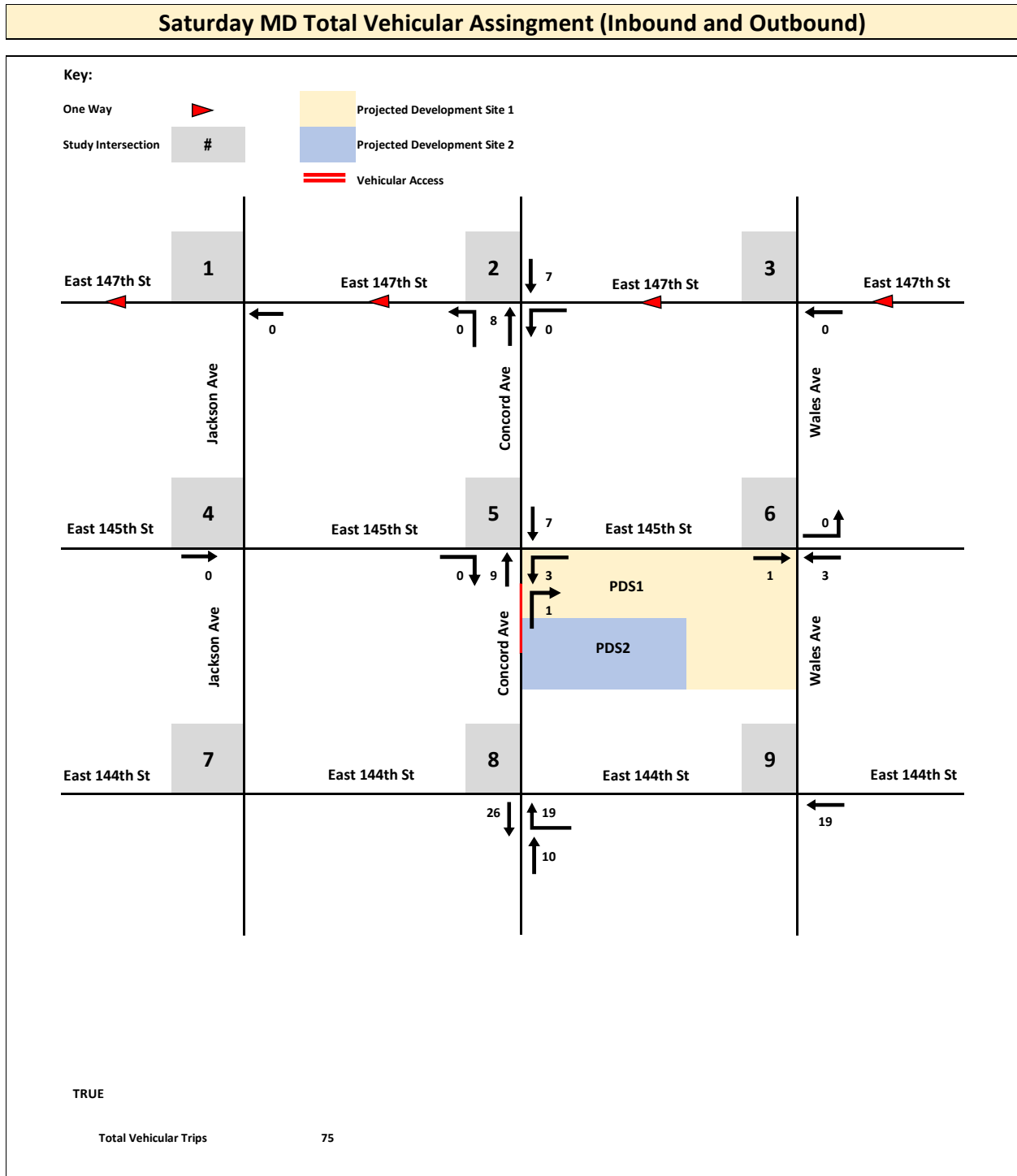
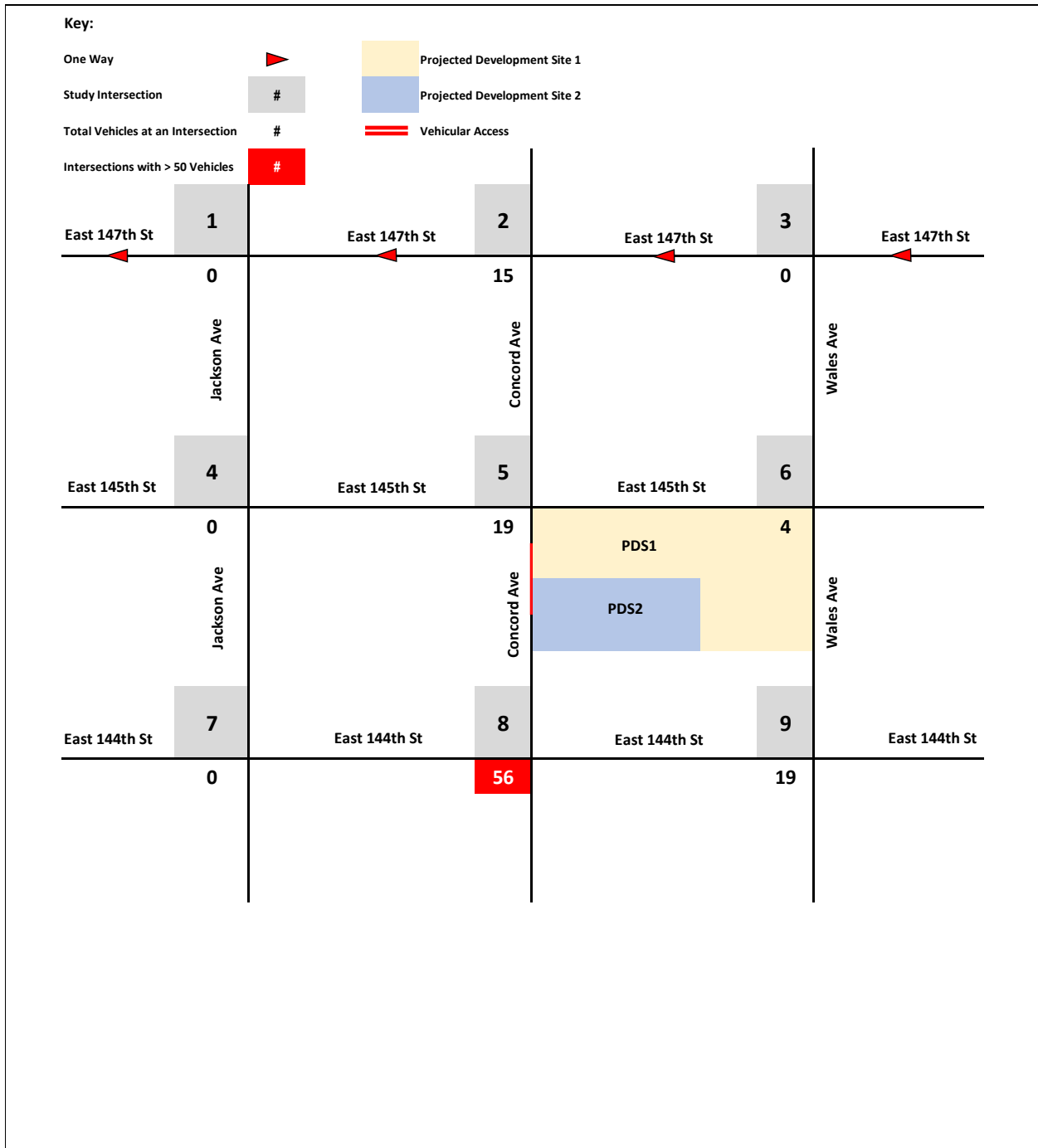


Figure 2.7-4: Saturday MD Vehicular Trip Assignment (4 of 4)

Saturday MD Vehicular Assignment Intersection Summary



Level 2 Pedestrian Assignment

As shown previously in **Table 2.7-4**, incremental pedestrian trips-ends resulting from the proposed project would exceed the CEQR Level-1 screening threshold during the Weekday AM, Midday, PM, and Saturday Midday peak hours. Accordingly, a Level 2 Trip Assignment was prepared for all peak hours, as shown below in **Figure 2.7-5** through **Figure 2.7-8**.

Site Access and Egress Assumptions

Projected Development Site 1 has numerous entrances/exits for pedestrian trips specific to each site and land use (see **Appendix B: Architectural Plans**). Pedestrians were assigned to specific frontages based on their trip purpose. Where a location had multiple entrances/exits on the same frontage, a singular point was used. As Projected Development Site 2 has only one frontage along Concord Avenue, all pedestrian trips were assumed to arrive at this frontage.

Origin and Destination Assumptions

- *MTA Bus Trips*

The location of bus stops, the bus lines that serve each stop, the route each line covers, and the connections these lines allow for, were considered and applied to bus riders traveling to and from the Projected Development Sites. There are two bus lines (Bx17/Bx19) that are accessible to users in the area. The bus lines have two bus stops in different directions, located two blocks north of the Affected Area near the corner of Concord Avenue and East 149th Street. Bus Bx17 connects the Affected Area with the Fordham Plaza/Bus Terminal in the northern Bronx. Bus Bx19 provides connection to Hamilton Heights, Manhattan and New York Botanical Garden, Bronx.

- *Subway Trips*

The E 143 St - St Mary's St subway station with service from the 6 Train is located approximately 800 feet east of the Affected Area. All subway trips were anticipated to utilize this station.

- *Walk-Only Trips*

Pedestrian walk-only trips were developed by distributing project-generated trips throughout the network based on the relative population weight of all census tracts within a ¼ mile radius using the 2020 ACS population data. The specific entrances/exits pedestrians would use based on their trip purpose, and the specifics of the street network surrounding the site were considered.

Conclusion

Based on the detailed assignment of pedestrian trips, no pedestrian elements would exceed Level 2 Screening thresholds. Accordingly, no further analysis is warranted.

Figure 2.7-5: Weekday AM Pedestrian Trip Assignment (1 of 4)



Figure 2.7-5: Weekday AM Pedestrian Trip Assignment (2 of 4)

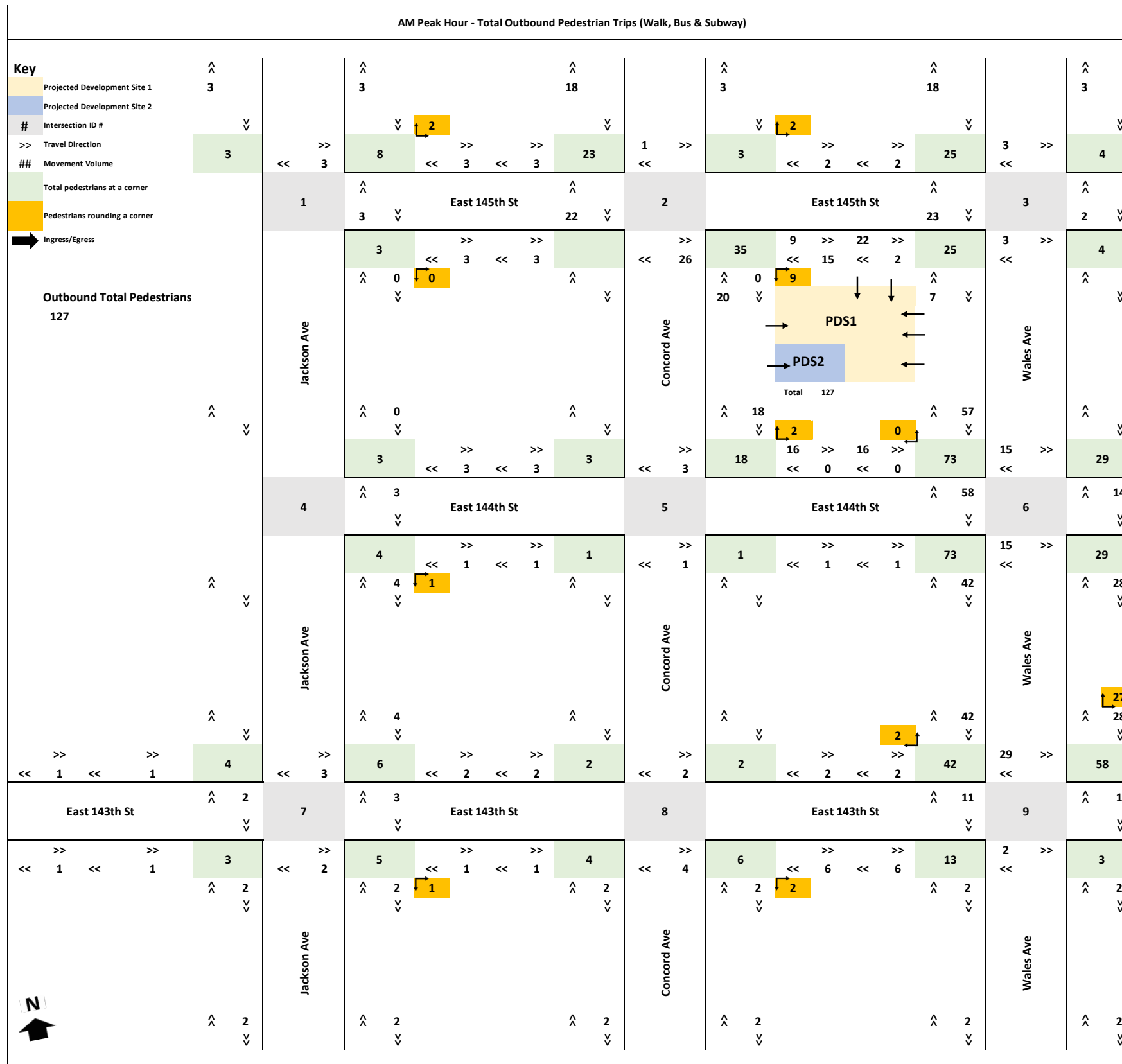


Figure 2.7-5: Weekday AM Pedestrian Trip Assignment (3 of 4)

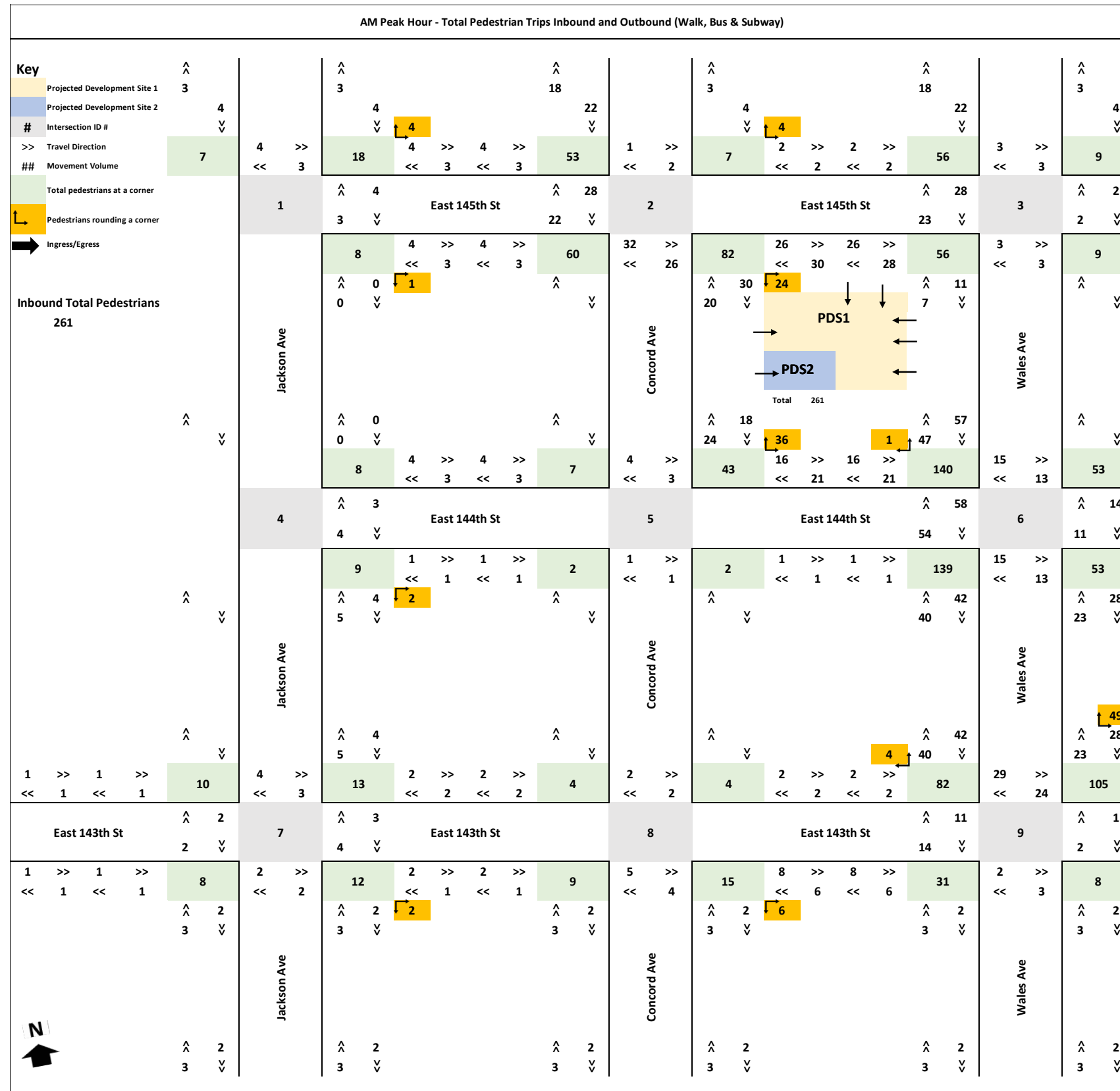


Figure 2.7-5: Weekday AM Pedestrian Trip Assignment (4 of 4)

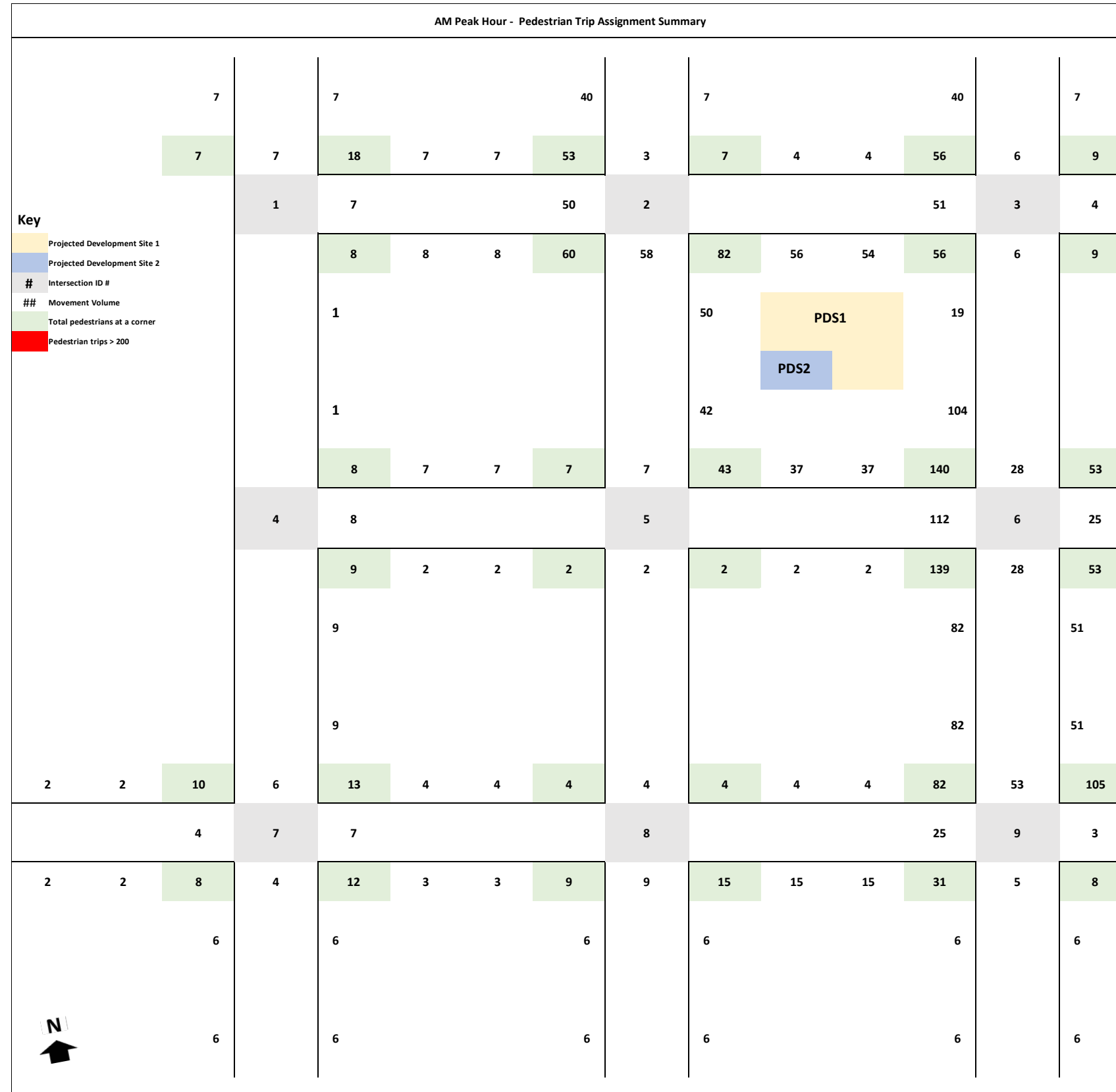


Figure 2.7-6: Weekday MD Pedestrian Trip Assignment (1 of 4)

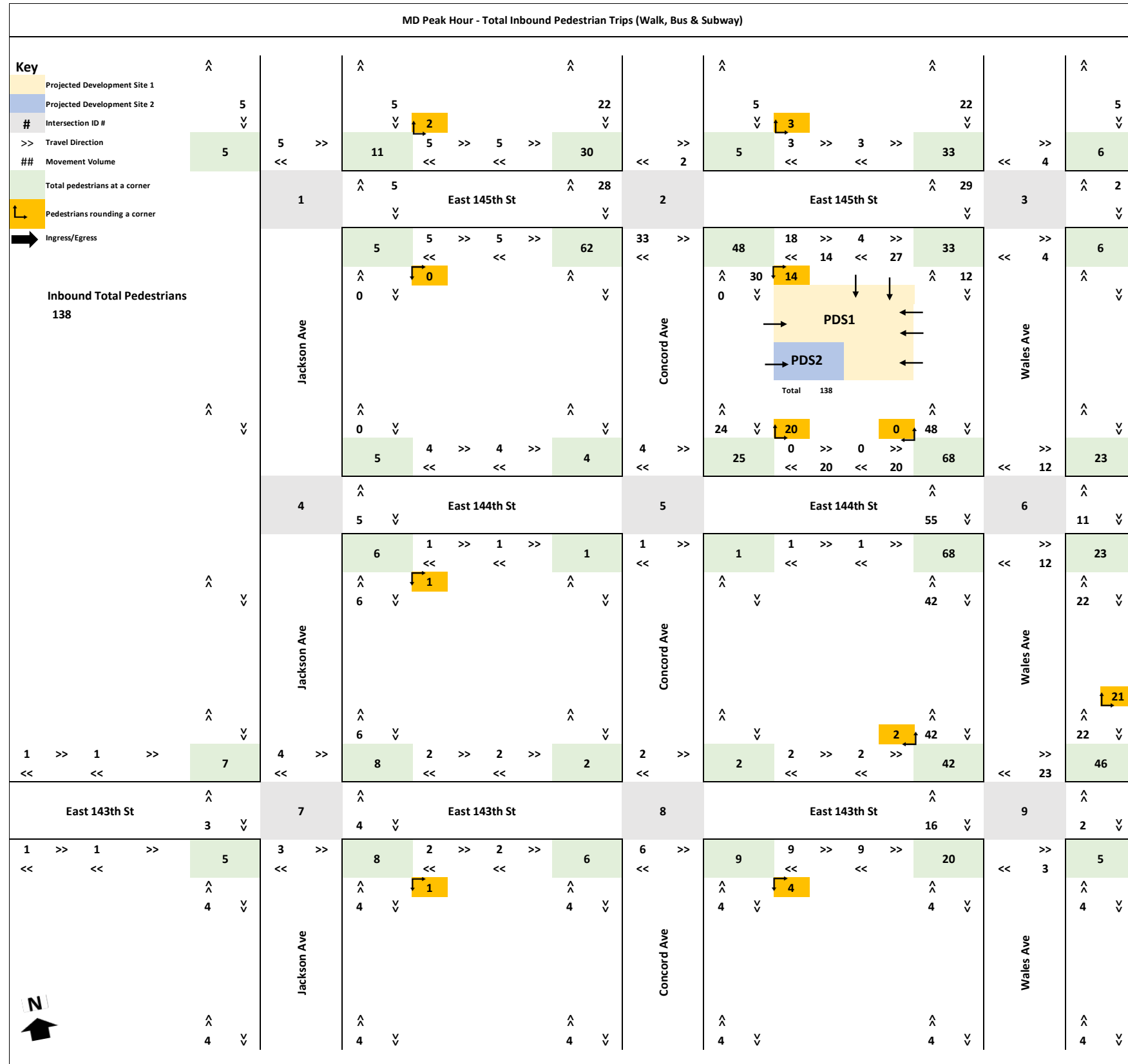


Figure 2.7-6: Weekday MD Pedestrian Trip Assignment (2 of 4)



Figure 2.7-6: Weekday MD Pedestrian Trip Assignment (4 of 4)

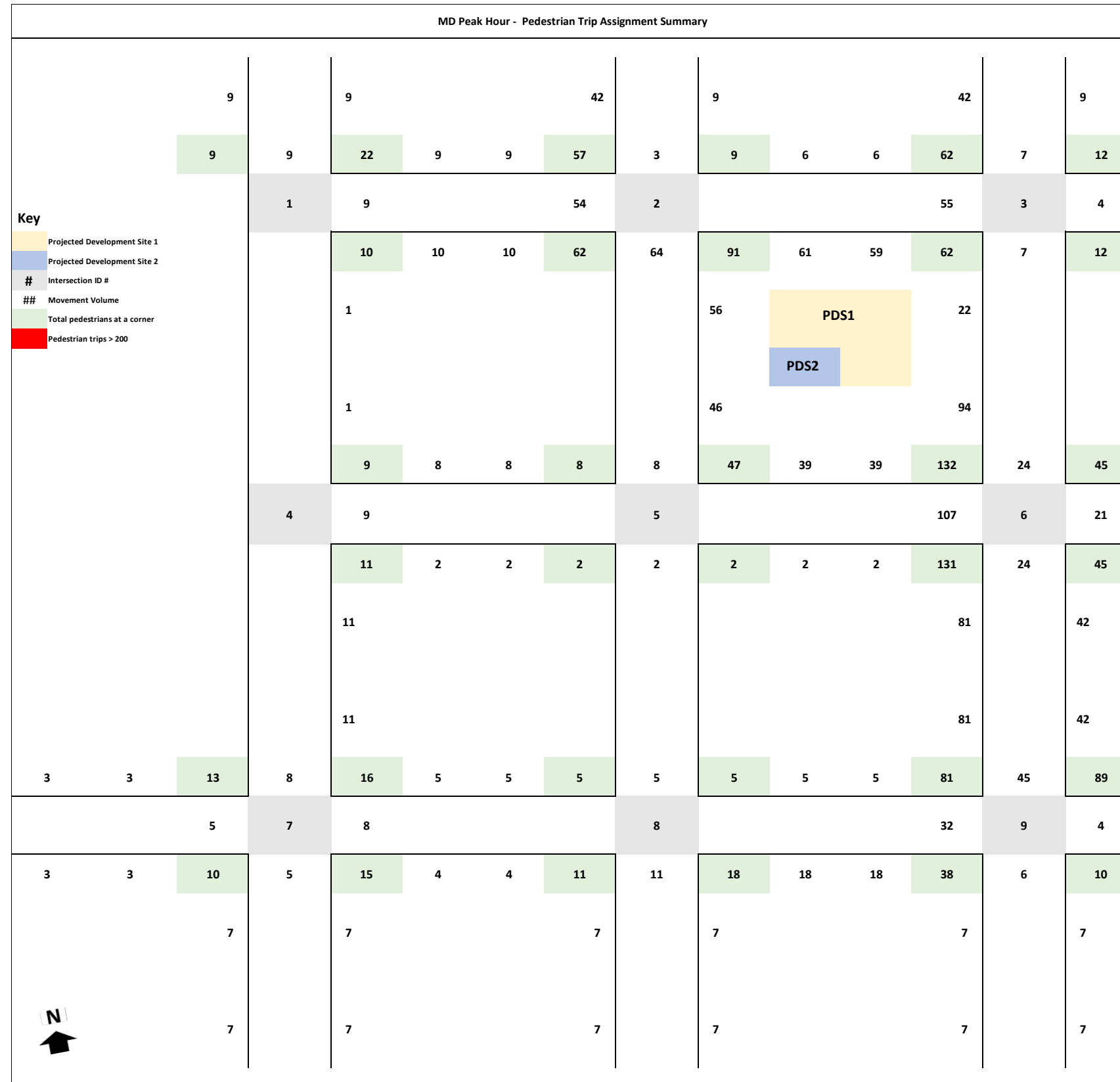


Figure 2.7-7: Weekday PM Pedestrian Trip Assignment (1 of 4)

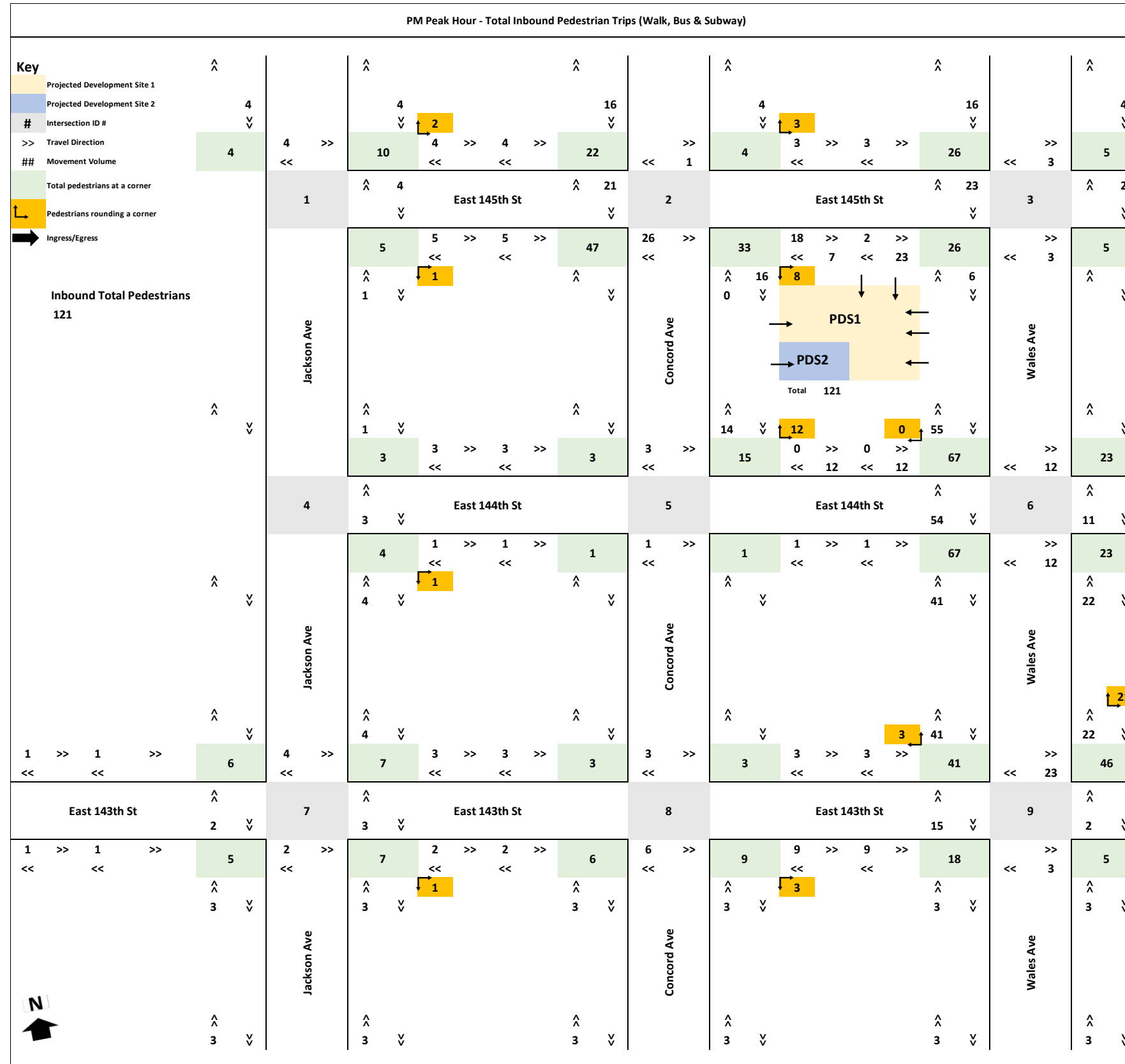


Figure 2.7-6: Weekday PM Pedestrian Trip Assignment (2 of 4)

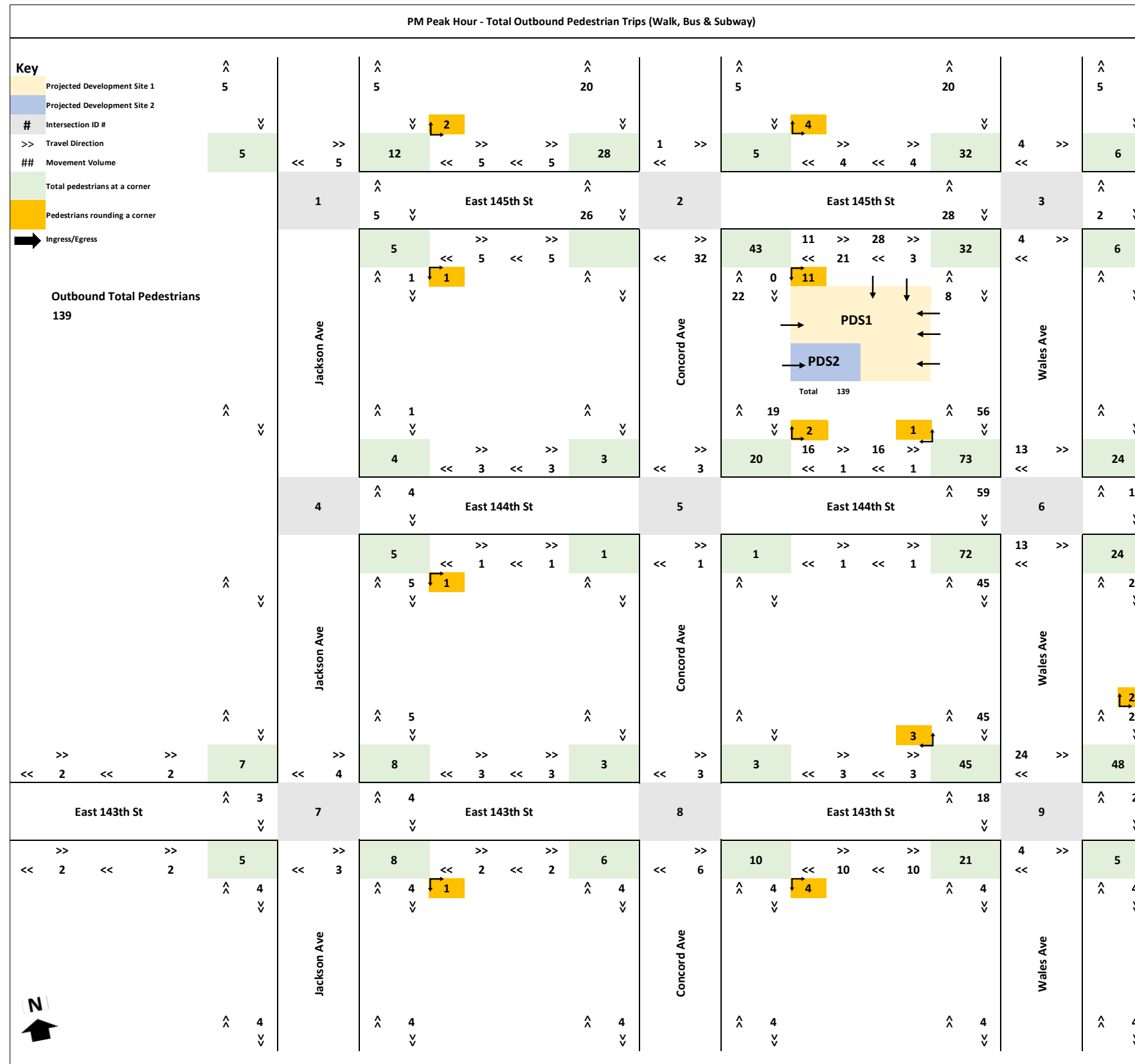


Figure 2.7-6: Weekday PM Pedestrian Trip Assignment (3 of 4)

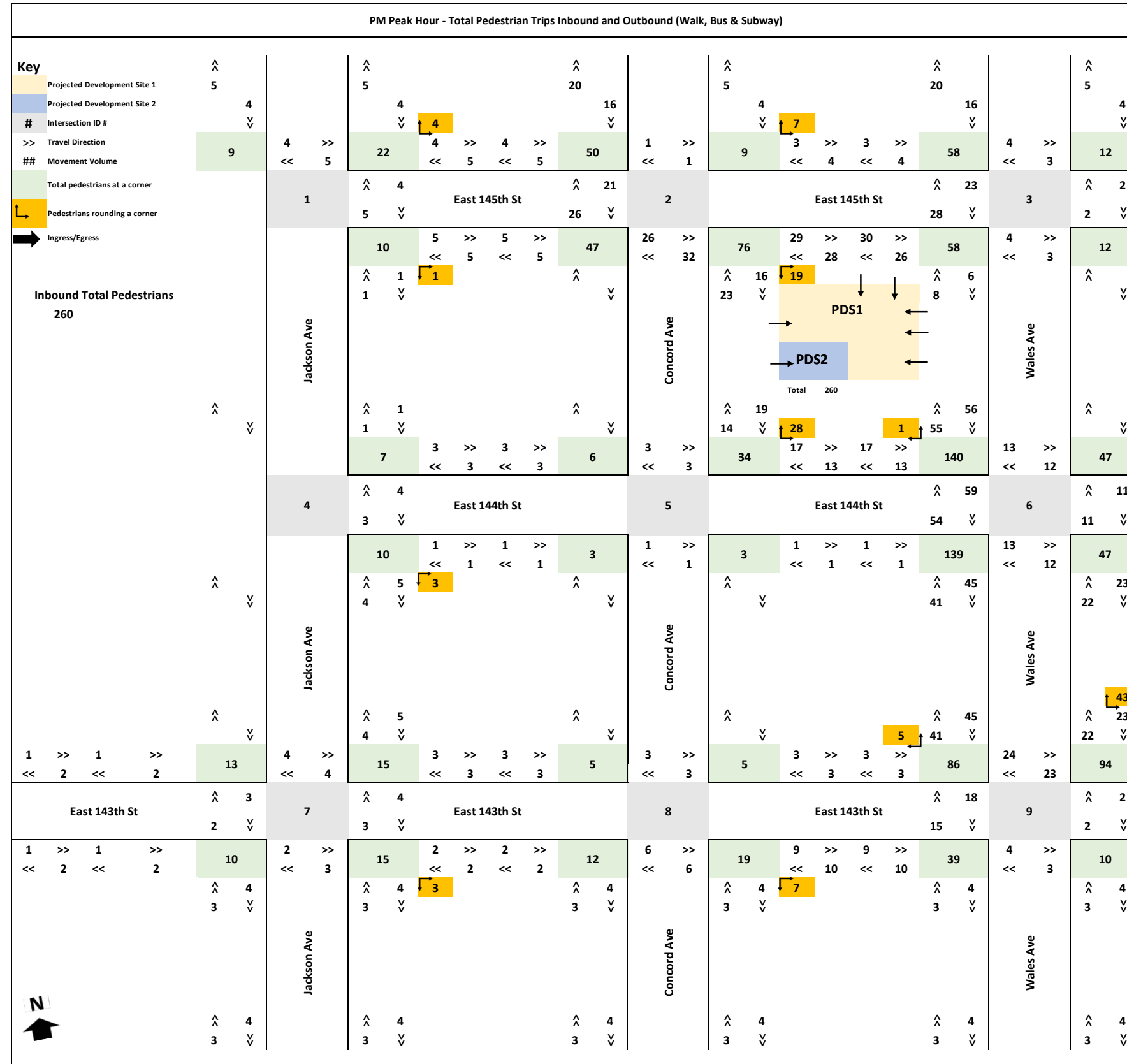


Figure 2.7-6: Weekday PM Pedestrian Trip Assignment (4 of 4)

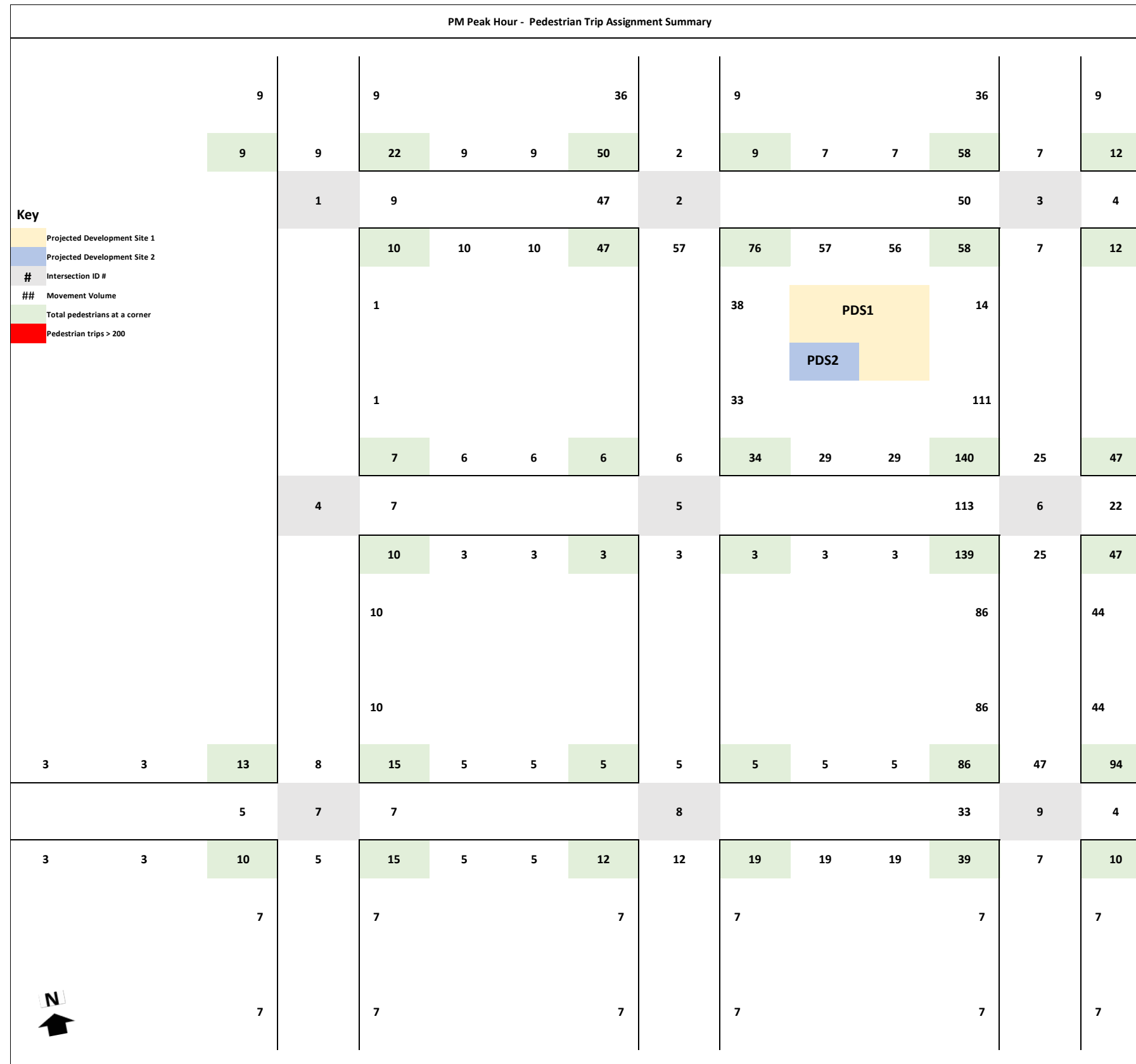


Figure 2.7-8: Saturday MD Pedestrian Trip Assignment (1 of 4)

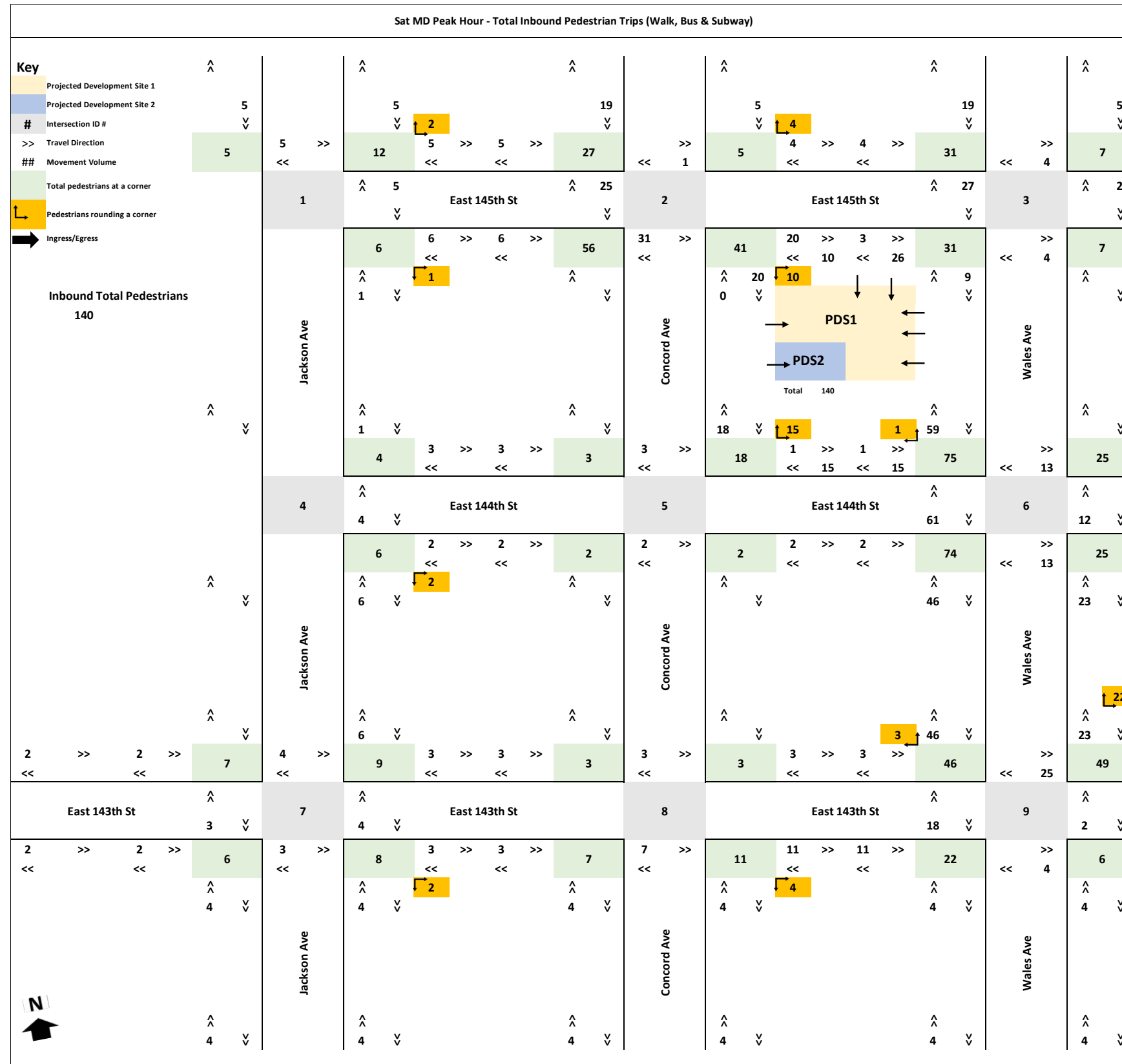


Figure 2.7-7: Saturday MD Pedestrian Trip Assignment (3 of 4)

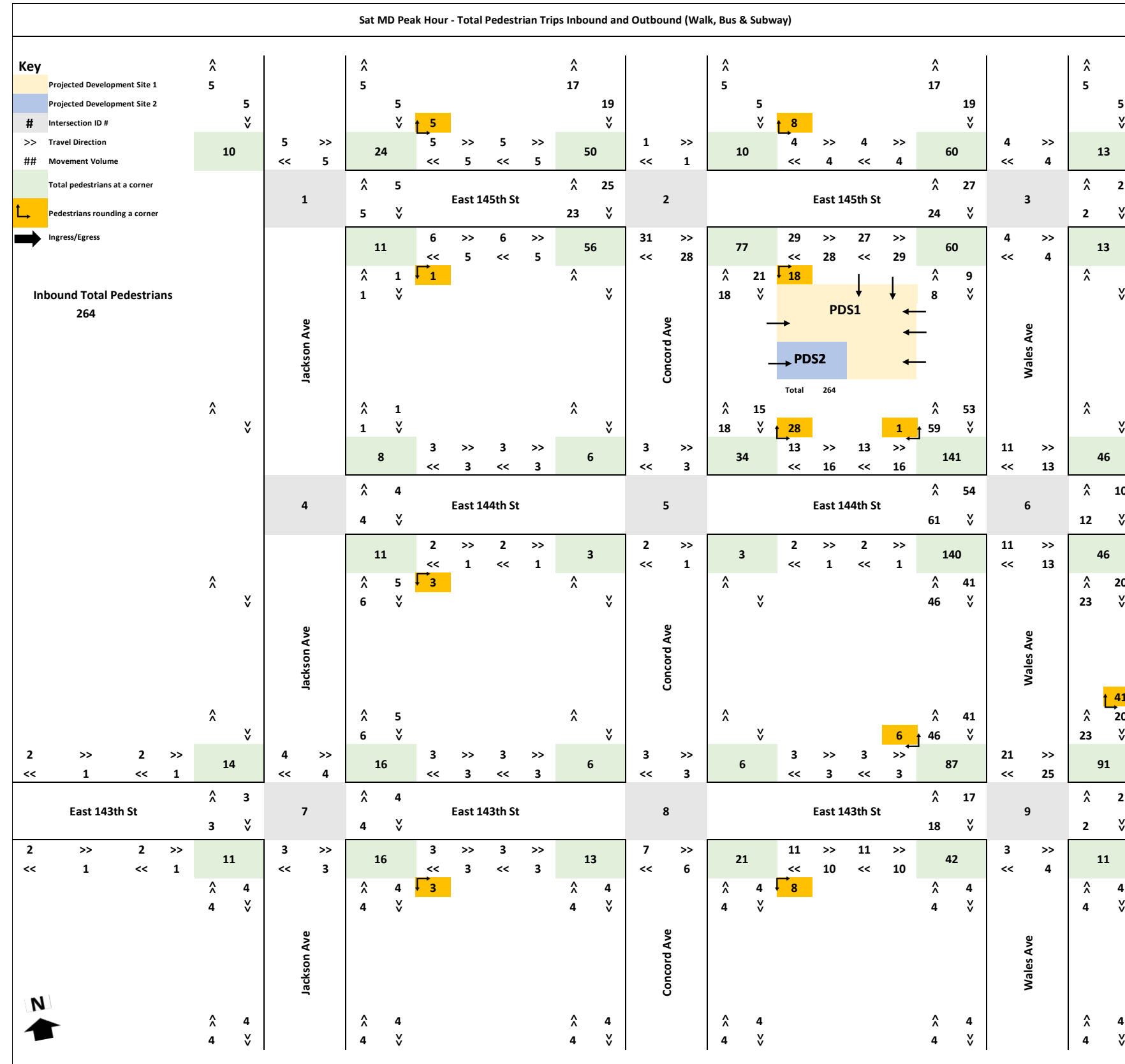
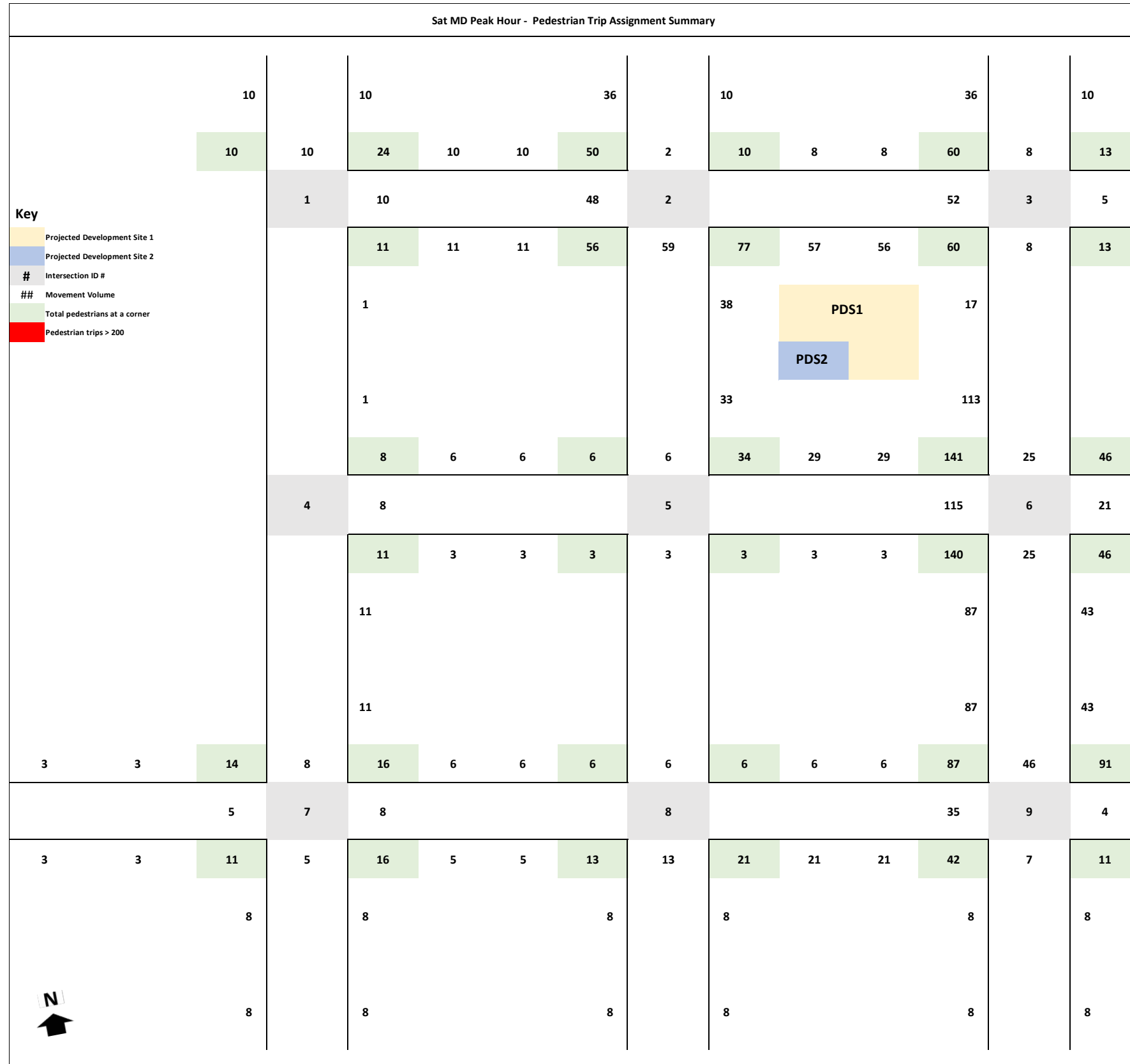


Figure 2.7-7: Saturday MD Pedestrian Trip Assignment (4 of 4)



2.7.4 Detailed Levels of Service Analysis

Pending approval of Level 1 Trip Generation and Level 2 Trip Assignment.

2.8 Air Quality

When assessing the potential for air quality significant impacts, the *2021 CEQR Technical Manual* seeks to determine a Proposed Action's effect on ambient air quality, or the quality of the surrounding air. Ambient air can be affected by motor vehicles, referred to as "mobile sources," or by fixed facilities, referred to as "stationary sources." This can occur during operation and/or construction of a project being proposed. The pollutants of concern include six criteria pollutants, which are the most common pollutants, and hazardous air pollutants (HAPs), air toxics or toxic air pollutants known as noncriteria pollutants.

The *2021 CEQR Technical Manual* generally recommends an assessment of the potential impact of mobile sources on air quality when an action increases traffic or causes a redistribution of traffic flows, creates any other mobile sources of pollutants (such as diesel train usage), or adds new uses near mobile sources (e.g., roadways, parking lots, garages). The *CEQR Technical Manual* generally recommends assessments when new stationary sources of pollutants are created, when a new use might be affected by existing stationary sources, or when stationary sources are added near existing sources and the combined dispersion of emissions would impact surrounding areas.

Ambient air quality describes pollutant levels in the surrounding environment to which the public has access. To assess potential health hazards due to ambient air quality, the impact of air pollutants emitted by motor vehicles (mobile source) and by fixed facilities (stationary source) are analyzed, where the effects of both the proposed project on ambient air quality and the ambient air quality effect on the proposed project are considered.

Pollutants of Concern

The Clean Air Act (CAA) is a comprehensive federal law that regulates all sources of air emissions. The CAA requires U.S. Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for pollutants that are common in outdoor air, considered harmful to public health and the environment, and that come from numerous and diverse sources. The EPA has identified six key pollutants considered harmful to public health and the environment. In addition, national and state regulations identified numerous other pollutants, primarily due to industrial activities.

- Carbon monoxide (CO) is a colorless, odorless gas, which is primarily formed by incomplete combustion of carbon-containing fuels and by photochemical reactions in the atmosphere. Nationally, particularly in urban areas, the majority of CO emissions to ambient air come from mobile sources. The majority of these on-road CO emissions are derived from gasoline powered vehicles.⁴ Because CO disperses quickly, its concentrations may vary greatly over

⁴ EPA. *Integrated Science Assessment (ISA) for Carbon Monoxide (Final Report, Jan 2010)*. U.S. Environmental Protection Agency, Washington, DC, EPA/600/R-09/019F, 2010

relatively short distances. Elevated concentrations are usually limited to locations near congested intersections and along heavily traveled and congested roadways.

- Nitrogen oxides (NO_x) is emitted from both mobile and stationary sources. Nitric Oxide (NO) accounts for approximately 90% of the total oxidized nitrogen emitted. In the atmosphere, and in the presence of sunlight, NO reacts with radicals and ozone (O₃) to form mainly nitrogen dioxide (NO₂).⁵ Ground-level ozone is formed when volatile organic compounds (VOCs), also known as hydrocarbons, and nitrogen oxides (NO_x) interact in the presence of sunlight. Because the reactions are slow and occur as the pollutants are transported downwind, elevated ozone levels are often found many miles from the sources of the precursor pollutants.

The zone of elevated NO₂ concentration from vehicular emission extends away from the roadway. Therefore, the effects of NO_x (NO and NO₂) emissions from mobile sources are generally examined on a regional basis. The Proposed Action would not substantially increase the vehicle mile traveled or stationary source emissions at a regional scale. Therefore, mesoscale (regional) analysis for ozone precursor is not required. The Proposed Action would include stationary fuel combustion sources (boiler(s) for heating and hot water). Therefore, the proposed project's effects on local NO₂ concentration were evaluated.

- Airborne particulate matter (PM) is a mixture of substances suspended in air as small liquid and/or solid particles. In contrast to the other criteria pollutants, PM does not have a unique chemical composition. These individual particles range in size from less than 0.01 μm to more than 10 μm. PM_{2.5} is the abbreviation for fine PM with a diameter smaller than 2.5 microns. PM₁₀ refers to particulates with diameter less than or equal to 10 micrometers. Some particles, such as dust, dirt, soot, or smoke, are large or dark enough to be seen with the naked eye.

PM sources are both primary and secondary in nature. Primary sources are specific sources, such as particles produced by mechanical abrasion. Secondary PM sources originate from gas-phase chemical compounds that condensate with certain gasses or when different gasses react with each other. These small particles might then coagulate with other particles to form larger particles. Sulfur oxides, nitrogen oxides, and volatile organic compounds (VOC) are examples of PM precursors.⁶ The burning of fossil fuel can produce both primary and secondary PM. PM_{2.5} is extremely persistent in the atmosphere and has the ability to reach the lower regions of the respiratory tract, delivering with it other compounds that adsorb to the surfaces of the particles.

⁵ EPA. *Integrated Science Assessment (ISA) for Oxide of Nitrogen – Health Criteria (Final Report, Jan 2010)*. U.S. Environmental Protection Agency, Washington, DC, EPA/ EPA/600/R-15/068, 2016

⁶ EPA. *Integrated Science Assessment (ISA) for Particulate Matter (Final Report, Dec 2019)*. U.S. Environmental Protection Agency, Washington, DC, EPA EPA/600/R-19/188, 2019

Anthropogenic sources of PM are prevalent in many activities. Common sources include fuel combustion, such as in boilers or vehicular engines, industrial processes, such as spray painting or sanding of wood, and construction activities. Fugitive road dust that gets airborne when vehicles traverse roadways is also a common source.

- Fossil fuel combustion is the main anthropogenic source of primary SO₂. The amount of SO₂ emitted is directly related to the amount of sulfur in the fuel. Therefore, fuels with low sulfur content produces little SO₂. Beginning in 2006, EPA began to phase-in more stringent regulations to lower the amount of sulfur in diesel fuel to 15 parts per million (ppm). This fuel is known as ultra-low sulfur diesel (ULSD). SO₂ is also a precursor for the formation of PM_{2.5}. As such, controlling SO₂ emissions, controls PM_{2.5} concentrations.

The amount of SO₂ emitted from on-road vehicles is not significant. Therefore, mobile source analysis for SO₂ is not required. The developments could potentially include stationary fuel combustion sources (boiler(s) for heating and hot water), where fuel oil No. 2 is burned. Therefore, effects on local SO₂ concentration were examined.

- Emissions of lead (Pb) have dropped substantially over the past 40 years as results of phasing out of Pb as an anti-knock agent in gasoline for on-road vehicles, and later from enhanced controls of the metal processing industry.⁷ The Proposed Action is unlikely to result in lead emission. Therefore, no analysis is required.
- Noncriteria pollutants, also referred to as toxic air pollutants or air toxics, are mainly associated with industrial sources. The CAA identifies 187 HAPs to be regulated by the EPA (currently there are 185 HAP), where the EPA regulates their emissions. These are substances that cause or may cause cancer or other serious health effects. In addition, the New York State Department of Environmental Conservation (NYSDEC) identified numerous other pollutants (also noncriteria pollutants) of various toxicities for which the EPA has no established standards.

Applicable Standards/Guidelines

Criteria Pollutants

The US Environmental Protection Agency (EPA) has established national ambient air quality standards (NAAQS) for six of the most common air pollutants—known as “criteria” pollutants. The presence of these pollutants in ambient air is generally due to numerous diverse and widespread sources of emissions. The NAAQS primary standards are designed to protect public health with adequate margin of safety. The NAAQS secondary standards are designed to protect the public welfare from adverse effects, including those related to effects on soils, water, vegetation, visibility, and other aspects. As required by the Clean Air Act (CAA), EPA periodically

⁷ EPA. *Integrated Science Assessment (ISA) for Lead (Final Report, Jul 2013)*. U.S. Environmental Protection Agency, Washington, DC, EPA/600/R-10/075F, 2013

conducts comprehensive reviews of the scientific literature on health and welfare effects associated with exposure to the criteria air pollutants. The NAAQS have been adopted as the ambient air quality standards for the State of New York.

Determination of significant impact related to criteria pollutants accounts for pollutants concentrations in the ambient air, which include background concentrations. The New York State Department of Environmental Conservation (NYSDEC) measures air pollutants concentrations at more than 50 sites across the state. The primary NAAQS and background concentrations from the nearest federally-mandated monitoring station(s) are presented in **Table 2.8-1**.

Table 2.8-1: NAAQS or NYS and Background Concentration Published in the NYSDEC Report(s)

| Pollutant | Averaging Period | National and State Standards | Background Concentration | Monitoring Station |
|--|-----------------------|------------------------------|--------------------------|--------------------|
| NO ₂ ⁽¹⁾ | 1-Hour | 188 µg/m ³ | 110.5 µg/m ³ | IS 52 |
| | Annual | 100 µg/m ³ | 31.8 µg/m ³ | |
| PM _{2.5} ⁽²⁾ | 24-Hour | 35 µg/m ³ | 19.7 µg/m ³ | IS 52 |
| | Annual | 12 µg/m ³ | 7.3 µg/m ³ | |
| PM ₁₀ ⁽²⁾ | 24-Hour | 150 µg/m ³ | 31 µg/m ³ | IS 52 |
| CO ⁽²⁾ | 1-Hour | 35 ppm | 1.99 ppm | CCNY |
| | 8-Hour | 9 ppm | 1.50 ppm | |
| SO ₂ ⁽²⁾ | 1-Hour | 196 µg/m ³ | 14.2 µg/m ³ | IS 52 |
| | Annual ⁽³⁾ | 80 µg/m ³ | 1.1 µg/m ³ | |
| 1. NYSDEC (2019). New York State Ambient Air Quality Report for 2019, < https://www.dec.ny.gov/chemical/8406.html#Quality >. | | | | |
| 2. NYSDEC (2020). New York State Ambient Air Quality Report for 2020, < https://www.dec.ny.gov/chemical/8406.html#Quality >. | | | | |
| 3. New York State standard. | | | | |
| 4. µg/m ³ – microgram per meter cube; ppm – parts per million. | | | | |

In addition to the NAAQS, the *CEQR Technical Manual* requires that projects subject to CEQR apply PM_{2.5} and CO significant impact criteria (based on concentration increments). The *CEQR Technical Manual de minimis* criteria set allowable incremental increase in CO and PM_{2.5} concentrations that would result as a consequence of a proposed project. CO criteria set the minimum change in 8-hour average concentration that constitutes a significant environmental impact. Significant increase of CO concentrations in New York City are:

- An increase of 0.5 parts per million (ppm) or more in the maximum 8-hour average CO concentration at a location where the predicted No-Action 8-hour concentration is equal to 8 ppm or between 8 ppm and 9 ppm; or
- An increase of more than half the difference between baseline (i.e., No-Action) concentrations and the 8-hour standard, when No-Action concentrations are below 8 ppm.

PM_{2.5} significant impact concentrations are evaluated as follows:

- Predicted 24-hour maximum PM_{2.5} concentration increase of more than half the

difference between the 24-hour background concentration and the 24-hour standard; or

- Predicted annual average PM_{2.5} concentration increments 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 for mobile sources, at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations).
- Predicted annual average PM_{2.5} concentration increments greater than 0.3 µg/m³ at any receptor location for stationary sources.

PM_{2.5} *de minimis* are 24-hour concentration increment of 7.65 µg/m³, and annual PM_{2.5} concentration increments of 0.3 µg/m³ for stationary source and 0.1 µg/m³ for mobile source on a neighborhood scale. Eight-hour CO *de minimis* is 3.75 parts per million.

Noncriteria Pollutants and New York State Standards

As mentioned, New York State has adopted the national standard, NAAQS. In addition, the NYSDEC has established guidelines for maximum allowable concentration of “noncriteria pollutants,” which are potentially toxic or carcinogenic pollutants. These include 185 hazardous air pollutants (HAPs) which are also regulated by the EPA. The maximum allowable guidelines set a maximum 1-hour and annual averaging time concentrations and are published in the DAR-1 AGC/SGC Table (February 12, 2021 publication), where AGC/SGC refers to Annual and Short-term Guideline Concentrations. In addition, DAR-1 also includes standard for pollutants cumulative risk assessment.

NYSDEC also regulates pollutants that produce discomfort due to odors, where significant discomfort is evaluated on quantity, characteristic or duration.

2.8.1 Mobile Sources

According to the *CEQR Technical Manual*, projects, whether site-specific or generic, may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic; create any other mobile sources of pollutants (such as diesel trains, helicopters etc.); or add new uses near mobile sources (roadways, garages, parking lots, etc.). Projects requiring further assessment include:

- Projects that would result in placement of operable windows, balconies, air intakes or intake vents generally within 200 feet of an atypical source of vehicular pollutants.
- Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on such a roadway, or would add new uses near such a roadway.

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- Projects that would generate peak hour auto traffic or divert existing peak hour traffic of 170 or more auto trips in this area of the City.
- Projects that would generate peak hour heavy-duty diesel vehicle traffic or its equivalent in vehicular emissions resulting from 12 or more heavy-duty diesel vehicles (HDDVs) for paved roads with average daily traffic of fewer than 5,000 vehicles, 19 or more HDDVs for collector roads, 23 or more HDDVs for principal and minor arterials, or 23 or more HDDVs for expressways and limited-access roads.
- Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents.
- Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal).
- Projects that would substantially increase the vehicle miles traveled in a large area.

Screening Assessment

The Proposed Actions would not result in operable windows or air intakes within 200 feet of an atypical roadway. It would not result in the creation of a covered roadway or affect any covered roadway. Peak hour trip generation is below the 170-car threshold, as per the transportation section, as potentially warranting further assessment. The project would not create a new sensitive receptor adjacent to large parking facilities. The project would not result in the creation of a new parking facility with an increment of 85 or more parking spaces.

The project would generate HDDV equivalent traffic volume of more than 12 – 23 per hour depending on the road type. The intersections where the highest concentrations of peak-hour project-generated automobiles and trucks are anticipated to traverse include East 147th Street and Concord Avenue, East 145th Street and Concord Avenue, and East 144th Street and Concord Avenue. East 147th Street, East 145th Street, East 144th Street, and Concord Avenue are classified as local roadways.

Using the worksheet provided in the *2021 CEQR Technical Manual*, project-generated auto and truck trips were screened referencing the vehicular trip generation and vehicular trip assignment provided in Section 2.7 at the surrounding Study Area intersections referenced above. All autos were assumed to be LDGT1 class vehicles, based on guidance from the Department of City Planning (DCP) on similar projects. **Table 2.8-2** shows the project-generated Auto and Truck Trips at each Study Area intersection and the results of the *CEQR Technical Manual* Equivalent Truck Calculation for each peak-hour period.

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As shown below in **Table 2.8-2**, the intersection of 145th Street and Concord Avenue, and 144th Street and Concord Avenue fail the HDDV screening threshold for local roads. Accordingly, further analysis is warranted.

Table 2.8-2: HDDV Screening

| Intersection ID | Intersection | Threshold EQU Truck | AM Peak Hour | | | | MD Peak Hour | | | | PM Peak Hour | | | | Sat MD Peak Hour | | | |
|-----------------|--------------------------|---------------------|--------------|--------|---------|-----------|--------------|--------|---------|-----------|--------------|--------|---------|-----------|------------------|--------|---------|-----------|
| | | | Cars | Trucks | Etrucks | Pass/Fail | Cars | Trucks | Etrucks | Pass/Fail | Cars | Trucks | Etrucks | Pass/Fail | Cars | Trucks | Etrucks | Pass/Fail |
| 2 | 147th St and Concord Ave | 12 | 18.9 | 0.4 | 9.4 | Pass | 20.5 | 0.4 | 10.2 | Pass | 17.7 | 0.1 | 8.6 | Pass | 15.2 | 0.1 | 7.4 | Pass |
| 5 | 145th St and Concord Ave | 12 | 26.6 | 0.4 | 13.2 | Fail | 27.6 | 0.4 | 13.7 | Fail | 22.0 | 0.1 | 10.7 | Pass | 19.2 | 0.1 | 9.4 | Pass |
| 8 | 144th St and Concord Ave | 12 | 72.1 | 1.4 | 35.9 | Fail | 72.9 | 1.4 | 36.3 | Fail | 59.4 | 0.4 | 28.9 | Fail | 55.3 | 0.4 | 26.9 | Fail |

Detailed Intersection Analysis

The Proposed Actions project-generated traffic failed the PM_{2.5} screen; therefore, a detailed analysis is required. This will be completed upon TDF approval.

2.8.2 Stationary Sources

According to the *CEQR Technical Manual*, air quality analyses of stationary sources may be warranted if a project would (i) create new stationary sources of pollutants – such as emission stacks of industrial plants, hospitals, other large institutional uses, or even a building’s boilers – that may affect surrounding uses; (ii) introduce certain new uses near existing or planned emissions stacks that may affect the use, or (iii) introduce structures near such stacks so that changes in the dispersion of emissions from the stacks may affect surrounding uses.

Analysis Framework

The Affected Area consists of Block 2577, Lots 6, 7, 8, 9, 14, and p/o 20 in the Mott Heaven neighborhood of Bronx, Community District 1 and contains two Projected Development Sites.

Under Future With-Action conditions, it is assumed that Projected Development Site 1 (Lots 9 and 14) would be developed with a single 154,690 gsf (138,171 ZSF, 6.93 FAR) mixed-use building with 100% lot coverage that would contain approximately 7,581 gsf (7,289 ZSF, 0.37 FAR) of community facility use, 3,874 gsf (3,725 ZSF, 0.19 FAR) of light industrial and manufacturing use, 3,008 gsf (2,892 ZSF) of local retail and 30,003 gsf (28,849 ZSF) of office use (1.59 total Commercial FAR), and 102,094 gsf (95,415 ZSF, 4.72 FAR) of residential use. An 8,130 sq. ft below-grade parking lot would contain approximately 48 spaces. The Reasonable Worst Case Development Scenario (RWCDs) building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. The Proposed Development would be 10 stories tall and rise to 111 feet with a base height of 92 feet. The Proposed Development height of 111 ft was considered in the heat/hot water, ventilation, air conditioning (HVAC) system analysis.

Under Future With-Action conditions, it is assumed that Projected Development Site 2 (Lots 7 and 8) would be developed with a single 34,979 gsf (27,891 ZSF, 4.98 FAR) mixed-use building with 100% lot coverage that would contain approximately 13,121 gsf (12,263 ZSF, 2.19 FAR) of Residential use and 16,253 gsf (15,628 ZSF, 2.79 FAR) of Community Facility use (Medical Office). A 5,604 sq. ft below-grade parking lot would contain approximately six spaces. The RWCDs building would be 11 stories tall and rise to 115 feet with a base height of 95 feet.

2.8.2.1 Heating and Hot Water Systems

Screening Assessment

The potential for the heat and hot water system(s) to have a significant adverse impact on nearby receptors depends on the type of fuel that would be used by the HVAC system, the height of the stack venting the emissions, the distance to the nearest building of similar or greater height, and the building’s use and the square footage of the development that would be served by the

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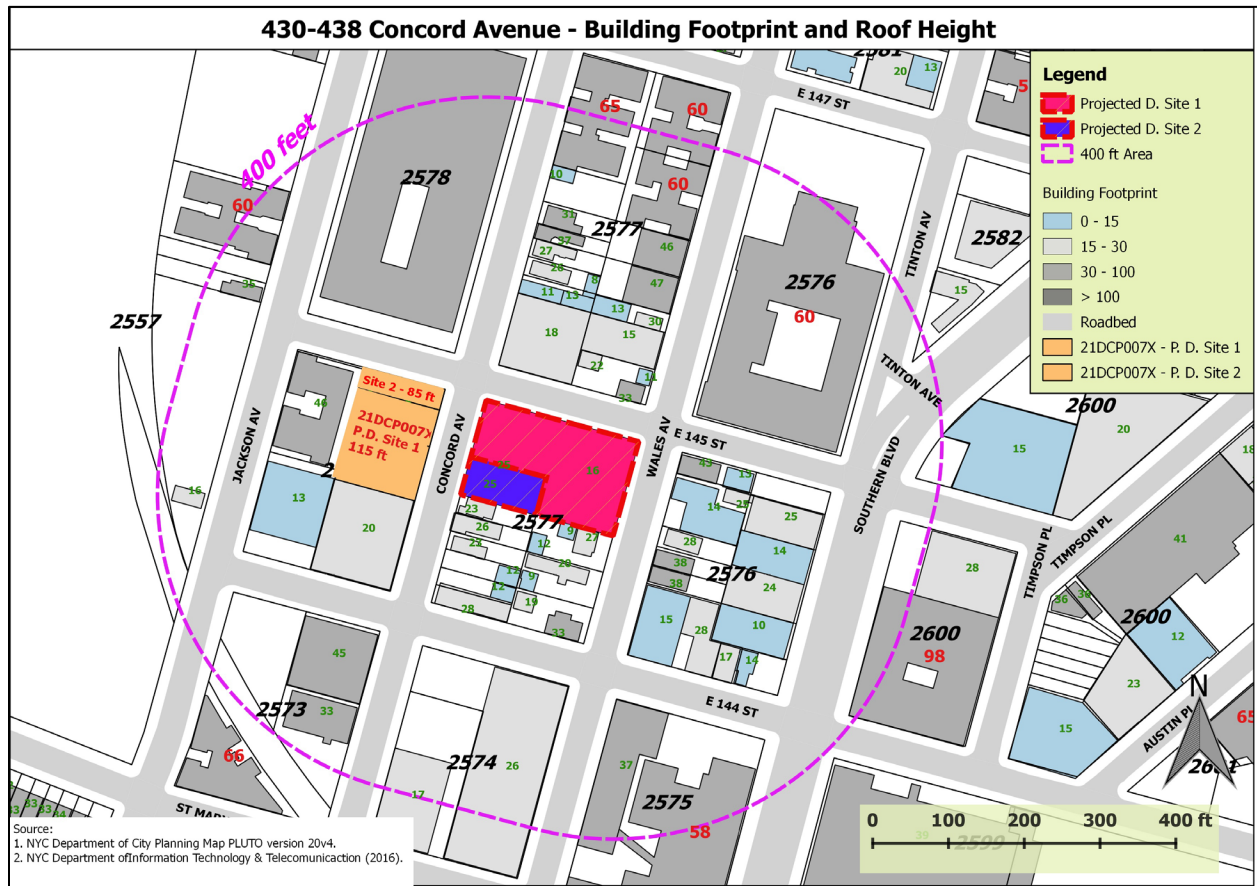
system, both of which effect the amount of fossil fuel consumed. The *2021 CEQR Technical Manual* screening assessment is based on these factors. In addition, the CEQR screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. A detailed analysis is required if the screening assessment fails.

The *2021 CEQR Technical Manual* Figure 17-3 nomograph was used for the screening assessment. This stationary source screen is a generic screen for heat and hot water systems. The nomograph depicts the size of the development versus the distance below which the potential impact can occur and provides a conservative estimate of the threshold distance. In addition, as screening analysis is only applicable to a single smokestack, for the purposes of a cumulative screening analysis emissions from multiple stacks were combined in a single stack situated as close as possible to the receiving building.

The roof heights of buildings in the area were obtained from the NYC Building Footprint database⁸ or the New York City Department of Building (DOB) database for newly constructed buildings. Development Sites (not yet developed) associated with the CEQR action *431 Concord Avenue (CEQR # 21DCP007X)* were included in the analysis. **Figure 2.8-1** shows the Development Sites with a 400 feet area and buildings in the area with their roof height specified.

⁸ City of New York, nyc-geo-metadata (May 03, 2016); <https://data.cityofnewyork.us/Housing-Development/Building-Footprints/nqwf-w8eh>

Figure 2.8-1: The project increment buildings, existing buildings footprint and roof heights, and not yet developed development sites associated with the CEQR action 431 Concord Avenue (CEQR #: 21DCP007X)

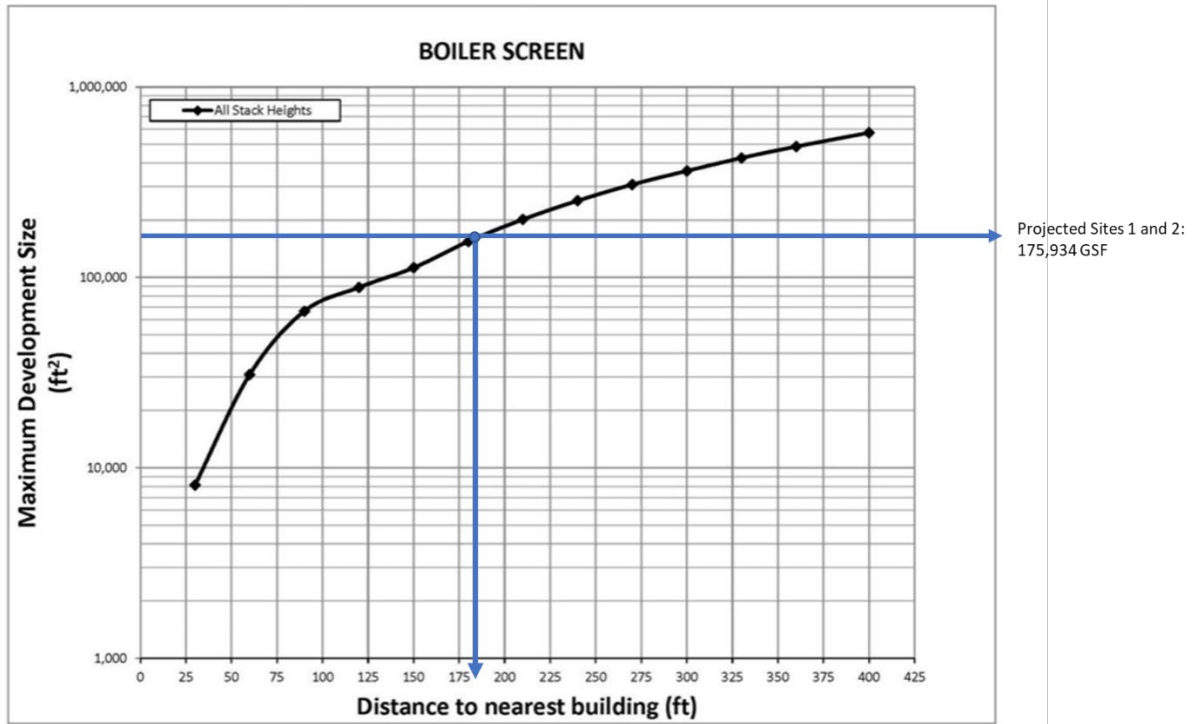


Project-on-Existing

For the project-on-existing screening analysis, the project increment buildings were analyzed as a single 175,934 GSF building, which is the floor area of Projected Development Site 1 and Projected Development Site 2 combined, excluding the parking facilities GSF. A height of 111 feet was assumed, which is the Projected Development Site 1 proposed building height, and the most conservative approach (applying the lowest project increment building). **Figure 2.8-2** (based on Figure 17-3 of the *CEQR Technical Manual*) shows the project-on-existing screening analysis.

Figure 2.8-2: Project-on-Existing Minimum Distance Screening Nomograph

Figure 17-3
Stationary Source Screen- Heat and Hot Water System



As seen in **Figure 2.8-2**, the project increment buildings gsf, excluding their parking garage(s) floor area(s), intersects the curve for HVAC system(s) at a distance of 187 feet.

While there are no existing buildings similar or greater in height in the 400-foot area surrounding Projected Development Sites 1 and 2, there is a recently effectuated rezoning on the western side of Concord Avenue at 431 Concord Avenue (C 200274 ZMX, N 200275 ZRX, effective May 27, 2021). The Affected Area of this rezoning includes Block 2578, lots p/o 15, p/o 16, p/o 18. The known development induced by this rezoning would include a 11-story, 115-foot tall, 87,369 GSF (5.51 FAR) Quality Housing residential building on lots 16 and 18. The development facilitated by 431 Concord Avenue rezoning would be of similar or greater height, and would be located 55 feet west of the Projected Development Sites. Therefore, a detailed analysis is required for this building.

Project-on-Project

Projected Development Site 1 (Proposed Development 111-foot-tall building) abuts Projected Development Site 2 (RWCDs 115-foot-tall building). Therefore, the screening analysis is not applicable, and detailed analysis is required for the Projected Development Site 1 on Projected Development Site 2 scenario.

Detailed Analysis

Lakes Environmental, Inc. MPI version 22112 executable was used in the AERMOD detailed analysis. The MPI executable takes advantage of computers with multiple processors, reducing run-time significantly. Lakes Environmental, Inc. adjusted the US EPA AERMOD source code and recompiled the model to parallelize the processing of receptors. The latest MPI executable (used in the analysis) modified EPA's AERMOD latest executable model version 22112. The AERMOD model incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. The model was run with the regulatory default option, where applicable, and for both with and without downwash effects options, where the Building Profile Input Program (BPIP) was run with the downwash effect enabled. All analyses were conducted using five consecutive years of meteorological data (2016-2020), obtained from the NYSDEC. Surface data used in the analysis is from LaGuardia Airport, upper air data is from Brookhaven station, New York. The meteorological data provided hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period. Population in the Bronx County, obtained from the New York City Department of City Planning (DCP) 2020 annual report, was specified to account for the effects of increased surface heating from an urban area on pollutant dispersion under stable atmospheric conditions.

Natural gas would be the type of fossil fuel, if any, used in Projected Development Site 1 HVAC system, and the system will be equipped with 10 parts per million (ppm) low NO_x burners. Fuel oil No. 2 was assumed to be the type of fossil fuel used in Projected Development Site 2 HVAC system. The pollutants of concern of natural gas-fueled boilers are NO₂ and PM_{2.5}. Fuel oil No. 2 pollutants of concern are NO₂, SO₂, and PM_{2.5}. Projected Development Site 1 HVAC system's total energy capacity was calculated based on the development gsf, excluding its parking garage gsf, and an energy consumption rate of 60.3 thousand Btu per gsf.⁹ Projected Development Site 2 HVAC system total energy capacity was based on value in the *2021 CEQR Technical Manual Appendices* corresponding to residential use in the buildings. Projected Development Site 1 NO_x emission was calculated based on factors used to calculate emission of low-NO_x 30 ppm boilers, obtained from the New York City Department of City Planning (DCP). All other emission factors were obtained from the EPA AP-42 manual for external combustion sources. All fuel was assumed to be consumed during the 100-day (or 2,400 hour) heating season. **Table 2.8-3** shows the project increment building's HVAC systems short-term and annual emission rates.

⁹ Energy Information Administration (2022). "Table US1. Total Energy Consumption, Expenditures, and Intensities, 2005 Part 1: Housing Unit Characteristics and Energy Usage Indicators." *2005 Residential Energy Consumption Survey: Energy Consumption and Expenditures Tables*.

Table 2.8-3: Project increment buildings HVAC Systems Short-term and Annual Emission Rates

| Site ID | Floor Area Served by the HVAC System (gsf), and Building Height (ft) | Boiler Heat Input (MMBtu/hr); Fuel used | Pollutant | Averaging Time | Emission Rate (g/s) |
|------------------------------|--|---|-------------------|----------------|---------------------|
| Projected Development Site 1 | 146,560 gsf; 111 ft | 3.7; Natural Gas low-NOx (10 ppm) | NO ₂ | 1-hour | 5.63E-03 |
| | | | | Annual | 1.54E-03 |
| | | | PM _{2.5} | 24-hour | 3.46E-03 |
| | | | | Annual | 9.47E-04 |
| Projected Development Site 2 | 29,374 gsf; 115 ft | 0.6; Oil No. 2 | NO ₂ | 1-hour | 1.17E-02 |
| | | | | Annual | 3.21E-03 |
| | | | PM _{2.5} | 24-hour | 1.25E-03 |
| | | | | Annual | 3.42E-04 |
| | | | SO ₂ | 24-hour | 1.25E-04 |
| | | | | Annual | 3.42E-05 |

The boilers stacks' diameters and stack exit temperatures were estimated based on values obtained from the New York City Department of Environmental Protection (DEP) "CA Permit" database for the corresponding boiler sizes (i.e., rated heat input or million Btu per hour).¹⁰ Boiler stacks were initially placed 3 feet above the roofline and as close as possible to the receiving building. A stack set back distance and/or raising the stack was specified if impact was predicted.

The Development Sites were modeled as buildings that cover their entire lot area(s) (wall façade placed on the outer lot line(s)) and raise to the heights shown in **Table 2.8-3**. Buildings in the surrounding area were accounted for in the downwash effect on plume dispersions (BPIP). Receptors on the receiving building were placed on all wall façade from the ground floor to the roof-top height in spaced intervals. For the project-on-existing scenario, receptors were placed on the 115-foot-tall development associated with the 431 Concord Avenue Rezoning (CEQR # 21DCP007X) increment building, located at 431-439 Concord Avenue (Block 2578, Lots 16 and 18).

The U.S. Geological Service (USGS) National Elevation Dataset (NED) 1/3 arc-second resolution (GeoTIFF dataset) was used to process buildings' base elevations. The base elevations of receptors and stacks were set to their buildings' base elevations. Existing buildings in the area were accounted for in the model.

One-hour NO₂ was predicted using a Tier 1 approach. For determining compliance with the 1-hour NO₂ standard, the EPA has developed a three-tiered modeling approach. Tier 1 approach assumes a full conversion of NO_x to NO₂, which is the most conservative approach. Tier 2 Ambient Ratio Method 2 (ARM 2) assumes ambient equilibrium between NO and NO₂. ARM 2 adjusts the modeled NO_x concentrations based on an empirical relationship between ambient NO_x and ambient NO₂ concentrations. Tier 3, which is the most precise approach, accounts for the

¹⁰ DEP "CA Permit" database obtained from the New York City Department of City Planning, February 2020.

chemical transformation of NO emitted from the stack to NO₂ within the source plume using hourly ozone background concentrations.

NO₂ and SO₂ modeled concentrations were added to the background concentrations, and the results evaluated with the NAAQS. PM_{2.5} modeled concentrations were evaluated with the *de minimis* for stationary source. The HVAC dispersions analysis results are shown in **Table 2.8-4**.

Table 2.8-4: HVAC Dispersion Analysis Results

| Pollutant | Modeled Concentration (µg/m ³) | Background Concentration (µg/m ³) | Evaluated Concentration (µg/m ³) | Threshold Concentration (µg/m ³) | Standard |
|---|--|---|--|--|-------------------|
| Project-on-Project: Projected Development Site 1 on Projected Development Site 2 | | | | | |
| 1-hour NO ₂ | 69.32 | 110.54 | 179.9 | 188 | NAAQS |
| Annual NO ₂ | 0.44 | 31.8 | 32 | 100 | NAAQS |
| 24-hour PM _{2.5} | 6.54 | 18.4 | 6.5 | 7.65 | <i>de minimis</i> |
| Annual PM _{2.5} | 0.27 | 7.5 | 0.27 | 0.3 | <i>de minimis</i> |
| Project-on-Existing: Cumulative at the CEQR action 431 Concord Avenue (21DCP007X) associated development | | | | | |
| 1-hour NO ₂ | 70.75 | 110.54 | 181.3 | 188 | NAAQS |
| Annual NO ₂ | 0.49 | 31.8 | 32 | 100 | NAAQS |
| 24-hour PM _{2.5} | 1.41 | 18.4 | 1.4 | 7.65 | <i>de minimis</i> |
| Annual PM _{2.5} | 0.07 | 7.5 | 0.07 | 0.3 | <i>de minimis</i> |
| 1-hour SO ₂ | 0.7 | 14.6 | 15 | 196 | NAAQS |
| Annual SO ₂ | 0.004 | 1.1 | 1 | 80 | NYS |

Conclusion

As seen in **Table 2.8-4**, NO₂ and SO₂ predicted concentrations are within the NAAQS and PM_{2.5} concentrations do not exceed the *de minimis*. These results were predicted with certain restrictions to ensure that no impact would occur. The stacks' restrictions, specified in the E-Designation language below, is as follows:

(E) Designation (E-XXX)

Block 2577, Lots 9 and 14 (Projected Development Site 1): Any new residential, commercial, community facility, or light industrial and manufacturing use development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating and air conditioning (HVAC) system and hot water equipment and must be fitted with low NOx (10 ppm) burners, ensure the HVAC system and hot water equipment stack is located at the building's highest level and at a minimum of 113 feet above grade, and that the stack is located at least 155 feet from the western lot line of Block 2577, Lot 9 to avoid any potential significant adverse air quality impacts.

Block 2577, Lots 7 and 8 (Projected Development Site 2): Any new residential or community facility development on the above-referenced property must ensure that the heating, ventilating and air conditioning (HVAC) system and hot water equipment stack is located at the

building's highest level and at a minimum of 118 feet above grade, and that the stack is located at least 35 feet from the western lot line of Block 2577, Lot 7 or 8 to avoid any potential significant adverse air quality impacts.

With the above E-Designation in place, HVAC systems would not result in any violations of the ambient air quality standards. Therefore, there is no reason to believe that the Proposed Actions HVAC systems would potentially cause significant adverse air quality impacts, and further assessment is not warranted.

2.8.2.2 Industrial Emissions

Preliminary Screening

The Proposed Actions would introduce a sensitive land use into the area. Accordingly, a preliminary screening was conducted to determine if there are any potential sources of industrial process emissions that could affect project occupants. Industrial sources were identified through a site visit within a 400-foot study area and the DEP CATS and NYSDEC databases search.

400-Foot Study Area

The Affected Area is located within an M1-2 zoning district, and the surrounding area features predominantly manufacturing uses with a mix of community facility and residential uses as well as mixed commercial and residential buildings, transportation and utility uses, and vacant land.

The 400-foot radius was screened for potential sources of industrial emissions and is shown below in **Figure 2.8-3** and **Table 2.8-5**. The preliminary screening of the 400-foot study area included a review of NYC DEP and USEPA¹² Air Quality Permits issued within 400 feet of the Affected Area, as well as a field observation and desktop review to affirm the uses present at each site and identify any sites with the potential for unpermitted industrial process emissions.

As shown in **Table 2.8-5** and further discussed below, of the twenty-three (23) sites evaluated as part of the initial industrial source screening, six (6) sites were identified for detailed analysis.

¹² Sources of information reviewed included the USEPA's Envirofacts database^[1], EPA, Envirofacts Data Warehouse, http://oaspub.epa.gov/enviro/ef_home2.air

Figure 2.8-3: 400-Foot Industrial Emissions Screening



Legend

- ▬ Projected Development Site 1
- ▬ Projected Development Site 2
- Rezoning Area
- 400' Study Area

Land Use

- One & Two Family Buildings
- MultiFamily Walkup Buildings
- MultiFamily Elevator Buildings

- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions

- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data



Table 2.8-5: Industrial Screening - 400 Foot Study Area

| Site ID | Block | Lot | Address | Owner Name | Land Use | Active Industrial Permits | Expired Industrial Permits | Active Permit Owners | Expired Permit Owners | Current Use | Notes |
|---------|-------|-----|-------------------|---------------------------------------|-------------------------------|---------------------------|----------------------------|----------------------|------------------------------|---|--|
| 1 | 2577 | 27 | 452 Concord Ave | Saps Concord Realty Inc | Industrial & Manufacturing | Na | Na | Na | Na | Warehouse | Screens Out |
| 2 | 2576 | 15 | 441 Southern Blvd | 441-445 Southern Blvd. LLC | Industrial & Manufacturing | Na | Na | Na | Na | Digital Printing | Screens Out (see associated narrative for this site) |
| 3 | 2576 | 17 | 431 Southern Blvd | Kyung H Park | Industrial & Manufacturing | Na | Na | Na | Na | Jewelry Wholesaler | Screens Out |
| 4 | 2576 | 1 | 785 East 144 St | Finkwalk Special Opportunities LLC | Industrial & Manufacturing | Na | Na | Na | Na | Restaurant Supply Store | Screens Out |
| 5 | 2576 | 25 | 791 East 144 St | 543 P & S Management CP | Industrial & Manufacturing | Na | Na | Na | Na | D.S. Ironworks and Welding | Potential Emission Source |
| 6 | 2600 | 1 | 430 Southern Blvd | 430 Southern Boulevard LLC | Industrial & Manufacturing | Na | Na | Na | Na | K&B Furniture Inc. | Screens Out (see associated narrative for this site) |
| 7 | 2600 | 28 | 450 Southern Blvd | Pino Realty | Industrial & Manufacturing | Na | Na | Na | Na | Corbel Communication | Screens Out |
| 8 | 2599 | 35 | 828 East 144 St | Tri-State Industries, Corp | Industrial & Manufacturing | Na | PB006702 | Na | Tri-State Industries | Foam products Inc., bakery, and Kosher grocery store | Screens Out (see associated narrative for this site) |
| 9 | 2575 | 65 | 387 Southern Blvd | Hearst Communications, Inc. | Industrial & Manufacturing | Na | Na | Na | Na | Appears Vacant - Previously Occupied by Hearst Communications. | Screens Out |
| 10 | 2573 | 91 | 391 Concord Ave | 391 Concord Avenue, Inc. | Industrial & Manufacturing | Na | Na | Na | Na | Vacant | Screens Out |
| 11 | 2578 | 1 | 420 Jackson Ave | Zero International Realty Company Inc | Industrial & Manufacturing | Na | Na | Na | Na | Warehouse | Screens Out |
| 12 | 2578 | 21 | 415 Concord Ave | Zero International Realty Company Inc | Industrial & Manufacturing | Na | Na | Na | Na | ProMaster Security Gate and Doors; Legacy Manufacturing, Deltrex USA, Zero International Inc. | Potential Emission Source |
| 13 | 2577 | 61 | 451 Wales Ave | Civic SB LLC | Transportation & Utility | Na | Na | Na | Na | J&RR Autorepair Center | Potential Emission Source |
| 14 | 2576 | 8 | 436 Wales Ave | Yashar Partners Inc | Transportation & Utility | Na | Disapproved - PB012208 | Na | Professional Auto Body Corp* | Professional Auto Body Corp./First Class Repairs Inc. | Potential Emission Source |
| 15 | 2576 | 23 | 421 Southern Blvd | Ramos, Mauricio J | Transportation & Utility | Na | Na | Na | Na | W&B Auto Repair Inc | Screens Out (see associated narrative for this site) |
| 16 | 2577 | 36 | 470 Concord Ave | Serra Juan | Parking Facilities | Na | Na | Na | Na | Fenced off parking (operating) | Screens Out |
| 17 | 2557 | 60 | 449 Jackson Ave | Park Jackson LLC | Parking Facilities | Na | Na | Na | Na | Fenced off parking (operating) | Screens Out |
| 18 | 2574 | 70 | 390 Concord Ave | Safeguard Chemical Corp | Commercial & Office Buildings | Na | Na | Na | Na | NCM USA | Screens Out (see associated narrative for this site) |
| 19 | 2576 | 21 | 427 Southern Blvd | A.M.M. Realty LTD. | Parking Facilities | Na | Na | Na | Na | Garbage Collection Service | Screens Out |
| 20 | 2577 | 31 | 458 Concord Ave | Acevedo, Moises | Transportation & Utility | Na | Na | Na | Na | Auto Body | Potential Emission Source |
| 21 | 2576 | 14 | 445 Southern Blvd | 441-445 Southern Blvd. LLC | Transportation & Utility | Na | Na | Na | Na | Fenced off parking (operating) | Screens Out |
| 22 | 2578 | 15 | 441 Concord Ave | Concord Avenue Realty, LLC | Transportation & Utility | Na | Na | Na | Na | Diallo Auto Repair | Screens Out (see associated narrative for this site) |
| 23 | 2582 | 1 | 457 Southern Blvd | Jeremias Cortez Rubys Car Care, LLC | Transportation & Utility | Na | Na | Na | Na | Auto Parts/Auto Repair Facility | Potential Emission Source |

Site ID corresponds to **Figure 2.8-3** above

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- *Site 2: 441 Southern Boulevard – Block 2576, Lot 15*

Site 2 is occupied by Spectral Masters Digital Imaging, Inc. According to the company's website, printing is done with Epson 9900 Inkjet Printer, which is a low-emission inkjet printer. As such, the facility was screened out.

- *Site 5: 791 East 144th Street – Block 2576, Lot 25*

Site 5, which is occupied by D.S. Iron Works & Welding, operates approximately 180 feet southeast of the Affected Area. There are no active or expired industrial air quality permits at this location. DS Iron Works and Welding specializes in welding and wrought iron works. Accordingly, further analysis of this site is warranted.

- *Site 6: 430 Southern Boulevard – Block 2600, Lot 1*

Site 6 is occupied by K&B Furniture Inc., and operates approximately 372 feet east of the Affected Area. There are no active or expired industrial air quality permits at this location. This facility is a wholesaler and warehouse, and does not manufacture furniture on-site. Accordingly, no further analysis of this site is warranted.

- *Site 8: 828 East 144th Street – Block 2599, Lot 35*

Site 8 is occupied by Foam Products Inc. a foam distributor, as well as a bakery and a Kosher grocery store. The Site has a NYC DEP processing permit for a generator (permit ID PA006702). Permit PA006702, registered owner Lucky Polyethylene Manufacturing Co. Inc., expired in 2008. However, as per NYC DEP guidelines, the emission source was evaluated further as the permit could be renewed. PA006702 shows that the generator is associated with 2 emission points (stacks). The Site Plans (see **Appendix E**) show that the stacks are located close to the northwest corner of the building, and the stacks can also be seen in Google Street View. As such, the stacks are approximately 500 feet from the nearest Projected Development Site (Projected Development Site 1), and outside the 400-foot study area. Therefore, no further analysis of this site is warranted.

- *Site 12: 415 Concord Avenue – Block 2578, Lot 21*

Site 12 is occupied by ProMaster Security Gate and Doors, Legacy Manufacturing, Deltrex USA, and Zero International Inc. Of these facilities, ProMaster Security Gate and Doors and Legacy Manufacturing were identified as likely ironworks facilities. Accordingly, further analysis of this site is warranted.

- *Site 13: 451 Wales Avenue – Block 2577, Lot 61*

Site 13 is occupied by J&RR Autorepair Center and operates approximately 100 feet north of the Affected Area. There are no active or expired industrial air quality permits at this location. However, upon further investigation of this facility, Equity discovered they

advertise onsite painting. Accordingly, further analysis of this site is warranted and assumed emissions from the site will be from an auto paint spray booth.

- *Site 14: 436 Wales Avenue – Block 2576, Lot 8*

Site 14 is occupied by Professional Auto Body Corp./First Class Auto Repairs Inc. and is located approximately 90 feet east of the Affected Area. An application was submitted by Professional Auto Body Corp on 12/20/2019 under permit ID PB012208 for an Autobody Spraybooth. The Application was disapproved. However, the facility has an expired DEP permit PB012208 (expiration 9/15/2017) registered to First Class Auto Collision Center for an auto spray area. Accordingly, further analysis of this site is warranted.

- *Site 15: 421 Southern Boulevard – Block 2576, Lot 23*

Site 15 is occupied by W&B Auto Repair Inc., located approximately 270 feet southeast of the Affected Area. There are no active or expired industrial air quality permits at this location. The facility was contacted on October 14th, 2022 by phone, and indicated that W&B does not have a spray booth. Clients are referred off-site to an alternative location if auto-spraying is required. Accordingly, no further analysis of this site is warranted.

- *Site 18: 390 Concord Avenue – Block 2574, Lot 70*

The facility is occupied by NCM-USA. According to the company's website, the facility is a state-of-the-art radiopharmaceutical manufacturing facility, and commercial radiopharmacy. The business has an NYSDEC permit (Permit No. 2-6007-0089/00001). According to the facility Annual Emission Report (see attached document), referenced in the NYSDEC DECinfo Locater database, the facility monitors the radiation in the exhaust stream. The Annual Emission Report also includes dosimetry (a device that records the radiation dose received) data for the roof space. In addition and according to the facility Annual Emission Report, the facility operates well within the permit limit.

The New York City Department of City Planning, the lead agency for this project, is contacted for guidance on the air quality analysis for this facility with this application.

- *Site 20: 458 Concord Avenue – Block 2577, Lot 31*

Site 20 is occupied by an Auto Body/General Mechanic facility and operates approximately 150 feet north of the Affected Area. There are no active or expired industrial air quality permits at this location. However, upon further investigation of this facility, Equity discovered they advertise onsite painting. Accordingly, further analysis of this site is warranted and assumed emissions from the site will be from an auto paint spray booth.

- *Site 22: 441 Concord Avenue – Block 2578, Lot 15*

Site 22 is occupied by Diallo Auto Repair, located approximately 60 feet west of the Affected Area. There are no active or expired industrial air quality permits at this location. The facility was contacted on October 14th, 2022 by phone, and indicated that they do not have a spray booth. Accordingly, no further analysis of this site is warranted.

- *Site 23: 457 Southern Boulevard – Block 2582, Lot 1*

Site 23 is occupied by Cortez Car Auto Parts/Auto Repair and operates approximately 155 feet north of the Affected Area. There are no active or expired industrial air quality permits at this location. However, upon further investigation of this facility, Equity discovered they advertise onsite painting. Accordingly, further analysis of this site is warranted and assumed emissions from the site will be from an auto paint spray booth.

1,000-Foot Study Area

A search of the EPA Envirofacts ICIS-AIR database and the Toxics Release Inventory (TRI) was conducted for all parcels within the 400 and 1000-foot Study Area. The Envirofacts ICIS Air Database contains compliance and permit data for stationary sources of air pollution (such as electric power plants, steel mills, factories, and universities) regulated by EPA, state and local air pollution agencies. The Toxics Release Inventory (TRI) is a publicly available database containing information on toxic chemical releases and other waste management activities in the United States.

The search did not identify any large sources of industrial emissions or odor-producing facilities within 1,000 feet of the Affected Area. As such, no further analysis of large emissions sources is warranted.

Industrial Source - Detailed Analysis

Professional Auto Body Corp./First Class Auto Repairs Inc. – Emission Profile

The Professional Auto Body Corp./First Class Auto Repairs Inc. auto body repair facility is located within 400 feet of the Development Sites. The facility has an expired DEP permit PB012208 for auto body refinishing. Emission from spray-painting processing comprises of particulate and solvents, which are volatile organic compounds (VOCs). The particulate (solids) binds to the sprayed article, giving it the desired look and color. However, some amount of the sprayed solids is over-sprayed and could be emitted to the outside air. VOCs evaporate during the spraying and while the coating substance dries. Permit PB012208 included the particulate (New York identification number NY079-00-0) and VOC (New York identification number NY998-00-0) 1-hour and annual emissions. **Table 2.8-6** shows the Professional Auto Body Corp./First Class Auto Repairs Inc. particulates and VOC emissions, and hour per day activities.

Table 2.8-6: Professional Auto Body Corp./First Class Auto Repairs Inc. particulates and VOC emissions specified in DEP permit PB012208

| Particulate (NY079-00-0) | | VOC (NY998-00-0) | | Activity Rate |
|--------------------------|---------|------------------|---------|--------------------------|
| (lb/hr) | (lb/yr) | (lb/hr) | (lb/yr) | |
| 0.013 | 23.4 | 0.124 | 223.2 | 8 (hr/day), 250 (day/yr) |

Particulate emissions shown in **Table 2.8-6** include PM, PM₁₀ and PM_{2.5} combined. The particle size distribution (PM₁₀/PM_{2.5}) from the spray-painting processing emission was obtained from the EPA *AP-42 Manual Appendix B.1-12, Automobile and Light-Duty Truck Surface Coating Operations: Automobile Spray Booths (Water-Base Enamel)*. In addition, the facility hour per day activity was used to calculate the 24-hour average emission. **Table 2.8-7** shows the Professional Auto Body Corp./First Class Auto Repairs Inc. short-term and annual particulate emissions.

Table 2.8-7: Professional Auto Body Corp./First Class Auto Repairs Inc. PM_{2.5} and PM₁₀ Emissions

| Process Activity | PM _{2.5} | | | PM ₁₀ | |
|--------------------------|-------------------|----------|---------|------------------|----------|
| | (lb/hr) | (lb/day) | (lb/yr) | (lb/hr) | (lb/day) |
| Auto body spray painting | 0.0037 | 0.030 | 6.7 | 0.0061 | 0.049 |

Material safety data sheets (MSDSs) of basecoat, primer, clearcoat, and clearcoat hardener, included in the DEP permit PB012208 were used to derive the chemicals that make up the VOCs group. The clearcoat to hardener mixing ratio of 4 parts to 1 part, respectively, based on clearcoat 5185 – Original Klearkote 4.4 VOC Safety Data Sheet, was used to calculate the as applied clearcoat chemical composition by percent weight. For analysis purposes, it was assumed that each chemical is emitted at its maximum potential regardless of the coating compound sprayed. This approach results in a combined chemical percent weight that exceeds 100 percent (conservative approach). **Table 2.8-8** shows the Professional Auto Body Corp./First Class Auto Repairs Inc. chemicals that make up the VOC emission.

Table 2.8-8: Professional Auto Body Corp./First Class Auto Repairs Inc. VOCs Emissions

| Chemical | CAS No. | Percent Weight | Emission | |
|--|------------|----------------|--------------|------------|
| | | | (lb/hr) | (lb/yr) |
| Isopropyl Alcohol | 67-63-0 | 10.0% | 0.0124 | 22.3 |
| Acetone | 67-64-1 | 18.0% | 0.0223 | 40.1 |
| N-Butyl Alcohol | 71-36-3 | 5.0% | 0.0062 | 11.2 |
| Pseudocumene | 95-63-6 | 0.6% | 0.0007 | 1.3 |
| Ethylbenzene | 100-41-4 | 10.0% | 0.0124 | 22.3 |
| Styrene Monomer | 100-42-5 | 0.2% | 0.0002 | 0.4 |
| Propyleneglycol Monomethyl Ether Acetate | 108-65-6 | 5.0% | 0.0062 | 11.2 |
| Toluene | 108-88-3 | 30.0% | 0.0372 | 67.0 |
| Isobutyl Acetate | 110-19-0 | 20.0% | 0.0248 | 44.6 |
| Methyl n-amyl ketone | 110-43-0 | 12.9% | 0.0160 | 28.7 |
| Butyl Acetate | 123-86-4 | 30.0% | 0.0372 | 67.0 |
| Limestone | 471-34-1 | 5.0% | 0.0062 | 11.2 |
| Hexamethylene diisocyanate | 822-06-0 | 0.2% | 0.0002 | 0.4 |
| Xylene | 1330-20-7 | 20.0% | 0.0248 | 44.6 |
| Carbon black | 1333-86-4 | 2.0% | 0.0025 | 4.5 |
| Titanium dioxide | 13463-67-7 | 10.0% | 0.0124 | 22.3 |
| Talc | 14807-96-6 | 35.0% | 0.0434 | 78.1 |
| 2-(2-hydroxy-3,5-di-(tert)-amylphenyl) benzotriazole | 25973-55-1 | 8.0% | 0.0099 | 17.9 |
| Hexamethylene diisocyanate polymer | 28182-81-2 | 7.0% | 0.0087 | 15.6 |
| Isocyanate polymer | 53880-05-0 | 5.0% | 0.0062 | 11.2 |
| Light aromatic petroleum solvent | 64742-95-6 | 2.0% | 0.0025 | 4.5 |
| Acrylic resin | --- | 20.0% | 0.0248 | 44.6 |
| Total | | 256% | 0.317 | 571 |

As seen in **Table 2.8-8**, the VOC percent weight sums to 256 percent, yielding more than double the hourly and annual emission rates specified in the DEP permit PB012208.

Auto Body Facilities Operating with no DEP/NYSDEC Permit – Emission Profile

The J&R.R Auto Repair Center, Auto Body & General Mechanic, and Cortez Car Auto Parts / Auto Repair auto body repair facilities, located within 400 feet of the Development Sites, operate with no DEP or NYSDEC permit. As previously mentioned, emission from spray-painting processing comprises of particulate and solvents. Particulate and VOC emissions of the facility operating with no NYSDEC or DEP permit were based on coating compound consumption rate of 0.125 gallon per hour during 4 hour per day activity, based on the New York City Department of City Planning (DCP) guidance on similar project analysis, and a maximum of 55 gallon per year consumption rate, which is the maximum allowable usage of facilities operating with no Air Facility Registration Certificate with the NYSDEC (a facility is required to obtain a permit from the

NYSDEC to spray more than 55 gallon per year). **Table 2.8-9** shows the facilities' emission profile and hour per day activities.

Table 2.8-9: J&R.R Auto Repair Center, Auto Body & General Mechanic, and Cortez Car Auto Parts / Auto Repair particulates and VOC emissions

| Facility | Particulate | | VOC | | Activity Rate |
|-------------------------------------|-------------|---------|---------|---------|--------------------------|
| | (lb/hr) | (lb/yr) | (lb/hr) | (lb/yr) | |
| J&R.R Auto Repair Center | 0.081 | 35.8 | 0.775 | 341 | 4 (hr/day), 250 (day/yr) |
| Auto Body & General Mechanic | 0.081 | 35.8 | 0.775 | 341 | 4 (hr/day), 250 (day/yr) |
| Cortez Car Auto Parts / Auto Repair | 0.081 | 35.8 | 0.775 | 341 | 4 (hr/day), 250 (day/yr) |

Particulate emissions shown in **Table 2.8-9** include PM, PM₁₀ and PM_{2.5} combined. The particle size distribution (PM₁₀/PM_{2.5}) from the spray-painting processing emission was obtained from the EPA *AP-42 Manual Appendix B.1-12, Automobile and Light-Duty Truck Surface Coating Operations: Automobile Spray Booths (Water-Base Enamel)*. In addition, the facility hour per day activity was used to calculate the 24-hour average emission. **Table 2.8-10** shows the J&R.R Auto Repair Center, Auto Body & General Mechanic, and Cortez Car Auto Parts / Auto Repair short-term and annual particulate emissions.

Table 2.8-10: J&R.R Auto Repair Center, Auto Body & General Mechanic, and Cortez Car Auto Parts / Auto Repair PM_{2.5} and PM₁₀ Emissions

| Process Activity | PM _{2.5} | | | PM ₁₀ | |
|-------------------------------------|-------------------|----------|---------|------------------|----------|
| | (lb/hr) | (lb/day) | (lb/yr) | (lb/hr) | (lb/day) |
| J&R.R Auto Repair Center | 0.0232 | 0.093 | 10.2 | 0.038 | 0.151 |
| Auto Body & General Mechanic | 0.0232 | 0.093 | 10.2 | 0.038 | 0.151 |
| Cortez Car Auto Parts / Auto Repair | 0.0232 | 0.093 | 10.2 | 0.038 | 0.151 |

The chemicals that make up the VOCs group by percent weight were derived from the DEP permit PW001217. The DEP permit PW001217, registered to Alex's Auto Body, is a comprehensive DEP certificate that includes paint, clearcoats, reducer, and thinner (as applied coating compound). **Table 2.8-11** shows the J & R.R Auto Repair Center, Auto Body & General Mechanic, and Cortez Car Auto Parts / Auto Repair chemicals that make up the VOC emission.

Table 2.8-11: J&R.R Auto Repair Center, Auto Body & General Mechanic, and Cortez Car Auto Parts / Auto Repair VOCs Emissions

| Chemical | CAS No. | J&R.R Auto Repair Center | | Auto Body & General Mechanic | | Cortez Car Auto Parts / Auto Repair | |
|---|------------|--------------------------|---------|------------------------------|---------|-------------------------------------|---------|
| | | (lb/hr) | (lb/yr) | (lb/hr) | (lb/yr) | (lb/hr) | (lb/yr) |
| Isopropyl Alcohol | 67-63-0 | 0.0111 | 4.5 | 0.0111 | 4.5 | 0.0111 | 4.5 |
| Acetone | 67-64-1 | 0.1313 | 57.9 | 0.1313 | 57.9 | 0.1313 | 57.9 |
| Butanone | 78-93-3 | 0.0481 | 20.8 | 0.0481 | 20.8 | 0.0481 | 20.8 |
| Benzy l Butyl Phthalate | 85-68-7 | 0.0055 | 2.7 | 0.0055 | 2.7 | 0.0055 | 2.7 |
| Ethylbenzene | 100-41-4 | 0.0055 | 2.1 | 0.0055 | 2.1 | 0.0055 | 2.1 |
| 4-Methylpentan | 108-10-1 | 0.0037 | 1.5 | 0.0037 | 1.5 | 0.0037 | 1.5 |
| 2-Methoxy-1-Methylethyl Acetate | 108-65-6 | 0.0277 | 12.4 | 0.0277 | 12.4 | 0.0277 | 12.4 |
| Methylcyclohexane | 108-87-2 | 0.0166 | 7.2 | 0.0166 | 7.2 | 0.0166 | 7.2 |
| Toluene | 108-88-3 | 0.0980 | 43.5 | 0.0980 | 43.5 | 0.0980 | 43.5 |
| Isopropyl Acetate | 110-19-0 | 0.0203 | 9.1 | 0.0203 | 9.1 | 0.0203 | 9.1 |
| Heptan-2-one | 110-43-0 | 0.0018 | 0.6 | 0.0018 | 0.6 | 0.0018 | 0.6 |
| N-Butyl Acetate | 123-86-4 | 0.2811 | 123.7 | 0.2811 | 123.7 | 0.2811 | 123.7 |
| Heptane | 142-82-5 | 0.0481 | 21.1 | 0.0481 | 21.1 | 0.0481 | 21.1 |
| Ethyl 3-Ethoxypropionate | 763-69-9 | 0.0092 | 4.2 | 0.0092 | 4.2 | 0.0092 | 4.2 |
| Xylenes | 1330-20-7 | 0.0277 | 12.7 | 0.0277 | 12.7 | 0.0277 | 12.7 |
| Ligroine | 8032-32-4 | 0.0277 | 12.4 | 0.0277 | 12.4 | 0.0277 | 12.4 |
| 2-(2H-Benzotriazol-2-yl)-4,6-Ditertpentylphenol | 25973-55-1 | 0.0037 | 1.5 | 0.0037 | 1.5 | 0.0037 | 1.5 |
| Solvent Naphtha | 64742-89-8 | 0.0074 | 3.0 | 0.0074 | 3.0 | 0.0074 | 3.0 |

Ironworks Facilities – Emission Profile

ProMaster Security Gate and Doors and Legacy Manufacturing, located at Site 12, and D.S. Iron Works & Welding, located at Site 5, were identified as ironworks facilities. The facilities have no DEP permits; therefore, emission was based on the Kendi Iron Works' DEP permit PB39705 (0.002 pounds per hour during 8-hour activity per day, 4 pounds per year). This DEP permit is for 4

stations of welding and metal fabrication. The contaminant associated with the operation is total particulate, with the New York State identification number NY149-00-0, which is particulate. According to the EPA AP-42 manual, most of the particulate matter produced by welding is submicron in size and, as such, all particulate was considered to be PM_{2.5}. **Table 2.8-12** shows the ProMaster Security Gate, Doors and Legacy Manufacturing, and D.S. Iron Works & Welding short-term and annual particulate emissions.

Table 2.8-12: ProMaster Security Gate, Doors and Legacy Manufacturing, and D.S. Iron Works & Welding PM_{2.5} Emissions

| Process Activity | PM _{2.5} | | |
|--------------------------------|-------------------|----------|---------|
| | (lb/hr) | (lb/day) | (lb/yr) |
| ProMaster Security Gate | 0.002 | 0.016 | 4.0 |
| Doors and Legacy Manufacturing | 0.002 | 0.016 | 4.0 |
| Iron Works & Welding | 0.002 | 0.016 | 4.0 |

Air Dispersion Analysis

AERMOD was used to predict the VOC chemicals concentrations emitted from the Professional Auto Body Corp./First Class Auto Repairs Inc. spray booth. The spray booth stack location, visible in satellite imagery, was included in the DEP permit PB012208 (approximately 135 feet from Projected Development Site 1). The stack was placed 3 feet above the roof and the *CEQR Technical Manual* default stack diameter and exit velocity were specified in the AERMOD model. The stack exit temperature was included in the DEP permit. Receptors around the Projected Development Sites were placed from ground floor to rooftop height in spaced intervals. A generic emission rate of 1 gram per second was specified in the model, and the maximum between the no/with downwash effect options output concentrations (1-hour or annual) were multiplied by the actual emission. The AERMOD model and other model inputs are discussed in the HVAC detailed analysis.

The *2021 CEQR Technical Manual* Industrial Source Screen methodology was used to predict all other pollutants concentrations. The *CEQR Technical Manual* Industrial Source Screen methodology can be used to predict pollutant concentration emitted from a single source at various distances (from 30 to 400 feet) and at different averaging times (1-hour, 3-hour, 8-hour, 24-hour, and annual averaging times). The distance between each facility and the nearest Development Site to the facility was used in the screening analysis, except the Professional Auto Body Corp./First Class Auto Repairs Inc. spray booth stack (location specified in the DEP permit PB012208).

Cumulative concentrations of pollutants emitted from multiple facilities were predicted by adding the concentration from each facility. The criteria pollutants dispersion analysis results are presented in **Table 2.8-13**.

Table 2.8-13: Criteria pollutants cumulative dispersion analysis results

| Criteria Pollutant | Threshold Standard | Modeled Concentration ($\mu\text{g}/\text{m}^3$) | Background Concentration ($\mu\text{g}/\text{m}^3$) | Ambient Concentration ($\mu\text{g}/\text{m}^3$) | Threshold Criteria ($\mu\text{g}/\text{m}^3$) |
|---------------------------|--------------------|--|---|--|---|
| PM _{2.5} 24-Hour | NAAQS | 5.09 | 19.7 | 24.8 | 35 |
| PM _{2.5} Annual | NAAQS | 0.28 | 7.3 | 7.6 | 12 |
| PM ₁₀ 24-Hour | NAAQS | 6.5 | 31 | 38 | 150 |

As seen in **Table 2.8-13**, PM_{2.5} and PM₁₀ concentrations are within the NAAQS.

Table 2.8-14 shows the cumulative VOC air dispersion analysis results.

As seen in **Table 2.8-14**, the noncriteria pollutants concentrations are within the SGC/AGC standard. In addition, the cumulative inhalation cancer risk for the HAPs and the other carcinogenic contaminant is 0.15 (less than 10), and the multi contaminant Hazardous Index is 0.08 (less than 2) for the non-carcinogenic pollutants. Therefore, no adverse air quality impact is predicted at the project increment buildings from existing industrial source emissions in the study area.

Table 2.8-14: Noncriteria pollutants cumulative dispersion analysis result

| Contaminant | CAS No. | 1-Hour ($\mu\text{g}/\text{m}^3$) | | Annual ($\mu\text{g}/\text{m}^3$) | |
|---|------------|-------------------------------------|----------|-------------------------------------|---------|
| | | Conc. ⁽²⁾ | SGC | Conc. ⁽²⁾ | AGC |
| Isopropyl Alcohol | 67-63-0 | 34.3 | 98000.0 | 0.09 | 7000.0 |
| Acetone | 67-64-1 | 346.2 | 180000.0 | 0.85 | 30000.0 |
| N-Butyl Alcohol | 71-36-3 | 3.0 | --- | 0.01 | 1500.0 |
| Butanone | 78-93-3 | 122.8 | 13000.0 | 0.29 | 5000.0 |
| Benzyl Butyl Phthalate ⁽²⁾ | 85-68-7 | 14.2 | --- | 0.04 | 0.42 |
| Pseudocumene | 95-63-6 | 0.3 | --- | 0.002 | 60.0 |
| Ethylbenzene ⁽¹⁾ | 100-41-4 | 20.1 | --- | 0.06 | 1000.0 |
| Styrene Monomer ⁽¹⁾ | 100-42-5 | 0.1 | 17000.0 | 0.001 | 1000.0 |
| 4-Methylpentan ⁽¹⁾ | 108-10-1 | 9.4 | 31000.0 | 0.02 | 3000.0 |
| 2-Methoxy-1-Methylethyl Acetate | 108-65-6 | 73.9 | 36850.0 | 0.19 | 2000.0 |
| Methylcyclohexane | 108-87-2 | 42.5 | --- | 0.10 | 3800.0 |
| Toluene ⁽¹⁾ | 108-88-3 | 268.3 | 37000.0 | 0.69 | 5000.0 |
| Isopropyl Acetate | 110-19-0 | 63.9 | 71300.0 | 0.18 | 565.0 |
| Heptan-2-one | 110-43-0 | 12.4 | --- | 0.05 | 550.0 |
| N-Butyl Acetate | 123-86-4 | 736.1 | 71300.0 | 1.80 | 565.0 |
| Heptane | 142-82-5 | 122.8 | 210000.0 | 0.29 | 3900.0 |
| Limestone | 471-34-1 | 3.0 | --- | 0.01 | --- |
| Ethyl 3-Ethoxypropionate ⁽¹⁾ | 763-69-9 | 23.6 | 140.0 | 0.06 | 64.0 |
| Hexamethylene diisocyanate ⁽¹⁾ | 822-06-0 | 0.12 | 0.30 | 0.001 | 0.010 |
| Xylene ⁽¹⁾ | 1330-20-7 | 82.8 | 22000.0 | 0.23 | 100.0 |
| Carbon black | 1333-86-4 | 1.2 | --- | 0.01 | 7.0 |
| Ligroine | 8032-32-4 | 70.9 | --- | 0.17 | 900.0 |
| Titanium dioxide | 13463-67-7 | 6.0 | --- | 0.03 | 24.0 |
| Talc | 14807-96-6 | 20.9 | --- | 0.10 | 4.8 |
| 2-(2-hydroxy-3,5-di-(tert)- amylphenyl) benzotriazole | 25973-55-1 | 14.2 | --- | 0.04 | --- |
| Hexamethylene diisocyanate | 28182-81-2 | 4.2 | 4.5 | 0.02 | 0.40 |
| Isocyanate polymer | 53880-05-0 | 3.0 | --- | 0.01 | --- |
| Solvent Naphtha | 64742-89-8 | 18.9 | --- | 0.04 | 3200.0 |
| Light aromatic petroleum solvent | 64742-95-6 | 1.2 | --- | 0.01 | 100.0 |
| Acrylic resin | --- | 11.9 | --- | 0.06 | --- |
| Note: 1. Indicates a HAP 2. Indicates an AGC equivalent to one in a million excess cancer risk. 3. Cumulative concentration is the sum of concentrations from emission at each facility. | | | | | |

Conclusion

As indicated above no significant adverse air quality impact was predicted from existing industrial sources in the area. In addition, no large industrial emission sources were identified within the 1,000-foot Study Area. Therefore, there does not appear to be any potentially significant impact associated with existing air toxics on project occupants. However, as 3,874 GSF of light industrial use is proposed on the cellar and first floor levels of Projected Development Site 1, to preclude the potential for adverse air quality impacts on the residential, community facility and commercial uses in the same building or the existing sensitive receptors within 400 feet from the Projected Development Site 1, and E-Designation should be placed on Projected Development Site 1 as follows:

(E) Designation (E-XXX)

Block 2577, Lots 9 and 14 (Projected Development Site 1):

To preclude any potential significant adverse air quality impacts from light industrial uses, special features that go beyond the normal construction practices must be installed at this site.

- a. A licensed architect or engineer must certify with the Department of Buildings, and provide proof of filing to OER, that the manufacturing use on the above-referenced property will adhere to the following restrictions:**
 - (i) The manufacturing use in the building does not have a New York City or New York State environmental rating of "A", "B" or "C" under Section 24–153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection C of O or New York State Department of Environmental Conservation state facility air permit; and**
 - (ii) is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances.**
- b. The emission stack of the proposed light industrial/manufacturing uses developed pursuant to Section 74-962 of the Zoning Resolution of the City of New York must be located at the building's highest tier and at least 123 feet above grade.**
- c. Install an odor/vapor barrier and a modified mechanical ventilation system.**
 - (i) The mechanical ventilation prevention system will be comprised of a mechanical ventilation system designed to operate in parallel and separate from the mechanical ventilation system of the residential, community facility and commercial uses, providing fresh air to, and exhaust from, the light industrial floors (cellar and first floors), with vents running above the roof line of the highest floor.**

- (ii) An odor/vapor barrier will be installed at the structural slab and/or partition walls separating the manufacturing and residential/community facility/commercial spaces eliminating vapor exchange across interior partitions.**

Any other permitted processes must provide an air quality analysis to OER in order to demonstrate that such process would not cause a significant adverse air quality impact.

2.9 Noise

2.9.1 Introduction

Equity Environmental Engineering, LLC (Equity) conducted Noise Monitoring in support of the Proposed Actions. The Proposed Actions would allow noise-sensitive development in an area where vehicular traffic is the predominant source of noise. Therefore, the Proposed Actions warrant an assessment of the potential for adverse effects on project occupants from ambient noise. The Affected Area is surrounded by East 145th Street to the north, Wales Avenue to the east, East 144th Street to the South, and Concord Avenue to the West.

East 145th Street is a one-way east-west bound street with one moving lane in each direction and curbside parking. Concord Avenue is a two-way north-south bound street with one moving lane in each direction and curbside parking. East 144th Street is a two-way east-west bound street with one moving lane in each direction and curbside parking. Wales avenue is a two-way north-south bound street with one moving lane in each direction and curbside parking. Local intersections are controlled by stop signs and traffic signals.

The Projected Developments would not create a significant stationary noise generator. However, project-generated traffic would double existing vehicular traffic on nearby roadways. Therefore, the noise assessment presented in this chapter consists of three parts:

- A Preliminary Noise Passenger Car Equivalent (PCE) Screening Analysis to determine whether project-generated traffic will increase existing Noise PCEs on adjacent roadways by greater than 100%.
- A Detailed Noise Passenger Car Equivalent Analysis to determine the potential impacts on surrounding noise-sensitive receptors due to project-generated traffic, and to determine future with-action noise levels inclusive of project-generated traffic.
- A determination of the level of attenuation necessary to ensure that interior noise levels satisfy City Environmental Quality Review (CEQR) requirements.

2.9.2 Framework of Noise Analysis

Noise is defined as any unwanted sound, and sound is defined as any pressure variation that the human ear can detect. Humans can detect a large range of sound pressures, from 20 to 20 million micropascals, but only those air pressure variations occurring within a particular set of frequencies are experienced as sound. Air pressure changes that occur between 20 and 20,000 times a second, stated as units of Hertz (Hz), are registered as sound.

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents acoustic

energy that is 10 times higher. However, humans do not perceive a 10-dB increase as 10 times louder. Instead, they perceive it as twice as loud.

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise measurements are often adjusted, or weighted, as a function of frequency to account for human perception and sensitivities. The most common frequency weightings used are the A- and C-weightings. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighting is the most commonly used for environmental measurements, and sound levels measured using this weighting are denoted as dBA. The letter “A” indicates that the sound has been filtered to reduce the strength of very low and very high frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high frequency bands are significantly affected by C-weighting. **Table 2.9-1** notes the decibel levels of common noise sources.

Table 2.9-1: Noise Levels of Common Sources

| Sound Source | SPL (dB(A)) |
|---|-------------|
| Air Raid Siren at 50 feet | 120 |
| Maximum Levels at Rock Concerts (Rear Seats) | 110 |
| On Platform by Passing Subway Train | 100 |
| On Sidewalk by Passing Heavy Truck or Bus | 90 |
| On Sidewalk by Typical Highway | 80 |
| On Sidewalk by Passing Automobiles with Mufflers | 70 |
| Typical Urban Area | 60-70 |
| Typical Suburban Area | 50-60 |
| Quiet Suburban Area at Night | 40-50 |
| Typical Rural Area at Night | 30-40 |
| Isolated Broadcast Studio | 20 |
| Audiometric (Hearing Testing) Booth | 10 |
| Threshold of Hearing | 0 |
| <i>Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A) is perceived as a doubling or halving in SPL.</i> | |
| <i>Source: 2021 CEQR Technical Manual</i> | |

The following is typical of human response to relative changes in noise level:

- 3-dBA change is the threshold of change detectable by the human ear;

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- 5-dBA change is readily noticeable; and
- 10-dBA change is perceived as a doubling or halving of the noise level.

The SPL that humans experience typically varies from moment to moment. Therefore, various descriptors are used to evaluate noise levels over time. Some typical descriptors are defined below.

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.
- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.
- L_{max} is the highest SPL measured during a given period of time. It is useful in evaluating L_{eqs} for time periods that have an especially wide range of noise levels.
- L_{dn} is the day-night equivalent sound level, defined as a 24-hour continuous L_{eq} with a 10 dB adjustment added to all hourly noise levels recorded between the hours of 10 PM and 7 AM. This 10 dB addition accounts for the extra sensitivity people have to noise during typical sleeping hours.
- DNL is the annual average day-night average sound level. Aircraft noise around airports is usually mapped out in terms of DNL, which are normally depicted as noise contours on a map.

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_x). Examples include L_{10} , L_{50} , and L_{90} . L_{10} is the A-weighted sound level that is exceeded 10% of the measurement period.

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law (i.e., the SPL changes in inverse proportion to the square of the distance from the sound source). In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For "line" sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

2.9.3 Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Quality Review (CEQR) noise exposure guidelines for exterior noise levels. Noise standards classify noise exposure into four categories based on noise level limits and land use, for vehicular traffic, rail, and aircraft noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable. For proposed projects that introduce receptors, potential significant impacts on the newly created receptor relate to absolute noise limits, as shown in **Table 2.9-2** below. If a proposed project is within an area where the project noise levels exceed the marginally acceptable limit, the project would be subject to mitigation measures necessary to bring its interior noise levels down to a level of 25 dB(A) or more below the maximum marginally acceptable levels (by receptor type) for external exposure.

Table 19-3 of the *CEQR Technical Manual* (**Table 2.9-3** below) defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for residential buildings are designed to maintain interior L_{10} noise levels 45 dBA or below and interior L_{dn} noise levels 40 dBA or below, depending on the noise sources.

The Proposed Actions would change the zoning in the Project Area to a Special Mixed-Use District (MX) that allow manufacturing and residential uses. Zoning Resolution (ZR) Section 123-32-Environmental Conditions requires that all new dwelling units (DUs) in Special Mixed-Use Districts be provided with a minimum of 35 dBA window-wall attenuation to maintain an interior noise level of 45 dBA or less. The 35 dBA window-wall attenuation is for a closed-window condition; consequently, a means of alternate ventilation that does not degrade the acoustical performance of the building façade is required for all residential developments. However, it is possible to review and alter the minimum attenuation requirements via a process overseen by the New York City Mayor's Office of Environmental Remediation (OER), which could be undertaken at a later time.

Table 2.9-2: Noise Exposure Guidelines for Use in City Environmental Impact Review

| Receptor Type | Time Period | Acceptable General External Exposure | Airport ³ Exposure | Marginally Acceptable General External Exposure | Airport ³ Exposure | Marginally Unacceptable General External Exposure | Airport ³ Exposure | Clearly Unacceptable General External Exposure | Airport ³ Exposure |
|---|-----------------|--------------------------------------|-------------------------------|---|----------------------------------|---|-------------------------------|--|-------------------------------|
| 1. Outdoor area requiring serenity and quiet ² | | $L_{10} \leq 55$ dBA | -----DNL ≤ 60 dBA----- | | -----60 < DNL ≤ 65 dBA----- | | (i) 65 < DNL ≤ 75 dBA | | -----75 dBA < DNL----- |
| 2. Hospital, nursing home | | $L_{10} \leq 55$ dBA | | $55 < L_{10} \leq 65$ dBA | | $65 < L_{10} \leq 80$ dBA | | $L_{10} > 80$ dBA | |
| 3. Residence, residential hotel, or motel | (7 AM to 10 PM) | $L_{10} \leq 65$ dBA | | $65 < L_{10} \leq 70$ dBA | | $70 < L_{10} \leq 80$ dBA | | $L_{10} > 80$ dBA | |
| | (10 PM to 7 AM) | $L_{10} \leq 55$ dBA | | $55 < L_{10} \leq 70$ dBA | | $70 < L_{10} \leq 80$ dBA | | $L_{10} > 80$ dBA | |
| 4. School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility | | Same as Residential Day (7 AM-10 PM) | | Same as Residential Day (7 AM-10 PM) | | Same as Residential Day (7 AM-10 PM) | | Same as Residential Day (7 AM-10 PM) | |
| 5. Commercial or office | | Same as Residential Day (7 AM-10 PM) | | Same as Residential Day (7 AM-10 PM) | | Same as Residential Day (7 AM-10 PM) | | Same as Residential Day (7 AM-10 PM) | |
| 6. Industrial, public areas only ⁴ | Note 4 | Note 4 | Note 4 | Note 4 | Note 4 | | | | |
| <p>Notes:</p> <p>(i) In addition, any new activity shall comply with Impact Thresholds detailed in Section 410.</p> <p>¹ Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.</p> <p>² Tracts of land where serenity and quiet are extraordinarily important and serve as important public need, and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheatres, particular parks or portions of parks, or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and nursing homes.</p> <p>³ One may use the FAA-approved DNL contours supplied by the Port Authority of New York and New Jersey (PANYNJ), or the noise contours may be computed from the federally approved Aviation Environmental Design Tool (AEDT) Computer Model using flight data supplied by the PANYNJ.</p> <p>⁴ External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are listed by octave bands).</p> <p>Sources: New York City Department of Environmental Protection (adopted policy 1983).</p> | | | | | | | | | |

Table 2.9-3: Attenuation Values to Achieve Acceptable Interior Noise Levels¹³

| | Marginally Unacceptable | | | | Clearly Unacceptable |
|--|-------------------------|------------------|-------------------|------------------|----------------------|
| Vehicular Traffic | 70 < L10 ≤ 73 | 73 < L10 ≤ 76 | 76 < L10 ≤ 78 | 78 < L10 ≤ 80 | 80 < L10 |
| Aircraft ^A | 65 < DNL ≤ 68 | 68 < DNL ≤ 71 | 71 < DNL ≤ 73 | 73 < DNL ≤ 75 | 75 < DNL |
| Train | 65 < Ldn ≤ 68 | 68 < Ldn ≤ 71 | 71 < Ldn ≤ 73 | 73 < Ldn ≤ 75 | 75 < Ldn |
| Attenuation ^B | (i) 28 dB(A) | (ii) 31 dB(A) | (iii) 33 dB(A) | (iv) 35 dB(A) | See Note c |
| <p>Note:</p> <ul style="list-style-type: none"> A. DNL descriptor based on average values of Ldn over a year period. B. The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation. C. The required attenuation value is the difference between Lbuild and Linterior, using the appropriate noise descriptor Where: Lbuild is the projected noise level under the build condition rounded up to the whole number Linterior is the designed interior noise level (45 dB(A) for vehicular noise, 40 dB(A) for aircraft and train noise) | | | | | |

2.9.4 Noise Monitoring Results

Measurement Location and Equipment

Because the predominant noise sources in the area of the proposed project consist of vehicular traffic, noise monitoring was conducted during peak weekday vehicular travel periods (AM, MIDDAY, PM) on a typical midweek day on Thursday, May 20, 2021. Wind speeds were mild during monitoring. Pursuant to *CEQR Technical Manual* Methodology, measurements were conducted for 20-minute periods during each of the peak periods at each monitoring location at the Affected Area: Location One (1) was on the Concord Avenue frontage of the Project Site; Location Two (2) was on the East 145th Street frontage of the Project Site; and Location Three (3) was located on the Wales Avenue frontage of the Project Site. The noise monitoring locations are shown in **Figure 2.9-1** and **Figures 2.9-2** through **2.9-4**.

Noise monitoring was conducted using a Type 1 Casella CEL-633 sound level meter with wind screen. The monitor was placed on a tripod at a height of approximately four feet above the ground, away from any other noise-reflective surfaces. The monitor was calibrated prior to and following each monitoring session. Periods of peak vehicular traffic around the Affected Area constitute a worst-case condition for noise. Traffic volumes and vehicle classifications were

¹³ Source: 2021 *CEQR Technical Manual*

documented for each monitoring session at Location 1, 2, and 3, respectively. Noise meter calibration certification and back up data are provided in **Appendix F**.

Figure 2.9-1: Noise Monitoring Location Map



Legend

-  Projected Development Site 1
-  Projected Development Site 2
-  Rezoning Area
-  Noise Monitoring Locations

100
US Feet



Figure 2.9-2: Location 1 – Concord Avenue



Figure 2.9-3: Location 2 – East 145th Street



Figure 2.9-4: Location 3 – Wales Avenue



Existing Conditions

Table 2.9-4 to **Table 2.9-6** below contain the results for the measurements taken at Location 1, Location 2, and Location 3, respectively.

Table 2.9-4: Noise (dB) Levels at Location 1

| Thursday, May 20, 2021 | | | |
|------------------------|-------------------|---------------------|-------------------|
| Time | 7:40 am – 8:00 am | 12:00 pm – 12:20 pm | 4:30 pm – 4:50 pm |
| L _{max} | 92.4 | 71.1 | 76.2 |
| L ₁₀ | 60.5 | 58.5 | 59.0 |
| L _{eq} | 64.7 | 56.0 | 57.5 |
| L ₅₀ | 53.0 | 53.0 | 56.0 |
| L ₉₀ | 50.5 | 50.5 | 55.0 |
| L _{min} | 48.1 | 48.4 | 53.9 |

Note: **Bold** denotes L₁₀ or L_{eq} noise level exceedances, according to Table 19-2 of the CEQR Technical Manual

Table 2.9-5: Noise (dB) Levels at Location 2

| Thursday, May 20, 2021 | | | |
|------------------------|-------------------|---------------------|-------------------|
| Time | 8:03 am – 8:23 am | 12:22 pm – 12:42 pm | 4:52 pm – 5:12 pm |
| L _{max} | 72.9 | 72.9 | 78.4 |
| L ₁₀ | 56.0 | 55.5 | 63.5 |
| L _{eq} | 54.9 | 54.0 | 60.0 |
| L ₅₀ | 51.0 | 50.5 | 55.0 |
| L ₉₀ | 49.0 | 48.5 | 49.0 |
| L _{min} | 47.4 | 46.2 | 47.0 |

Note: **Bold** denotes L₁₀ or L_{eq} noise level exceedances, according to Table 19-2 of the CEQR Technical Manual

Table 2.9-6: Noise (dB) Levels at Location 3

| Thursday, May 20, 2021 | | | |
|------------------------|-------------------|--------------------|-------------------|
| Time | 8:26 am – 8:46 am | 12:45 pm – 1:05 pm | 5:15 pm – 5:35 pm |
| L _{max} | 70.9 | 89.5 | 95.9 |
| L ₁₀ | 58.5 | 64.5 | 71.0 |
| L _{eq} | 56.8 | 65.0 | 71.4 |
| L ₅₀ | 55.5 | 55.5 | 57.5 |
| L ₉₀ | 54.0 | 53.0 | 53.0 |
| L _{min} | 52.2 | 50.7 | 51.5 |

Note: **Bold** denotes L₁₀ or L_{eq} noise level exceedances, according to Table 19-2 of the CEQR Technical Manual

Tables 2.9-7 through **2.9-9** contain the traffic volumes and vehicle classifications for the morning, noon, and evening monitoring sessions.

Table 2.9-7: Traffic Volumes and Vehicle Classifications – Location 1

| | 7:40 am – 8:00 am | 12:00 pm – 12:20 pm | 4:30 pm – 4:50 pm |
|--------------|-------------------|---------------------|-------------------|
| Car | 10 | 5 | 8 |
| SUV | 13 | 5 | 10 |
| Medium Truck | 0 | 0 | 0 |
| Heavy Truck | 0 | 0 | 0 |
| Bus | 0 | 0 | 0 |
| Train | 0 | 0 | 0 |

Table 2.9-8: Traffic Volumes and Vehicle Classifications – Location 2

| | 8:03 am – 8:23 am | 12:22 pm – 12:42 pm | 4:52 pm – 5:12 pm |
|--------------|-------------------|---------------------|-------------------|
| Car | 0 | 7 | 9 |
| SUV | 2 | 6 | 6 |
| Medium Truck | 1 | 1 | 1 |
| Heavy Truck | 0 | 0 | 0 |
| Bus | 0 | 0 | 0 |
| Train | 0 | 0 | 0 |

Table 2.9-9: Traffic Volumes and Vehicle Classifications – Location 3

| | 8:26 am – 8:46 am | 12:45 pm – 1:05 pm | 5:15 pm – 5:35 pm |
|--------------|-------------------|--------------------|-------------------|
| Car | 8 | 17 | 15 |
| SUV | 12 | 20 | 13 |
| Medium Truck | 1 | 2 | 3 |
| Heavy Truck | 0 | 0 | 1 |
| Bus | 0 | 0 | 0 |
| Train | 0 | 0 | 0 |

2.9.5 Mobile Sources

Preliminary Noise Passenger Car Equivalent (PCE) Screening Analysis

Pursuant to Section 111 of the *2021 CEQR Technical Manual*, mobile sources are those noise sources that move in relation to a noise-sensitive receptor—principally automobiles, buses, trucks, aircraft, and trains. Each has its own distinctive noise character, and, consequently, an associated set of noise assessment descriptors.

For Mobile Sources, an initial noise assessment may be appropriate if a Proposed Action would generate additional project-generated vehicular traffic in an area where roadways currently carry no or very low traffic volumes, or where a nearby receptor would potentially be impacted by high

ambient noise levels. Receptors are generally the subject of most noise impact analyses. A noise-sensitive location (known as a “receptor”) is usually defined as an area where human activity may be adversely affected when noise levels exceed predefined thresholds of acceptability or when noise levels increase by an amount exceeding predefined thresholds of change. If the Proposed Action would include noise-sensitive use, then the Development Site itself should also be considered a receptor. Pursuant to Section 332.1 of the *2021 CEQR Technical Manual*, the below values can be used to calculate vehicular noise using projections:

- Each Automobile or Light Truck: 1 Noise PCE
- Each Medium Truck: 13 Noise PCEs
- Each Bus: 18 Noise PCEs
- Each Heavy Truck: 47 Noise PCEs

A preliminary Noise PCE screening was conducted to determine if the Proposed Actions would result in an increase to existing Noise PCE values by 100 percent or more. This screening assesses the Noise PCE values of the vehicles and trucks projected to arrive on-site during AM, Midday, and PM peak hours, compared to the Noise PCE values of existing background traffic recorded during noise monitoring at Location 1 and Location 2, where project-generated vehicles are expected to traverse. As project-generated vehicle trips would not pass Wales Avenue, future Noise PCEs along Wales Avenue would be relatively similar to existing condition and it is assumed that the existing traffic noise levels would be representative of future traffic noise levels at Monitoring Location 3. Therefore, no further analysis is warranted for Monitoring Location 3.

This screening analysis was performed based on the project-generated Auto/Taxi and Truck vehicle assignments for the weekday AM, MD and PM peak hours shown in **Section 2.7.3: Transportation**. For the purposes of this screening analysis, all project-generated trucks were assumed to be medium. The existing 20-minute traffic volumes at Locations 1 and 2 shown in **Tables 2.9-7** and **Table 2.9-8** above were multiplied by 3 to reflect a one-hour period.

Preliminary Noise PCE Screening Conclusion

As indicated below in **Table 2.9-10** through **Table 2.9-11**, the Proposed Action(s) would increase existing Noise PCE values by greater than 100% at Monitoring Location 1 during the weekday AM, MD, and PM peak hours, respectively. Accordingly, further analysis is warranted at Monitoring Location 1.

As indicated below in **Table 2.9-12** through **Table 2.9-13**, the Proposed Action(s) would not increase existing Noise PCE values by greater than 100% at Monitoring Location 2 during the weekday AM, MD, or PM peak hours. As there would not be any doubling of existing Noise PCEs, existing noise levels would be representative of future noise levels at Monitoring Location 2. Accordingly, no further analysis is warranted at Monitoring Location 2.

Table 2.9-10: Location 1 Noise PCE Screen

| With Action Noise PCE Value | | | | | | | | | |
|-----------------------------|-------------------------------------|------------------------------------|--------------------------------|-------------------------------------|------------------------------------|--------------------------------|-------------------------------------|------------------------------------|--------------------------------|
| | AM Existing Vehicle Counts (1 hour) | AM Project Generated Vehicle Trips | With-Action AM Noise PCE Value | MD Existing Vehicle Counts (1 hour) | MD Project Generated Vehicle Trips | With-Action MD Noise PCE Value | PM Existing Vehicle Counts (1 hour) | PM Project Generated Vehicle Trips | With-Action PM Noise PCE Value |
| Car/Taxi | 30 | 72 | 102 | 15 | 73 | 88 | 24 | 59 | 83 |
| Van/Light Truck/SUV | 39 | 0 | 39 | 15 | 0 | 15 | 30 | 0 | 30 |
| Medium Truck | 0 | 1 | 18 | 0 | 2 | 22 | 0 | 0 | 5 |
| Heavy Truck | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bus | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Noise PCE | 69 | 90 | 159 | 30 | 95 | 125 | 54 | 64 | 118 |

*Existing 20-minute vehicle counts multiplied by 3 to reflect peak hour equivalent

Table 2.9-11: Location 1 Noise PCE Findings

| Peak Hour | No-Action/Existing | With Action | Increment | % Increase |
|--------------|--------------------|-------------|-----------|------------|
| AM Noise PCE | 69 | 159 | 90 | 131% |
| MD Noise PCE | 30 | 125 | 95 | 315% |
| PM Noise PCE | 54 | 118 | 64 | 118% |

Table 2.9-12: Location 2 Noise PCE Screen

| With Action Noise PCE Value | | | | | | | | | |
|-----------------------------|-------------------------------------|------------------------------------|--------------------------------|-------------------------------------|------------------------------------|--------------------------------|-------------------------------------|------------------------------------|--------------------------------|
| | AM Existing Vehicle Counts (1 hour) | AM Project Generated Vehicle Trips | With-Action AM Noise PCE Value | MD Existing Vehicle Counts (1 hour) | MD Project Generated Vehicle Trips | With-Action MD Noise PCE Value | PM Existing Vehicle Counts (1 hour) | PM Project Generated Vehicle Trips | With-Action PM Noise PCE Value |
| Car/Taxi | 0 | 7 | 7 | 21 | 7 | 28 | 27 | 4 | 31 |
| Van/Light Truck/SUV | 6 | 0 | 6 | 18 | 0 | 18 | 18 | 0 | 18 |
| Medium Truck | 3 | 0 | 40 | 3 | 0 | 41 | 3 | 0 | 39 |
| Heavy Truck | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bus | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Noise PCE | 45 | 8 | 53 | 78 | 9 | 87 | 84 | 5 | 89 |

*Existing 20-minute vehicle counts multiplied by 3 to reflect peak hour equivalent

Table 2.9-13: Location 2 Noise PCE Findings

| Peak Hour | No-Action/Existing | With Action | Increment | % Increase |
|--------------|--------------------|-------------|-----------|------------|
| AM Noise PCE | 45 | 53 | 8 | 19% |
| MD Noise PCE | 78 | 87 | 9 | 11% |
| PM Noise PCE | 84 | 89 | 5 | 5% |

Detailed Noise Passenger Car Equivalent (PCE) Analysis

Future No-Action Conditions

A growth rate to the 2026 Build Year was applied to the calculated Existing PCEs at Location 1 to reflect traffic growth, and its associated noise. According to *CEQR Technical Manual, Table 16-4*, the annual background growth rate for the Bronx is 0.25% from 1-5 years.

Noise levels under No-Action Conditions were calculated using the existing $L_{eq}(1)$ noise measurement results at Location 1 pursuant to the logarithmic equation provided in Equation 19-1 of the *2021 CEQR Technical Manual*. $L_{10}(1)$ values were calculated by adding the difference between the $L_{10}(1)$ and $L_{eq}(1)$ descriptors found to exist in the measurement program (see **Table 2.9-4**) to the calculated No-Action $L_{eq}(1)$ noise level. The results of the Future No-Action Noise PCE Analysis for Location 1 are shown below in **Table 2.9-15**.

Future With-Action Conditions

The calculated total Noise PCEs derived from the incremental With-Action traffic projected to traverse past Location 1 were converted to Noise PCEs, and the resulting noise levels under With-Action Conditions were calculated for Location 1 pursuant to CEQR methodology. The With-Action Noise Levels and corresponding attenuation requirements are shown below in **Table 2.9-16**.

Detailed Noise PCE Analysis Conclusion

During daytime hours (between 7 AM and 10 PM), nuisance levels for noise are generally considered to be more than 45 dB(A) indoors and 70 to 75 dB(A) outdoors. Typical construction techniques used in the past (including typical single-glazed windows) provide a minimum of approximately 20 dB(A) of noise attenuation from outdoor to indoor areas. In view of these factors and for the purposes of determining a significant impact during daytime hours, it is reasonable to consider 65 dB(A) $L_{eq}(1)$ as an absolute noise level that should not be significantly exceeded.

For example, if the No-Action noise level is 60 dB(A) $L_{eq}(1)$ or less, a 5 dB(A) $L_{eq}(1)$ or greater increase would be considered significant. If the No-Action noise level is 61 dB(A) $L_{eq}(1)$, the maximum incremental increase would be 4 dB(A), since an increase higher than this would result in a noise level higher than the 65 dB(A) $L_{eq}(1)$ threshold and is considered significant. Similarly, if the No-Action noise level is 62 dB(A) $L_{eq}(1)$ or more, a 3 dB(A) $L_{eq}(1)$ or greater change is considered significant.

As shown below in **Table 2.9-16**, the Proposed Actions would result in an L_{eq} increase of 3.6, 6.1, and 3.3 at Location 1 during the AM, Midday, and PM peak hours, respectively, when compared to the Future No-Action L_{eq} . Accordingly, the Proposed Actions would result in an L_{eq} increase above the threshold of 3 dB(A) during the AM peak hour, and 5 dB(A) during the midday peak hour at Location 1.

However, as shown below in **Table 2.9-17**, future with-action L_{10} noise levels would not be considered unacceptable at Location 1 during any peak hour of analysis. The highest projected future with-action L_{10} noise level at Location 1 would be 64.7 dB(A) during the midday peak hour. Accordingly, no impact to surrounding noise-sensitive receptors is anticipated as a result of the Proposed Actions.

Table 2.9-14: Location 1 Detailed PCE Analysis Existing Conditions

| Receptor/Station ID | Hour/Weekday | Existing Condition | | | | | | |
|---------------------|--------------|--------------------|--------|-------|-----|------|------|-----------------|
| | | Auto | Medium | Heavy | Bus | PCE | Leq | L ₁₀ |
| Location 1 | AM | 69.0 | 0.0 | 0.0 | 0.0 | 69.0 | 64.7 | 60.5 |
| | MD | 30.0 | 0.0 | 0.0 | 0.0 | 30.0 | 56.0 | 58.5 |
| | PM | 54.0 | 0.0 | 0.0 | 0.0 | 54.0 | 57.5 | 59.0 |

Table 2.9-15: Location 1 Detailed PCE Analysis No-Action Conditions

| Receptor/Station ID | Hour/Weekday | No-Action Condition 2026 | | | | | | | |
|---------------------|--------------|--------------------------|--------|-------|-----|------|------|-----------------|----------------------|
| | | Auto | Medium | Heavy | Bus | PCE | Leq | L ₁₀ | Change over Existing |
| Location 1 | AM | 69.9 | 0.0 | 0.0 | 0.0 | 69.9 | 64.8 | 60.6 | 0.1 |
| | MD | 30.4 | 0.0 | 0.0 | 0.0 | 30.4 | 56.1 | 58.6 | 0.1 |
| | PM | 54.7 | 0.0 | 0.0 | 0.0 | 54.7 | 57.6 | 59.1 | 0.1 |

Table 2.9-16: Location 1 Detailed PCE Analysis With-Action Conditions

| Receptor/Station ID | Hour/Weekday | With-Action Condition 2026 | | | | | | | |
|---------------------|--------------|----------------------------|--------|-------|-----|-------|------|-----------------|----------------------|
| | | Auto | Medium | Heavy | Bus | PCE | Leq | L ₁₀ | Change over No-Build |
| Location 1 | AM | 72.1 | 1.4 | 0.0 | 0.0 | 159.3 | 68.3 | 64.1 | 3.6 |
| | MD | 72.9 | 1.7 | 0.0 | 0.0 | 124.6 | 62.2 | 64.7 | 6.1 |
| | PM | 59.4 | 0.4 | 0.0 | 0.0 | 118.0 | 60.9 | 62.4 | 3.3 |

Table 2.9-17: Location 1 Future No-Action and Future With-Action Noise Levels

| Receptor/Station ID | Hour | Existing L ₁₀ | Existing Category | NB Delta | NB L ₁₀ | No Build Category | Build Delta | Build L ₁₀ | Build Category | CEQR criteria dB(A) | Building Attenuation Required |
|---------------------|------|--------------------------|-------------------|----------|--------------------|-------------------|-------------|-----------------------|-----------------------|---------------------|-------------------------------|
| Location 1 | AM | 60.5 | ACCEPTABLE | 0.1 | 60.6 | ACCEPTABLE | 3.6 | 64.1 | ACCEPTABLE | 45 | - |
| | MD | 58.5 | ACCEPTABLE | 0.1 | 58.6 | ACCEPTABLE | 6.1 | 64.7 | MARGINALLY ACCEPTABLE | 45 | - |
| | PM | 59.0 | ACCEPTABLE | 0.1 | 59.1 | ACCEPTABLE | 3.3 | 62.4 | ACCEPTABLE | 45 | - |

2.9.6 Stationary Sources

The *CEQR Technical Manual* states that based upon previous studies, unless existing ambient noise levels are very low and/or stationary source levels are very high (and there are no structures that provide shielding), it is unusual for stationary sources to have significant impacts at distances beyond 1,500 feet. A detailed analysis may be appropriate if the proposed project would: cause a substantial stationary source (i.e., unenclosed mechanical equipment for manufacturing or building ventilation purposes, playground, etc.) to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor; or introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as unenclosed manufacturing activities or other loud uses. Machinery, mechanical equipment, heating, ventilating and air-conditioning units, loudspeakers, new loading docks, and other noise associated with building structures may also be considered in a stationary source noise analysis. Impacts may occur when a stationary noise source is near a sensitive receptor and is unenclosed.

It is assumed that the building mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations and standards (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) to avoid producing levels that would result in any significant increase in ambient noise levels.

2.9.7 Conclusion

The *2021 CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. For a residential use such as would occur under the Proposed Actions, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. An L_{10} of between 70 and 80 dB(A) is identified as marginally unacceptable general external exposure.

The highest recorded L_{eq} at Location 1 was 64.7 dB(A) during the AM period. Considering the results of the detailed noise PCE analysis, the future with-action L_{eq} at Location 1 would be 68.3 dB(A) during the AM period. The highest recorded L_{10} at Location 2 was 63.5 dB(A) during the PM period. The highest recorded L_{eq} at Location 3 was 71.4 dB(A) during the PM period. It was noted in the field observations that a box truck parked near Location 3 at 5:30 pm and repeatedly honked its horn. Based on the readings and vehicle classifications from the other peak hours, the measurement of 71.4 dB(A) is an anomaly.

The Proposed Actions would change the zoning in the Project Area to a Special Mixed-Use District (MX) that allow manufacturing and residential uses. Zoning Resolution (ZR) Section 123-32-Environmental Conditions requires that all new dwelling units (DUs) in Special Mixed-Use Districts be provided with a minimum of 35 dBA window-wall attenuation to maintain an interior noise level of 45 dBA or less. The 35 dBA window-wall attenuation is for a closed-window condition; consequently, a means of alternate ventilation that does not degrade the acoustical performance of the building façade is required for all residential developments. However, it is possible to review and alter the minimum attenuation requirements via a process overseen by

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the New York City Mayor's Office of Environmental Remediation (OER), which could be undertaken at a later time.

2.10 Neighborhood Character

According to the *2021 CEQR Technical Manual*, a neighborhood character assessment considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. Thus, to determine a project's effects on the neighborhood character, the elements that contribute to a neighborhood's context and feeling are considered together. These elements may include land use, zoning, public policy, socioeconomic conditions, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise. The Study Area for a preliminary analysis of neighborhood character is typically consistent with the Study Areas of the relevant technical areas under CEQR that contribute to the defining elements of the neighborhood. The Study Area should generally extend to a 400-foot radius around the Affected Area.

2.10.1 Preliminary Analysis

Existing Conditions

The Affected Area is located within the Mott Haven neighborhood of Bronx, CD 1. The area is bounded by East 145th Street to the north, Wales Avenue to the east, Lot 5 and the southern portion of lot 20 to the south, and Concord Avenue to the west. East 145th Street is an east-west, two-way right-of-way with one moving lane of traffic in each direction and curbside parking. Concord Avenue and Wales Avenue are south-to-north two-way rights-of-way with one moving lane of traffic in each direction and curbside parking.

The built form in the Study Area varies by use, and primarily includes two- to six-story multi-family walkup and elevator residential buildings, one- to two-story manufacturing buildings, four schools (Mott Haven Community High School (P.S.557), JM Rapport School for Career Development (P.S. 754), Neighborhood Charter School: Bronx, and The American Dream School) ranging from three to four stories in height, a one-story commercial building, parking lots and vacant parcels. Concord Avenue and Wales Avenue do not have significant commercial activity and are more residential in character north of East 145th Street and more industrial south of East 145th Street. The closest commercial corridors are located along East 149th Street and Southern Boulevard, outside of the 400-foot Study Area.

The Surrounding Area features a regular traffic grid to the west of Southern Boulevard and irregular grid to the east of Southern Boulevard as a result of the direction change of Southern Boulevard to the north from E 145th Street. Sidewalks within the Affected Area, ranging from 8 feet to 13 feet wide, are in fair condition with paved surfaces, sufficient street trees, and regular street lights throughout the Study Area except for the newly improved sidewalks within the adjacent Block 2574, which are in excellent condition. Most of the intersections within the 400-foot Study Area are controlled by two-way or all-way stop signs and feature clear crossing markings on the controlled legs. The area is also well-served by transit. The E 143 St – St Mary's

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St subway station with service from the 6 Train is located approximately 800 feet away from the Affected Area. There are two bus lines (Bx17/ Bx19) that are accessible to users in the area.

The Projected Development Site 1 includes Applicant-controlled Lots 9 and 14. According to a survey conducted by the Applicant, Lot 9 is a 7,774-SF corner lot (varies from ZOLA's 7,758 SF) corner lot with frontages on East 145 Street and Concord Avenue. The lot is a surface lot classified as an unlicensed parking lot. Lot 14 is a 12,774-SF corner lot with frontages on East 145 Street and Wales Avenue. The lot is currently improved with a one-story 12,500 GSF manufacturing building constructed in 1931.

The Projected Development Site 2 includes Applicant-controlled Lots 7 and 8. Lot 7 is a 2,500-SF interior lot with 25 feet of frontage on Concord Avenue. The lot is currently improved with a two-story, two-family, 1,500 GSF residential building constructed in 1901. Lot 8 is a 2,500-SF interior lot with 25 feet of frontage on Concord Avenue. The lot is currently improved with a two-story, two-family, 1,904 GSF residential building constructed in 1901.

Other non-Applicant-controlled lots within the Affected Area include Lot 6 and p/o lot 20. Lot 6 is a 2,500-SF lot with frontage on Concord Avenue. The lot is currently improved with a 1.5-story, two-family 1,638 GSF residential building constructed in 1901. Lot 20 is a 5,000-SF lot with frontage on Wales Avenue. The lot is currently improved with a two-story, two-family, 1,305 GSF residential building constructed in 1901 and two other one-story supplementary structures. Only approximately 50% of lot 20 is within the Affected Area.

Future No-Action Condition

Under Future No-Action Conditions, Projected Development Site 1 (Lots 9 and 14) and Projected Development Site 2 (Lots 7 and 8) would remain in the existing condition. It is expected that in the future, without the Proposed Actions, the existing uses within the Affected Area would mostly remain with the exception of a new development projected on Block 2578, Lots 16 and 18 as a result of a recently effectuated rezoning on the western side of Concord Avenue at 431 Concord Avenue (C 200274 ZMX, N 200275 ZRX, effective May 27, 2021). The worst-case development scenario for this action features an 11-story, 115-foot-tall, 87,369-GSF (5.51 FAR) Quality Housing residential building with approximately 93 residential dwelling units and 29 accessory parking spaces on the first/ground floor of the building. The projected development at 431 Concord Avenue would alter the existing neighborhood character by introducing a new building of larger bulk and height.

Future With-Action Condition

The Proposed Actions would rezone Block 2577, Lots 6, 7, 8, 9, 14, and the northern portion of Lot 20 from an M1-2 to an R7D/M1-4 (MX) zoning district. Under the With-Action condition, the proposed R7D/M1-4 (MX) district would permit a maximum of 5.6 FAR for residential use (MIH area), 2.0 FAR for commercial uses, 6.5 for community facility uses, and 2.0 FAR for manufacturing uses. The maximum building height within the R7D/M1-4 (MX) zoning district is

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115 feet after a setback from the base height of up to 95 feet. Buildings must have a 10-foot setback above the maximum base height on a wide street and a 15-foot setback on a narrow street before rising to a maximum of 11 floors. The Applicant is also proposing a Zoning Text Amendment to Appendix F to add a Mandatory Inclusionary Housing (MIH) area coterminous with the Affected Area. Off-street parking is required for 50 percent of the residential dwelling units but is not required for income-restricted housing units within the Transit Zone.

Under Future With-Action conditions, two Projected Development Sites were identified within the Affected Area:

- Projected Development Site 1 (Lots 9 and 14) would be developed with a single 154,690 GSF (138,171 ZSF, 6.93 FAR) mixed-use building with 100% lot coverage that would contain approximately 7,581 GSF (7,289 ZSF, 0.37 FAR) of community facility use, 3,874 GSF (3,725 ZSF, 0.19 FAR) of light industrial and manufacturing use, 3,008 GSF (2,892 ZSF) of local retail and 30,003 GSF (28,849 ZSF) of office use (1.59 total commercial FAR), and 102,094 GSF (95,415 ZSF, 4.72 FAR) of residential use. There would be approximately 120 dwelling units (assuming 850 SF per DU on average), 25-30% (30-36 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. An 8,130 SF below-grade parking lot would contain approximately 48 spaces. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. At the base height of 95 feet, there would be a 15-foot setback on Concord Avenue, 145th Street and Wales Avenue, as all these streets are considered narrow (less than 75 feet wide). A 10-foot mechanical bulkhead would be assumed for the development site for a conservative shadows analysis under CEQR. One curb cut would be proposed on Concord Avenue.
- Projected Development Site 2 (Lots 7 and 8) would be developed with a single 34,979 GSF (27,891 ZSF, 4.98 FAR) mixed-use building with 100% lot coverage that would contain approximately 13,121 GSF (12,263 ZSF, 2.19 FAR) of residential use and 16,253 GSF (15,628 ZSF, 2.79 FAR) of community facility use (medical office). There would be approximately 15 dwelling units (assuming 850 SF per DU on average), 25-30% (4 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. A 5,604 SF below-grade parking lot would contain approximately six spaces. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. At the base height of 95 feet, there would be a 15-foot setback on Concord Avenue. A 10-foot mechanical bulkhead would be assumed for the development site for a conservative shadows analysis under CEQR. One curb cut would be proposed on Concord Avenue.

The proposed rezoning of the Affected Area to R7D/M1-4 (MX) would match the R7D district across Concord Avenue and serve as a transition between the adjacent to the Affected Area residential districts (R7D and R7-1) to the north and the west and the manufacturing district (M1-2) to the east and the south of the Affected Area. The proposed development would also improve the pedestrian experience by providing a mixture of ground floor uses, including local retail, office

lobby, and residential lobby on E 145th Street, and local retail and community facility on Wales Avenue.

In order to determine the Proposed Actions' potential effects on neighborhood character, the elements that contribute to the neighborhood's context and feeling are considered both separately and cumulatively. The examination focuses on whether a defining feature of the neighborhood's character may be significantly affected, as further described below:

- **Land Use, Zoning, and Public Policy:** The density and uses permitted by the Proposed Actions would increase the utilization of the lots within the Affected Area and economic viability of the surrounding area. The proposed R7D/M1-4 (MX) zoning district would match the adjacent R7D district across Concord Avenue and serve as a transition between the adjacent to the Affected Area residential districts (R7D and R7-1) to the north and to the west and manufacturing district (M1-2) to the east and the south of the Affected Area. The Proposed Actions would be in compliance with the City policies to encourage the development of new housing in underutilized areas of the City. Moreover, the proposed Zoning Text Amendment to Appendix F to add Mandatory Inclusionary Housing (MIH) would allow for residential growth with affordable housing and contribute to the City's goals for affordable housing. The Proposed Actions would also not result in material changes to existing regulations or policy. Therefore, no potentially significant adverse impacts related to Land Use, Zoning, and Public Policy are expected to occur as a result of the Proposed Actions.
- **Open Space:** The Proposed Actions would result in a decrease of the OSR within the Study Area from 0.984 acres per 1,000 residents in the Future No-Action Condition to 0.976 in the Future With-Action Condition, a decrease of approximately 0.81%. Pursuant to the *2021 CEQR Technical Manual*, OSR range between 0.51 and 1 can tolerate up to a two percent decrease in the OSR between the Future No-Action and Future With-Action Condition without warranting additional analyses. Further, the Affected Area is within a Walk to a Park service area, indicating all future projected residents are within a reasonable walking distance to public Open Spaces. Therefore, the Proposed Actions would not result in a significant adverse impact on Open Space within the Study Area, and further analysis is not warranted.
- **Shadows:** Proposed Actions would not affect the vitality or usage of the sunlight-sensitive resources identified within the Study Area, and significant adverse impacts from shadows would not result from the Proposed Actions.
- **Historic and Cultural Resources:** There are no existing Architectural or Archeological Resources within the Affected Area (see **Appendix B: LPC letter dated May 18, 2021**). However, the Cultural Resource Information System (CRIS) online resource has indicated two eligible architectural resources within the Study Area: S/NR eligible PS 754, JM Rapport School for Career Development at 470 Jackson Avenue and S/NR eligible PS 557,

Mott Haven Community High School at 455 Southern Boulevard. As discussed in **Section 2.4.1**, the Proposed Actions would not introduce significant adverse impacts to architectural resources within the Surrounding Area. Accordingly, no indirect impacts to architectural resources are anticipated as a result of the Proposed Actions, and no further analysis is warranted.

- **Urban Design and Visual Resources:** The development facilitated by the Proposed Actions would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood. It would not adversely change the pedestrian experience, nor would it negatively affect the vitality, walkability, or the visual character of the area. Instead, the mixed-use residential development with ground-floor commercial and community facility uses would improve the pedestrian experience and increase the vitality of the area.
- **Hazardous Materials:** As discussed in Section 2.6, no significant adverse impacts related to hazardous materials are expected.
- **Transportation:** The Proposed Actions would not result in a development that would have significant adverse impact on transportation within the Study Area. (language pending detailed Traffic analysis).
- **Air Quality:** The Proposed Actions would not result in a development that would have significant adverse impact on the air quality within the Study Area nor would it introduce receptors where existing industrial emissions that would have significant adverse impact on project occupants. Accordingly, no impacts associated with Air Quality are anticipated as a result of the Proposed Actions, and no further analysis is warranted. (language pending AQ HDDV detailed analysis).
- **Noise:** Based on the noise monitoring results, no window/wall attenuation would be required for Projected Development Sites 1 and 2. Further, pursuant to the detailed Noise Passenger Car Equivalent analysis (see **Section 2.9.5**) the Proposed Actions would not result in significant adverse impact associated with project-generated vehicular noise. In addition, the Proposed Actions would not result in the generation of significant stationary noise sources. Accordingly, there would be no significant adverse impacts related to noise as a result of the Proposed Actions, and no further analysis is warranted.

Combination of Moderate Effects:

Based on the above findings, there would be no combination of moderate effects to several elements that cumulatively may affect neighborhood character.

2.10.2 Conclusion

As discussed above, the Proposed Actions would not in whole or from a specific technical study standpoint result in a significant impact to the neighborhood character, nor would have

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cumulative effects of two or more of the above technical areas have any significant impacts to the 400-foot Study Area.

2.11 Construction

According to the *2021 CEQR Technical Manual*, construction impacts may be analyzed for any project that involves construction or could induce construction. For construction activities not related to in-ground disturbance, short-term construction generally does not warrant a detailed construction analysis. For example, the use of a property for construction staging activities is likely to only warrant analysis if this activity continues for a period of several years. Consideration of several factors, including the location and setting of the project in relation to other uses and intensity of construction activities are used to determine if a project's construction activities warrant analysis in one or more of the following technical areas:

- Transportation
- Air Quality or Noise
- Historic and Cultural Resources
- Hazardous Materials
- Natural Resources
- Open Space
- Socioeconomic Conditions
- Community Facilities
- Land Use and Public Policy
- Neighborhood Character
- Infrastructure

A preliminary construction analysis may be required because the proposed development would result in the following:

- Construction activities are considered long-term (last longer than two years); or
- Short term construction activities would directly affect a technical area, such as impeding the operation of a community facility.
- Result in the closing, narrowing, impeding of traffic, transit, or obstruction of pedestrian or vehicular routes in proximity to critical land uses.
- 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.

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- Closure of a community facility or disruption in its services.
- 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.

Analysis Framework

Future No-Action Condition

The No-Action Condition for the Affected Area would be the same as the existing conditions. The Affected Area contains Projected Development Site 1 (Lots 9 and 14) and Projected Development Site 2 (Lots 7 and 8). There are no records of construction work permit applications submitted by the Applicant on the DOB website. As such, it is assumed that under the No-Action Scenario, existing conditions would continue on both Projected Development Sites.

The non-Applicant owned Lots 6 and 20 do not pass the soft site criteria established by the *CEQR Technical Manual*, Chapter 2. Despite the fact the lots are built to substantially less than the maximum allowable FAR, because of the small lot size (5,000 square feet or less), Lots 6 and 20 are not considered likely to be redeveloped under No-Action Conditions.

Future With-Action Condition

The RWCDs is consistent with the Applicant's proposal to use a Zoning Lot Merger (ZLM) involving Lots 7, 8, 9, and 14 to apply 8,535 ZSF of the Development Rights of Projected Development Site 2 (Lots 7 and 8) to Projected Development Site 1 (lots 9 and 14). The Applicant-controlled lots 7, 8, 9, and 14 would be merged into a 25,548-SF zoning lot within the proposed R7D/M1-4 (MX) district. Approximately 640 square feet of lot area would also be conveyed from Lot 9 to Lot 8 to match the fence line against the existing retaining wall serving as a factual boundary between tax Lots 8 and 9.

Projected Development Site 1 (Lots 9 and 14)

Under Future With-Action Conditions, it is assumed that Projected Development Site 1 would be developed with a single 154,690 GSF (138,171 ZSF, 6.93 FAR) mixed-use building with 100% lot coverage. The building would contain approximately 7,581 GSF (7,289 ZSF, 0.37 FAR) of community facility use, 3,874 GSF (3,725 ZSF, 0.19 FAR) of light industrial and manufacturing use, 3,008 GSF (2,892 ZSF) of local retail and 30,003 GSF (28,849 ZSF) of office use (1.59 total commercial FAR), and 102,094 GSF (95,415 ZSF, 4.72 FAR) of residential use. There would be approximately 120 dwelling units. An 8,130 SF below-grade parking lot would contain approximately 48 spaces. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. At the base height of 95 feet, there would be a 15-foot setback on Concord Avenue, 145th Street and Wales Avenue, as these streets are considered to be narrow (less than

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75 feet wide). A 10-foot mechanical bulkhead would be assumed for the Development Site for a conservative shadows analysis under CEQR. One curb cut would be proposed on Concord Avenue.

Projected Development Site 2 (Lots 7 and 8)

Under Future With-Action Conditions, it is assumed that Projected Development Site 2 would be developed with a single 34,979 GSF (27,891 ZSF, 4.98 FAR) mixed-use building with 100% lot coverage. The building would contain approximately 13,121 GSF (12,263 ZSF, 2.19 FAR) of residential use and 16,253 GSF (15,628 ZSF, 2.79 FAR) of community facility use (Medical Office). There would be approximately 15 dwelling units (assuming 850 SF per DU on average). A 5,604 SF below-grade parking lot would contain approximately six spaces. The building would be 11 stories tall and rise to 115 feet with a base height of 95 feet. At the base height of 95 feet, there would be a 15-foot setback on Concord Avenue. A 10-foot mechanical bulkhead would be assumed for the development site for a conservative shadows analysis under CEQR. One curb cut would be proposed on Concord Avenue.

Build Year

The build year for the analysis is anticipated to be 2026 in consideration of an 18-month CEQR review period and a 7-month ULURP process. The proposed construction schedules for each site can be found in **Appendix G**.

Construction Schedule

- Projected Development Site 1 is anticipated to begin with demolition and site clearance in September 2024, with exterior work anticipated to be completed by October 2025. Major construction-related activities would conclude with elevators, interior shell and core in December 2025. Lastly, TCO and punch list completion are anticipated by June 2026.
- Projected Development Site 2 is anticipated to begin demolition and site clearance in June 2025, with exterior work anticipated to be completed by April 2026. Major construction-related activities would conclude with elevators, interior shell and core in May 2026. Lastly, TCO and punch list completion is anticipated by August 2026.

Beginning with demolition and clearance on Projected Development Site 1 in September 2024, and ending with interior finishes and fit-out on Projected Development Site 2 in July 2026, the total duration of construction is anticipated to be 22 months. Because the construction activities would last for fewer than 24 months, the Proposed Actions are not expected to result in significant impacts to the adjacent community.

Analysis

Transportation

According to the *CEQR Technical Manual*, a number of factors should be considered before determining whether a preliminary assessment of the effect of construction on transportation is needed including:

- Whether the project's construction would be located in a Central Business District (CBD) or along an arterial or major thoroughfare;
- Whether the project's construction activities would require closing, narrowing, or otherwise impeding moving lanes, roadways, key pedestrian facilities, parking lanes and/or parking spaces, bicycle routes and facilities, bus lanes or routes, or access points to transit; and
- Whether the project would involve construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap, and last for more than two years overall.

Projected Development Site 1 has frontages on Concord Avenue, E 145th Street, and Wales Avenue, all of which are local roads. Projected Development Site 2 has a single frontage along Concord Avenue. No construction activities would occur on along a CBD, arterial, or major thoroughfare. Further, the total duration of construction on both Projected Development Sites would not last for more than two years overall.

Any potential closure of the sidewalks adjacent to the Projected Development Sites would be considered a short-term routine closure that would be addressed by a permit and pedestrian access plan issued by the NYC DOT Office of Construction Mitigation and Coordination at the time of closure. Changes to moving traffic lanes are not expected.

There are four schools (Mott Haven Community High School (P.S.557), JM Rapport School for Career Development (P.S. 754), Neighborhood Charter School: Bronx, and The American Dream School), two of which are S/NR eligible architectural resources (Mott Haven Community High School (P.S.557), JM Rapport School for Career Development (P.S. 754) within the 400-foot radius of the Projected Development Sites. However, the current pavement markings for crosswalks leading to and from the surrounding community facility uses would facilitate the avoidance of the potentially impacted sidewalk segments around the Affected Area. Therefore, the Proposed Actions would not disrupt the flow of pedestrians.

Considering the above, construction of the Development Sites would not be expected to result in significant adverse impacts on transportation.

Air Quality

Demolition, excavation, and foundation activities, which often generate the highest levels of air emissions, would be temporary and limited in duration and would take approximately 5.7 months for Projected Development Site 1 (beginning in September 2024, and ending in February 2025), and 3.6 months for Projected Development Site 2 (beginning in June 2025, and ending in September of 2025). These activities would be spread out over two locations on the block and would not overlap. In addition, any heavy equipment associated with the construction of the buildings (such as a crane) would operate from at least two different locations during construction.

As with most construction projects in the City, the proposed project would require the operation of several pieces of diesel equipment at one time during the heavier periods of construction, such as demolition and excavation. However, as stated in the *CEQR Technical Manual*, all the necessary measures would be implemented to ensure compliance with the NYC Air Pollution Control Code regulating construction-related dust emissions. Based on the project size and the construction work involved, construction activities for the Proposed Actions would not be considered out of the ordinary or exceptional in terms of intensity and would be of a relatively short duration (less than 2 years). Therefore, based on the above and with the implementation of emissions control measures that are required by local law, the construction of the development sites would not result in any significant adverse impacts on air quality.

Noise

While increases in ambient noise levels due to construction exceeding the CEQR impact criteria for two years or less may be noisy and intrusive, they are not considered to be significant adverse noise impacts. As described above, construction of the development sites would occur over a relatively short time period of approximately 22 months. In addition, as discussed above, demolition, excavation, and foundation activities, and superstructure activities, which are the noisiest construction activities, would be temporary and limited in duration and would take approximately 5.7 months for Projected Development Site 1 (beginning in September 2024, and ending in February 2025), and 3.6 months for Projected Development Site 2 (beginning in June 2025, and ending in September of 2025).

Construction noise is regulated by the NYC Noise Control Code and by EPA's noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emission standards; that construction activities be limited to weekdays between the hours of 7AM and 6PM; and that construction materials be handled and transported in such a manner as not to create unnecessary noise. If weekend or after hour work is necessary, permits would be required to be obtained, as specified in the NYC Noise Control Code. Therefore, no significant noise impacts are expected to occur as a result of the project construction.

Historic and Cultural Resources

The assessment of construction impacts on historic and cultural resources considers the possibility of physical damage to any architectural or archaeological resources identified in the project's historic and cultural resources assessment.

Pursuant to Chapter 22, Section 300 of the *2021 CEQR Technical Manual*, if a project's construction activities are located within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained-glass windows, could be impacted by falling objects from an adjacent construction site.

The City has two procedures for avoidance of damage to historic structures from adjacent construction:

1. All buildings are provided some protection from accidental damage through New York City Department of Buildings (DOB) controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the code requirements.
2. The second protective measure applies only to designated NYCL and S/NR listed historic buildings that are located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 is applicable. The DOB's TPPN 10/88 supplements the standard building protections afforded by the Building Code C26-112.4 by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet), and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

If the project is not located within 90 feet of a historic or cultural resource that is NYC-landmark eligible, eligible for the State and National Register of Historic Places, or within an eligible New York City Historic District, then no special protections apply. Therefore, the potential for physical disturbance and adverse impacts on those historic and cultural resources should be disclosed.

The Cultural Resource Information System (CRIS) online resource has indicated two eligible architectural resources within the Study Area:

- S/NR eligible PS 754, JM Rapport School for Career Development at 470 Jackson Avenue;
- S/NR eligible PS 557, Mott Haven Community High School at 455 Southern Boulevard.

Therefore, an analysis on the potential impacts of the Proposed Actions on the identified architectural resources related to construction is warranted, and is discussed below (see also **Section 2.4.1**).

S/NR eligible PS 557 Mott Haven Community High School

- Projected Development Site 1 is within 90 feet of S/NR eligible PS 557, Mott Haven Community High School at 455 Southern Boulevard. Mott Haven Community High School is a 3-story brick building constructed in 1931, altered in 2007 and 2012, and located about 86 feet away from Projected Development Site 1. To mitigate any possible construction impact on S/NR-listed properties within a 90-foot radius, a special protective measure TPPN #10/8 applies. TPPN #10/88 requires a monitoring program to reduce the likelihood of construction damage to adjacent NYCLs and NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. As such, no construction impacts from Projected Development Site 1 to S/NR eligible PS 557, Mott Haven Community High School are anticipated.
- Projected Development Site 2 is located 208 feet southwest of S/NR eligible PS 557, Mott Haven Community High School, at 455 Southern Boulevard. PS 557 is buffered from Projected Development Site 2 by the adjacent intervening building on Projected Development Site 1 and is further buffered by the intersection of East 145th Street and Wales Avenue. Accordingly, Projected Development Site 2 would not introduce adverse construction-related impacts to S/NR eligible PS 557, Mott Haven Community High School from ground-borne construction period vibrations, falling debris, and/or collapse. Therefore, significant adverse impacts to this resource are not expected because of the Proposed Actions, and further analysis is not warranted.

S/NR eligible 470 Jackson Ave, P.S. 754, JM Rapport School for Career Development

- Projected Development Site 1 is located 97 feet southeast of S/NR eligible PS 754, JM Rapport School for Career Development at 470 Jackson Avenue. PS 754 is buffered from Projected Development Site 1 by the intersection of East 145th Street and Concord Avenue. Accordingly, Projected Development Site 1 would not introduce adverse construction-related impacts to S/NR eligible PS 754 from ground-borne construction period vibrations, falling debris, and/or collapse. Therefore, significant adverse impacts from Projected Development Site 1 on this resource are not expected, and further analysis is not warranted.
- Projected Development Site 2 is located 158 feet southeast of S/NR eligible PS 754, JM Rapport School for Career Development at 470 Jackson Avenue. PS 754 is partially buffered from Projected Development Site 2 by the adjacent intervening building on Projected Development Site 1 and is further buffered by the intersection of East 145th

Street and Concord Avenue. Accordingly, Projected Development Site 2 would not introduce adverse construction-related impacts to S/NR eligible PS 754, JM Rapport School for Career Development ground-borne construction period vibrations, falling debris, and/or collapse. Therefore, significant adverse impacts to this resource are not expected because of the Proposed Actions, and further analysis is not warranted.

2.11.1 Conclusion

Construction activities at the Development Sites would be completed in 22 months. Construction would be performed subject to relevant EPA, DEP, DOT and DOB codes and regulations to ensure minimal construction impacts. With the construction control and protective measures identified above, no impacts to transportation, air quality, noise, or historic buildings would occur. On the basis of the above analysis, the Proposed Actions would not have any significant adverse construction impacts, and further analysis is not required.

APPENDIX A

AGENCY CORRESPONDENCE

APPENDIX B

ILLUSTRATIVE ARCHITECTURAL PLANS

APPENDIX C

NYC HOUSING DATABASE BUILDING PERMITS

Completed DOB Permits Within 1/2-mile Study Area Since 2020

| ID | Census Tract | Address | Job Type | Permit Year | Complete Year | Class A Initial Units | Class A Proposed Units | Class A Net Units | Ownership |
|----|--------------|---------------------|--------------|-------------|---------------|-----------------------|------------------------|-------------------|---------------------------------|
| 1 | 27.02 | 617 East 140 Street | Alteration | 2018 | 2020 | 1 | 2 | 1 | Private For-Profit: Corporation |
| 2 | 35 | 494 Jackson Avenue | New Building | 2019 | 2020 | 0 | 16 | 16 | Private For-Profit: Corporation |
| 3 | 73 | 603 Jackson Avenue | New Building | 2017 | 2020 | 0 | 25 | 25 | Private For-Profit: Partnership |

APPENDIX D-1

PHASE I ESA

APPENDIX D-2

RIWP/HASP

APPENDIX E

AIR QUALITY BACKUP

APPENDIX F

NOISE BACKUP

APPENDIX G

CONSTRUCTION SCHEDULE

APPENDIX A

AGENCY CORRESPONDENCE

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-X
Project: 438 CONCORD REZONING
Date Received: 5/14/2021

Properties with no Architectural or Archaeological significance:

- 1) 422 CONCORD AVENUE, BBL: 2025770005
- 2) 428 CONCORD AVENUE, BBL: 2025770006
- 3) 432 CONCORD AVENUE, BBL: 2025770007
- 4) 434 CONCORD AVENUE, BBL: 2025770008
- 5) 438 CONCORD AVENUE, BBL: 2025770009
- 6) 435 WALES AVENUE, BBL: 2025770014
- 7) 429 WALES AVENUE, BBL: 2025770020

Gina Santucci

5/18/2021

SIGNATURE
Gina Santucci, Environmental Review Coordinator

DATE

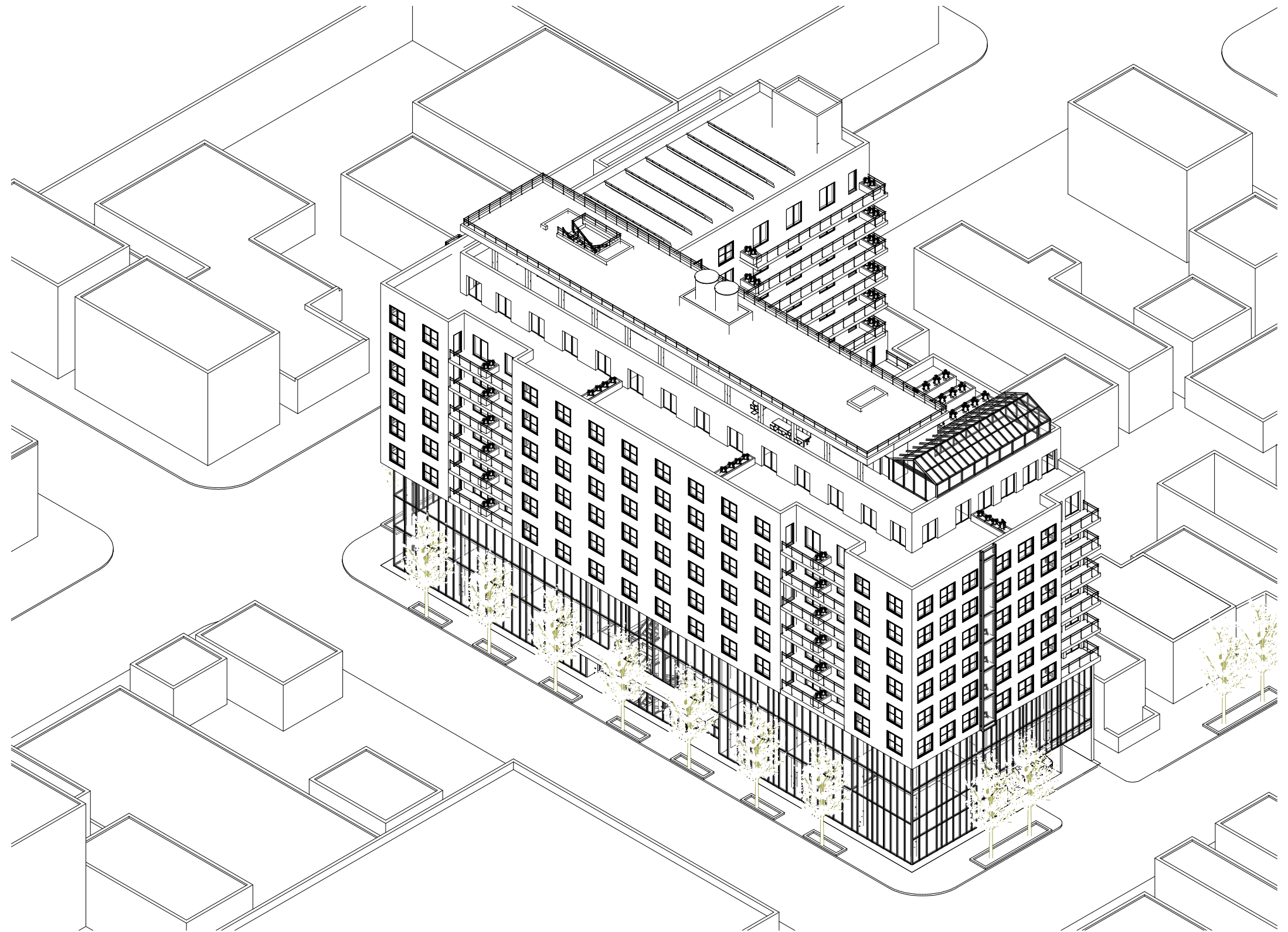
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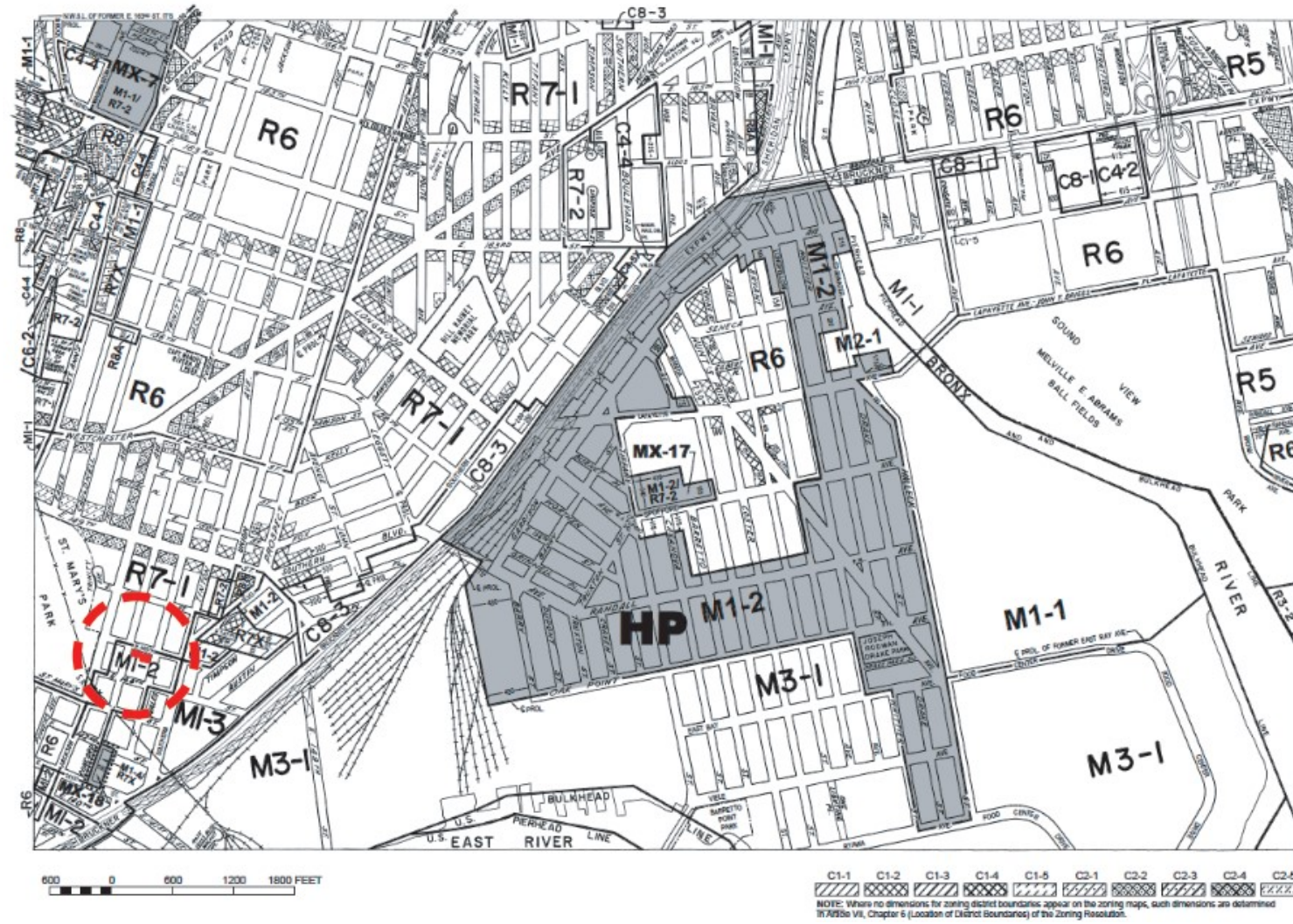
APPENDIX B

ARCHITECTURAL PLANS

DRAWING LIST :

- A - 01 SITE DATA
- A - 02 SITE LOCATION
- A - 03 LAND USE IN SITE AREA
- A - 04 PROPOSED LAND USE
- A - 05 SITE SURVEY LOT 9
- A - 06 SITE SURVEY LOT 8
- A - 07 PART OF LOT 9 TO BE TRANSFERED
- A - 08 SITE SURVEY LOT 7
- A - 09 SITE SURVEY LOT 14
- A - 10 SKETCHES
- A - 11 DIAGRAMS
- A - 12 DIAGRAMS
- A - 13 ZONING ANALYSIS
- A - 14 FLOOR AREA
- A - 15 RESIDENTIAL AREAS PER FLOOR
- A - 16 MIH AREAS
- A - 17 MIH APARTMENT DISTRIBUTION
- A - 18 OTHER AREAS
- A - 19 SITE PLAN
- A - 20 CELLAR PLAN
- A - 21 FIRST FLOOR PLAN
- A - 22 2ND FLOOR PLAN
- A - 23 3RD FLOOR PLAN
- A - 24 4TH FLOOR PLAN
- A - 25 5TH-9TH FLOORS PLAN
- A - 26 10TH FLOOR PLAN
- A - 27 ROOF PLAN
- A - 28 BULKHEAD PLAN
- A - 29 NORTH EAST ELEVATION
- A - 30 NORTH WEST ELEVATION
- A - 31 SOUTH EAST ELEVATION
- A - 32 SOUTH WEST ELEVATION
- A - 33 BUILDING SECTION
- A - 34 BUILDING SECTION
- A - 35 CONCORD AVE. AXONOMETRIC VIEW
- A - 36 WALES AVE. AXONOMETRIC VIEW
- A - 37 REAR AXONOMETRIC VIEW





SITE DATA

| | |
|--|--|
| ADDRESS | 438 Concord Avenue, Bronx, NY10045 (Lot 9) 435 Wales Avenue, Bronx, NY10045 (Lot 14) 434 Concord Avenue, Bronx, NY10045 (Lot 8) 432 Concord Avenue, Bronx, NY11045 (Lot 7) |
| BLOCK, LOT | 2577, 9 2577, 14 2577, 8 2577, 7 |
| ZONING DISTRICT | M1-2 |
| ZONING MAP | 6C |
| COMMUNITY DISTRICT | Bronx Community District 1 |
| LOT DIMENSIONS | Lot 9: Rectangular 77'-8 13/16" x 100'-0" Lot 14: Rectangular 127'- 8 7/8" x 100'-0" Lot 8: Rectangular 25' x 100' Lot 7: Rectangular 25' x 100' |
| LOT AREA | Lot 9: 7,774 SF per survey (- 604 SF to be transferred to lot 8) Lot 14: 12,774 SF per survey Lot 8: 2,500 SF per survey (+ 604 SF to receive from lot 9) Lot 7: 2,500 SF per survey Total area: 25,548 SF |
| FEMA FIRM MAP | 3604970091F, ZONE X, area of minimal flood hazard |
| LANDMARK BUILDING | NO |
| LITTLE "E" DESIGNATION | NO |
| LANDMARK DESIGNATED BUILDING WITHIN 90'-0" RADIUS OF SITE SUBJECT TO TPPN 10/88 | NO |
| M. T. A. / AMTRAK APPROVAL | NO SITE > 200 FT FROM SUBWAY |
| HISTORIC DISTRICT | NO |
| PROPOSED ZONING | Special Mixed Use District (MX) - R7D / M1-4 |
| QUALITY HOUSING | YES |

| | | |
|-------------|------------------------|------------------------|
| | ZONING DISTRICT | PROPOSED ZONING |
| | M1-2 | R7D/M1-4 |
| USES | 4-14, 16, 17 | 2-14, 16, 17 |

| MAX FAR BY USE | | |
|----------------|---|-----|
| MANUFACTURING | 2 | 2 |
| RESIDENTIAL* | 0 | 5.6 |
| TOTAL MAX FAR | 2 | 5.6 |

| HEIGHT | | |
|------------|-------------------------------|---------------------|
| BASE | 60' - 4 STORIES | 95'** |
| MAX HEIGHT | DEFINED BY SKY EXPOSURE PLANE | 115' - 11 STORIES** |

| OTHER | | |
|----------------------|---|---|
| PARKING REQUIREMENTS | NONE REQUIRED | 50% OF DWELLING UNITS |
| LOADING REQUIREMENTS | NONE FOR SMALLER BUSINESSES, REDUCED FOR LARGER | NONE FOR SMALLER BUSINESSES, REDUCED FOR LARGER |

*Includes Mandatory Inclusionary Housing
**With Qualifying Ground Floor

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Marina della Paolera ADE HMONP

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AS SHOWN

SITE DATA
A - 01



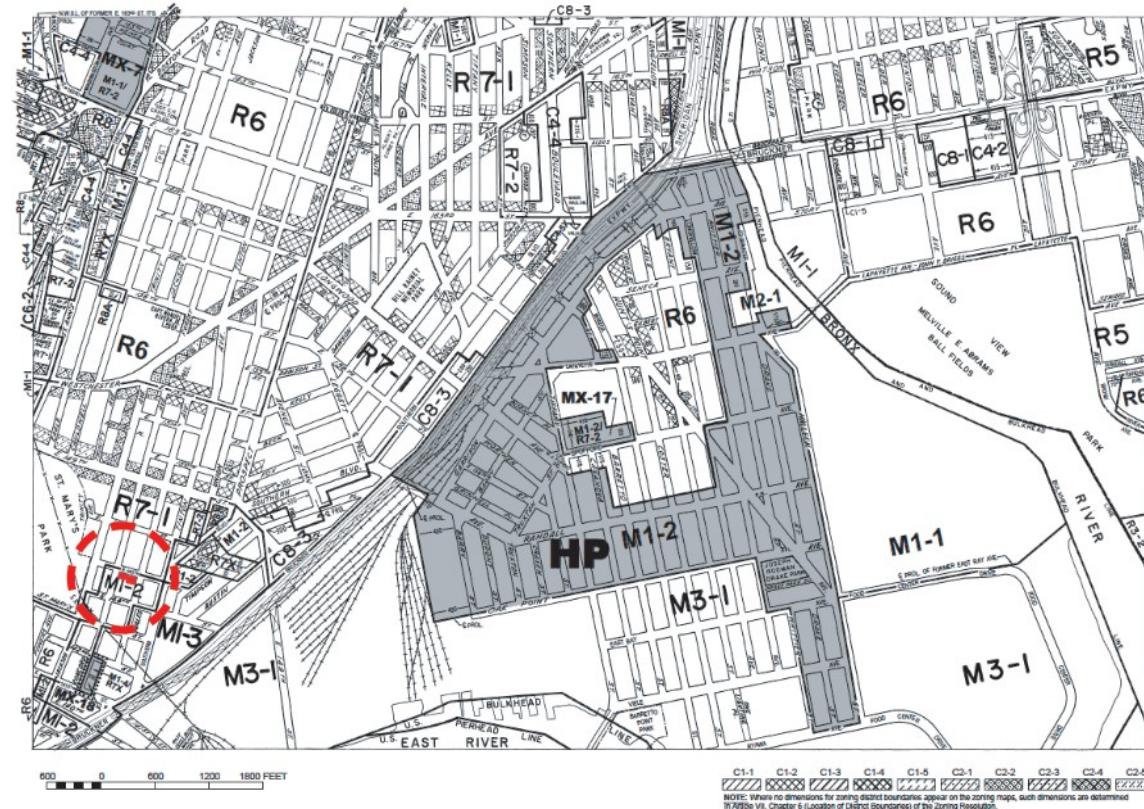
Map data ©2020 Google 2000 ft

1 SITE LOCATION



Imagery ©2020 Google, Map data ©2020 200 ft

3 AERIAL VIEW OF SITE AREA



2 ZONING MAP

ZONING MAP
THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:
The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT
C – COMMERCIAL DISTRICT
M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designate the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:
10-17-2019 C 190336 ZMK

Special Requirements:
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

| | | |
|----|----|----|
| 3b | 3d | 4b |
| 6a | 6c | 7a |
| 6b | 6d | 7b |

MAP KEY

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NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the zoning section of the Department of City Planning website: www.nyc.gov/department-of-city-planning or contact the zoning information desk at (212) 720-3251.



4 STREET VIEW: CONCORD AVE. AND I45TH ST.

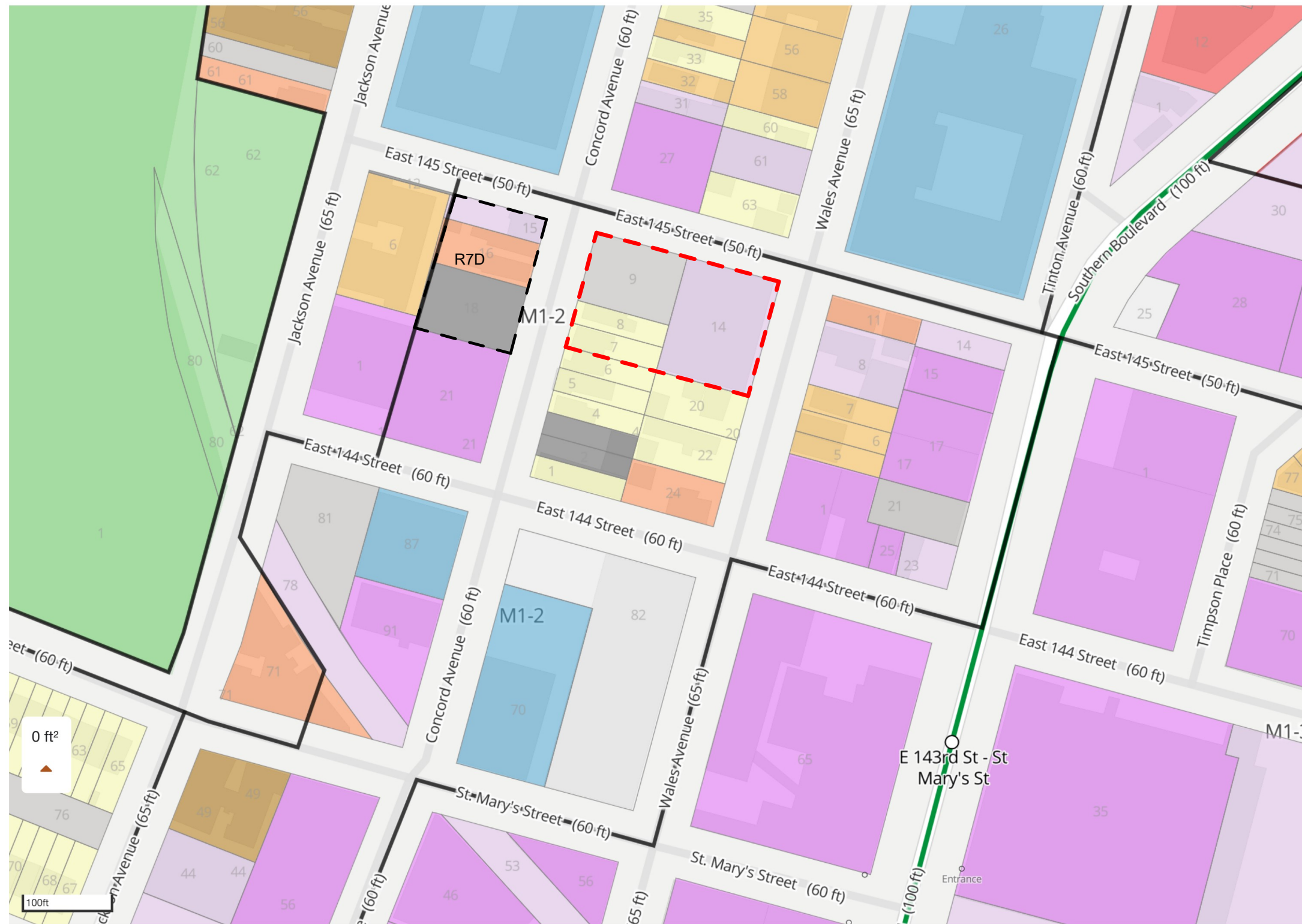
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SITE LOCATION

A - 02



Zoning and Land Use

- Tax Lots
- One & Two Family Buildings
 - Multi-Family Walk-Up Buildings
 - Multi-Family Elevator Buildings
 - Mixed Residential & Commercial Buildings
 - Commercial & Office Buildings
 - Industrial & Manufacturing
 - Transportation & Utility
 - Public Facilities & Institutions
 - Open Space & Outdoor Recreation
 - Parking Facilities
 - Vacant Land
 - Other

Zoning Districts

- Commercial Districts
 - Manufacturing Districts
 - Residence Districts
 - Parks
 - Battery Park City
- Commercial Overlays
- C1-1 through C1-5
 - C2-1 through C2-5

Basemaps

- Subways
- Building Footprints

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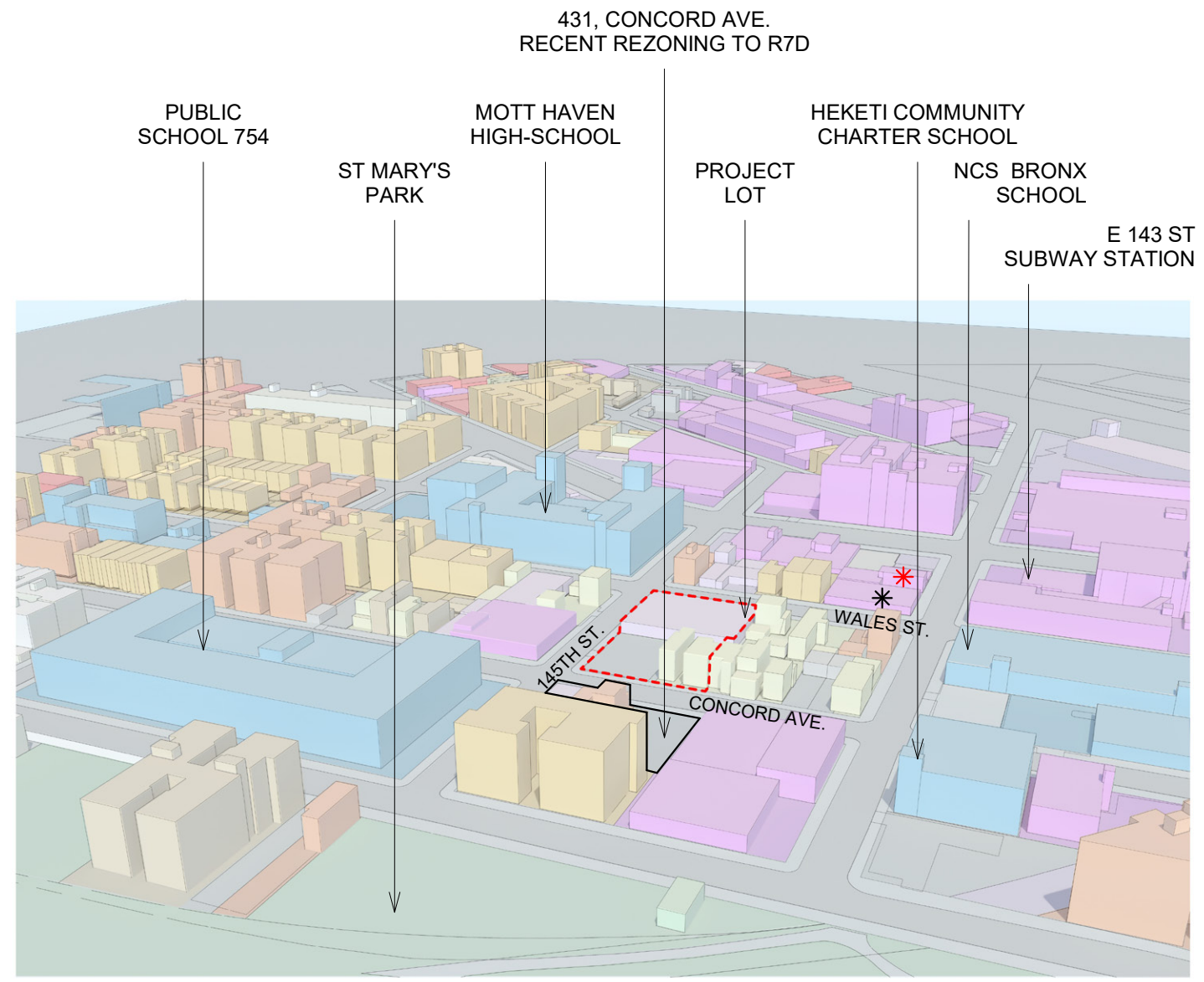
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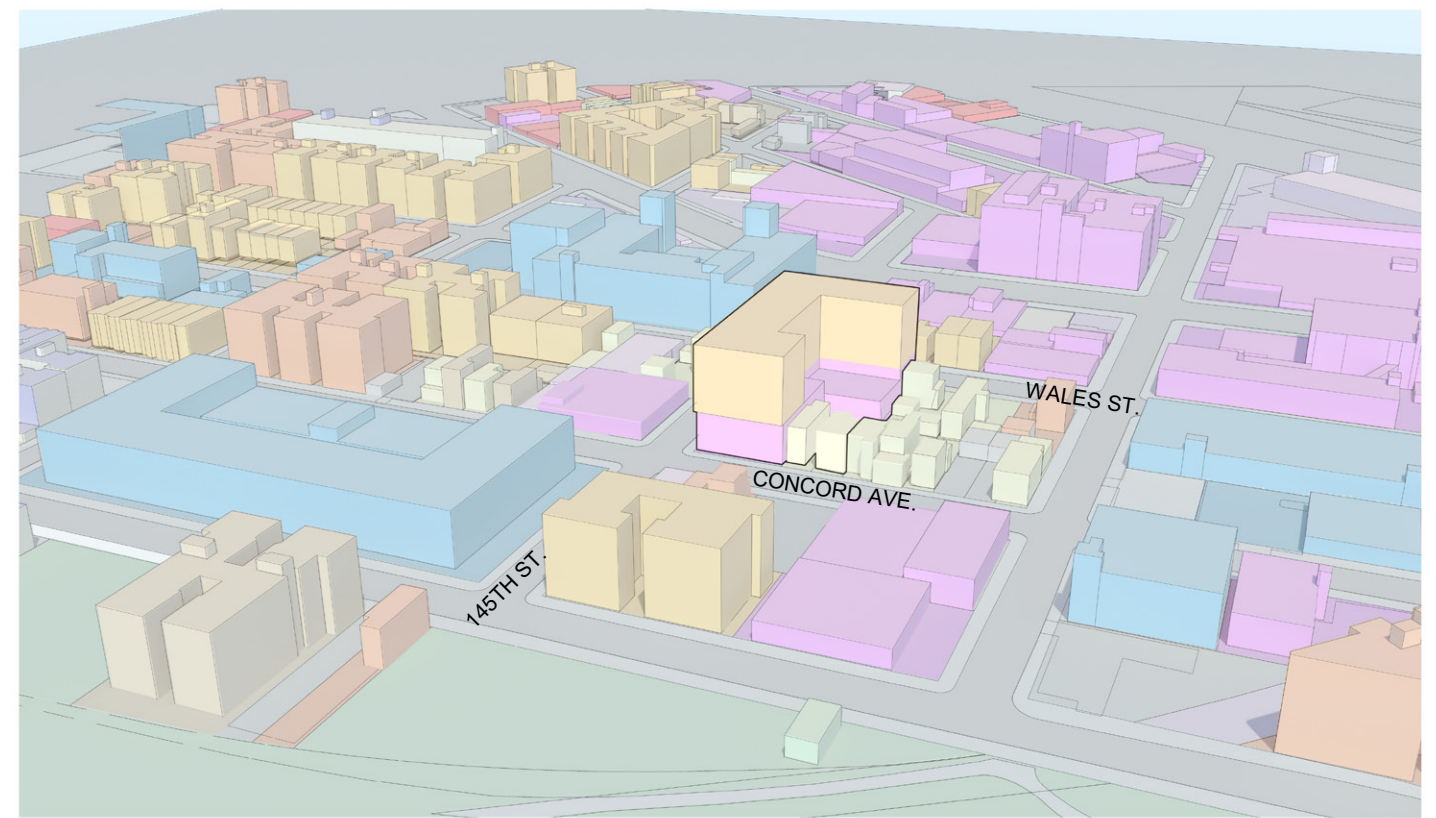
LAND USE IN SITE AREA

A - 03

- One & Two Family Buildings
- Multi-Family Walk-Up Buildings
- Multi-Family Elevator Buildings
- Mixed Residential & Commercial Buildings
- Commercial & Office Buildings
- Industrial & Manufacturing
- Transportation & Utility
- Public Facilities & Institutions
- Open Space & Outdoor Recreation
- Parking Facilities
- Vacant Land
- Other



Existing Land Use



Proposed Land Use

- * 785 E 144 ST - Warehouse - Owner : My Hub Studios
- * 789 E 144 ST - Commercial Unit + 2 Residential Units (grandfather residential use) - Owner : My Hub Studios

JOB NUMBER: X2577-9

PROPERTY ADDRESS:

438 CONCORD AVENUE

TITLE NUMBER:

TITLE PURPOSES ONLY



NOTES:

OFFSETS AND/OR DIMENSIONS SHOWN BETWEEN THE STRUCTURES AND PROPERTY LINES ARE FOR SPECIFIC PURPOSE AND USE AND THEREFORE ARE NOT INTENDED TO GUIDE ERECTION OF FENCES, RETAINING WALLS, POOLS, PLANTING AREAS, ADDITIONS TO STRUCTURES, SHEDS, GARAGES AND ANY OTHER CONSTRUCTION. THE USER OF THIS SURVEY EXPRESSLY AGREES AND UNDERSTANDS THAT SHOULD JAROSLAW KRAWCZYK OR KABA LAND SURVEYING, P.C. BE FOUND Liable IN A COURT OF LAW FOR ERRORS OR EMISSIONS ARISING FROM THIS SURVEY THAT THE LIMIT OF LIABILITY IS THE PRICE PAID FOR THIS SURVEY. DO NOT USE THIS SURVEY UNLESS YOU AGREE AND CONSENT TO ALL OF THE ABOVE. PLUMBNESS OF WALLS NOT VERIFIED. UNDERGROUND AND SIDEWALK VAULTS NOT LOCATED AS PART OF THIS SURVEY. PROPERTY CORNER MONUMENTS WERE NOT PLACED AS PART OF THIS SURVEY. THIS SURVEY HAS BEEN PREPARED WITHOUT A FULL ABSTRACT OF TITLE. OTHER AGREEMENTS, COVENANTS, AND/OR RESTRICTIONS AFFECTING AND/OR BENEFITTING PARCEL SURVEYED, IF ANY, NOT INDICATED HEREON. EASEMENTS IF ANY IF NOT SHOWN ON THIS SURVEY ARE NOT GUARANTEED. SOME DIMENSIONS, FEATURES AND/OR LOCATIONS MAY NOT BE DRAWN TO SCALE TO PROVIDE CLARITY.

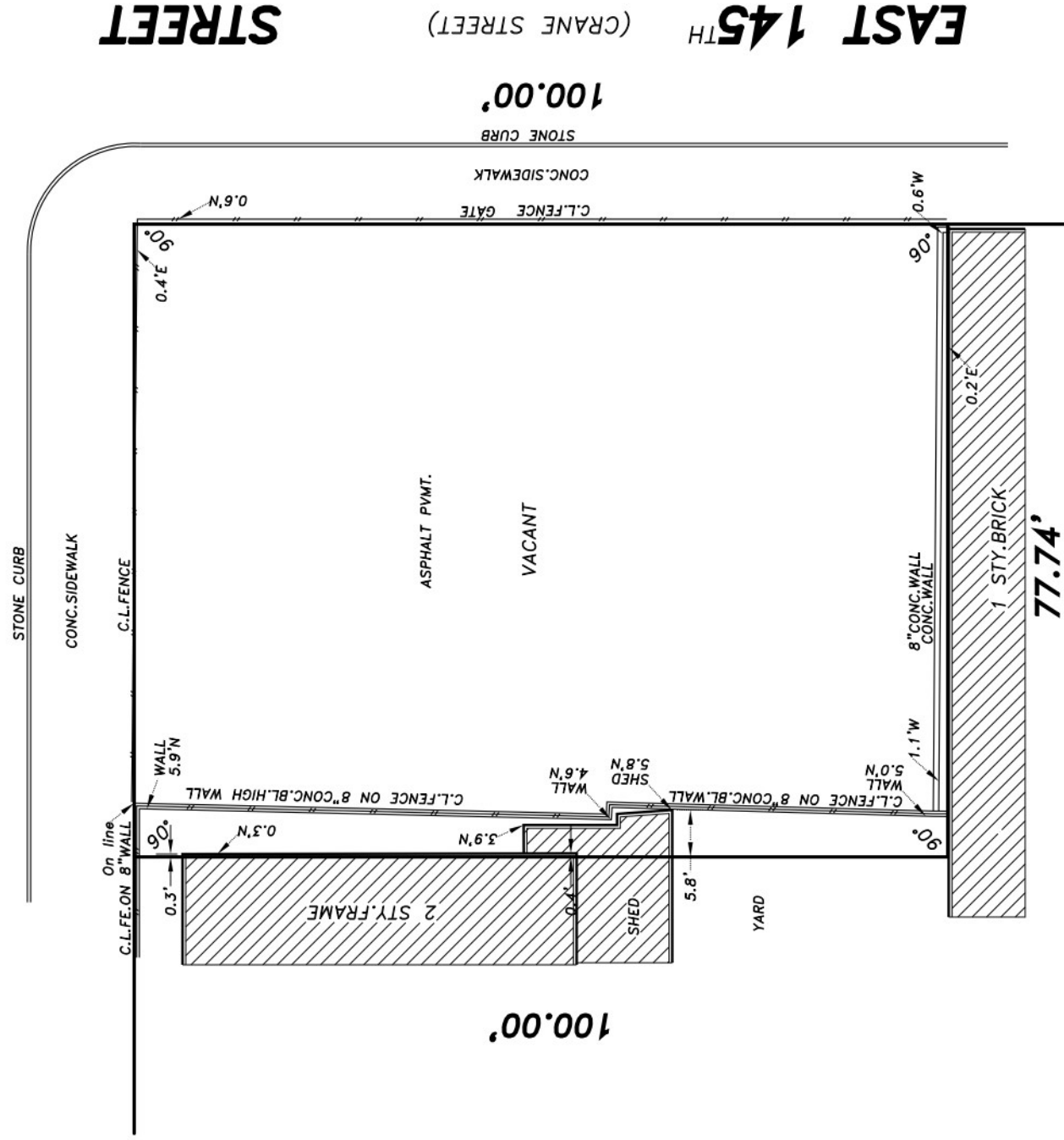
| | | | | |
|---------------------|---------------------|-------------------|------------|------------------------|
| FENCES | C.L.FENCE | METAL FENCE | WOOD FENCE | CITY MONUMENT |
| UTILITY POLE | UP. | GUY WIRE | UP. | CUT CROSS |
| CATCH BASIN | C.B. | WITH INLET | C.B. | SET NAIL |
| PARKING METER | T.L. | WITH STREET LIGHT | F.M. | SET STAKE |
| TRAFFIC LIGHT | TR. | | | SET MARK (PAINTED) |
| LIGHT | | | | SET BENCHMARK |
| STREET LIGHT | HYD. | | | FIRE ESCAPE |
| FIRE HYDRANT | SIAMISE CONNECTION | | | PLATFORM |
| SIAMISE CONNECTION | SHUT OFF VALVE | GV. | GV. | CELLAR ENTRANCE |
| SHUT OFF VALVE | HANDICAPPED PARKING | | | AIR WAY |
| HANDICAPPED PARKING | EXISTING TREE | | | CONCRETE |
| EXISTING TREE | DRAINS | DR. | DR. | PAVEMENT |
| DRAINS | TRAFFIC SIGN | | | AIR CONDITION |
| TRAFFIC SIGN | CURB AND CURB CUT | | | METAL |
| CURB AND CURB CUT | OVERHEAD SERVICE | | | NORTH OF PROPERTY LINE |
| OVERHEAD SERVICE | CABLE TV MANHOLE | | | SOUTH OF PROPERTY LINE |
| CABLE TV MANHOLE | MANHOLES | G | E | EAST OF PROPERTY LINE |
| MANHOLES | | T | W | WEST OF PROPERTY LINE |

CONCORD

77.74'

AVENUE

STREET



PH: 718-354-7279 718-470-2358
FX: 718-247-5854 516-280-4855
338 JERICHO TURNPIKE
FLORAL PARK, NY 11001
SURVEYS@KABAPLS.COM

BOROUGH: BRONX
TOWN: THE BRONX
BLOCK: 2577 LOT: 9



SURVEYED & GUARANTEED FOR:
438 Concord Realty LLC

SURVEYED:
DECEMBER 5, 2018

Jaroslaw W. Krawczyk

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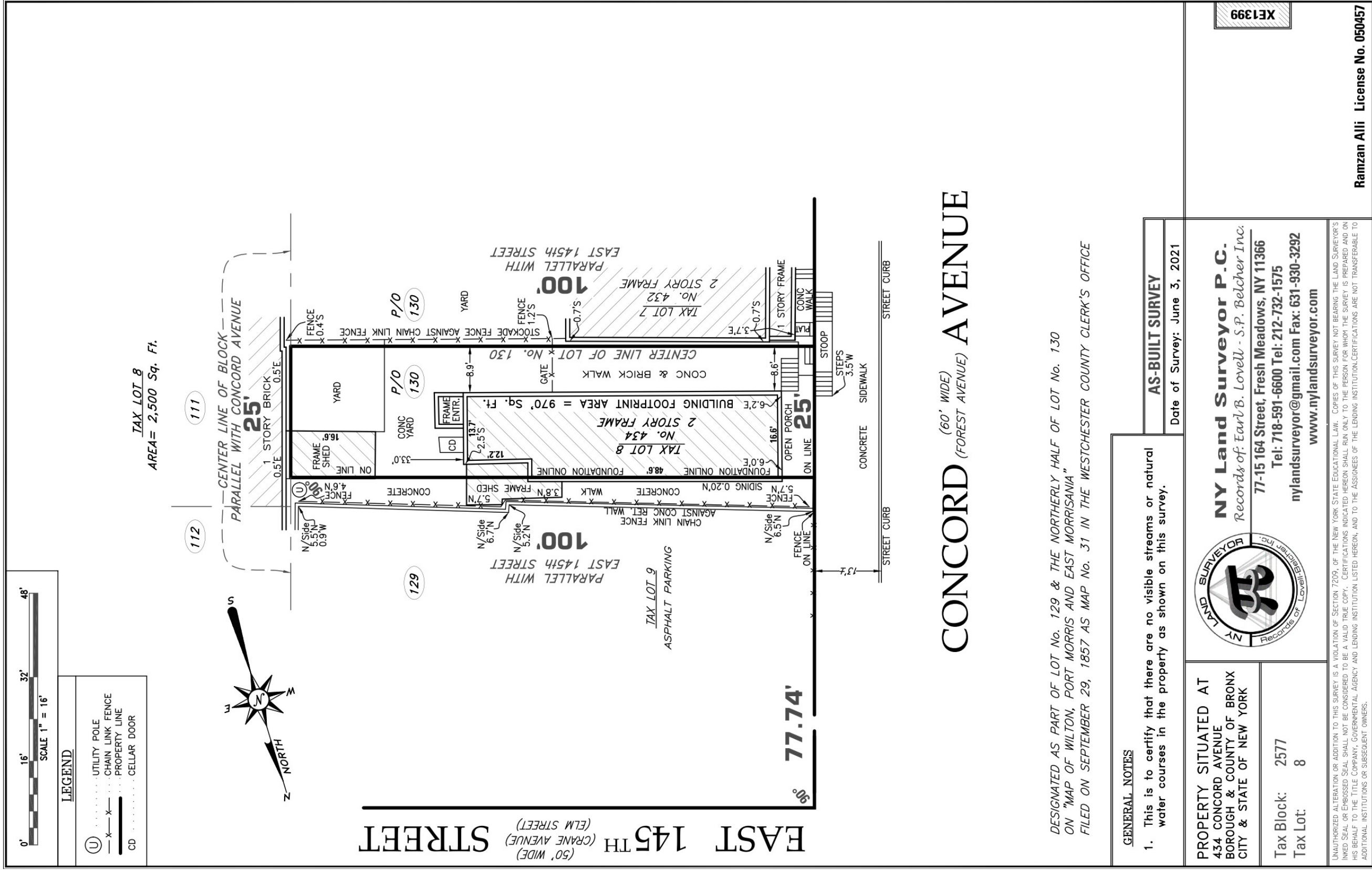
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SITE SURVEY LOT 9

A - 05



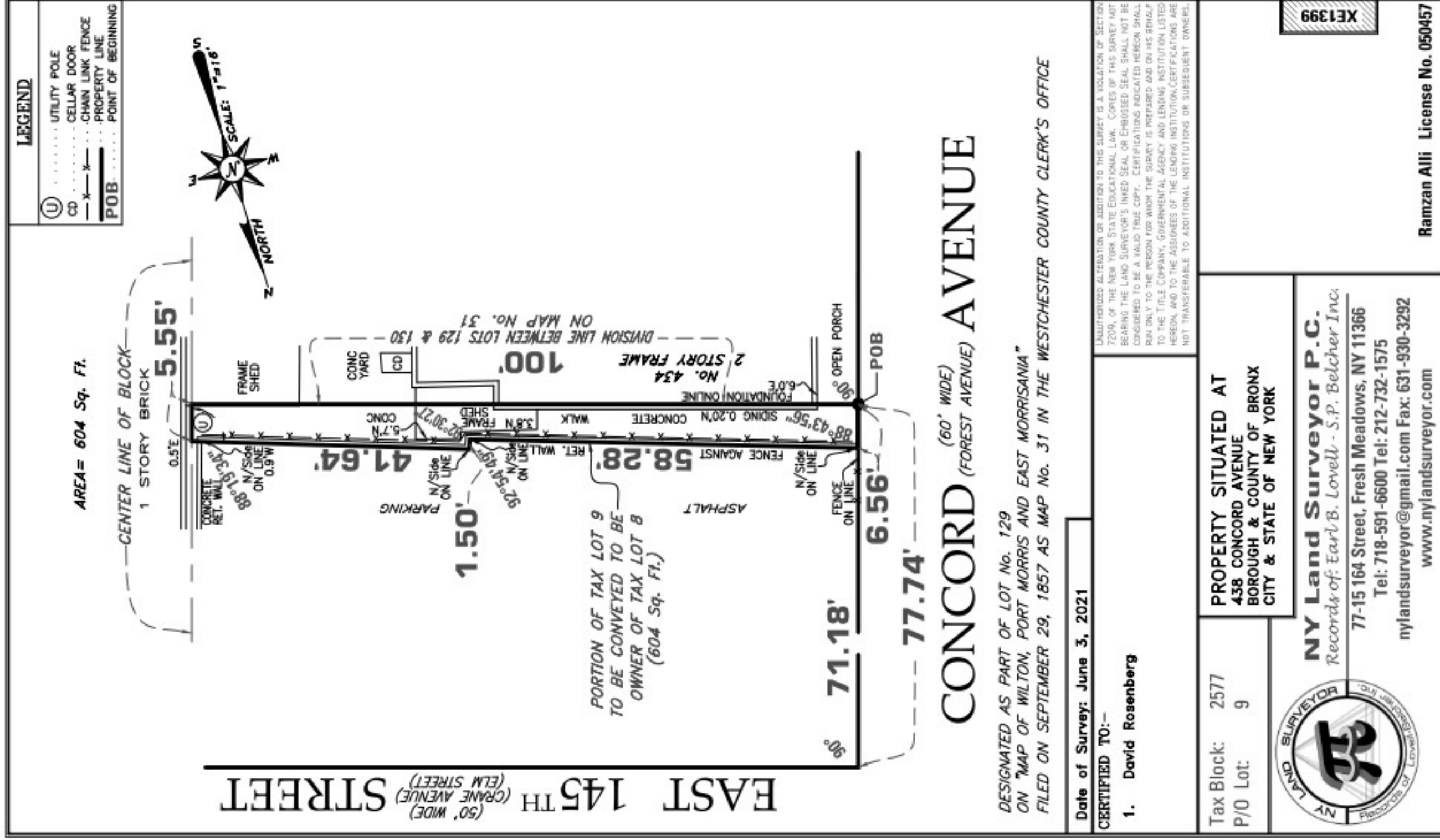
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SITE SURVEY LOT 8

A - 06



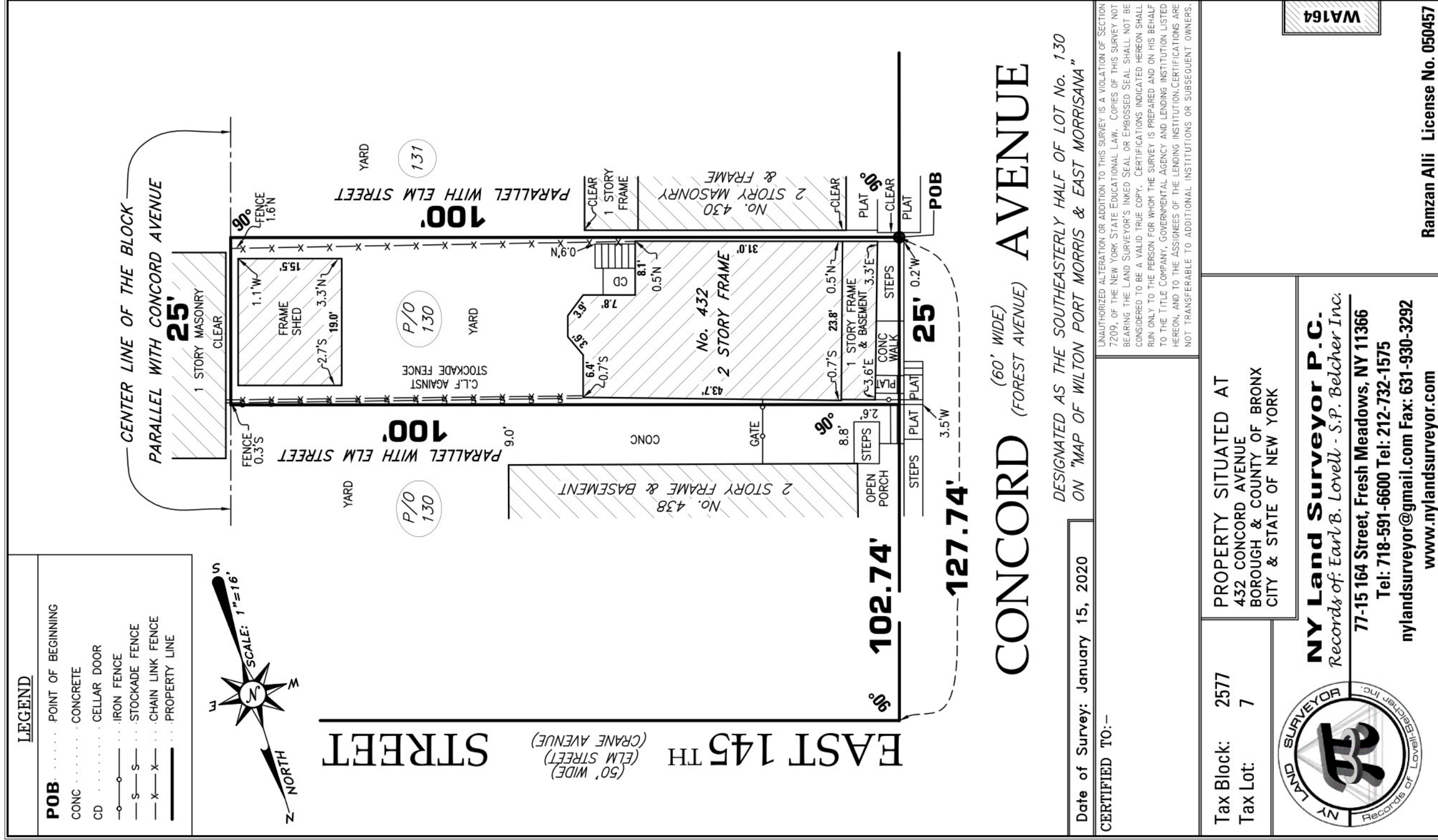
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PART OF LOT 9 TO BE
TRANSFERRED

A - 07

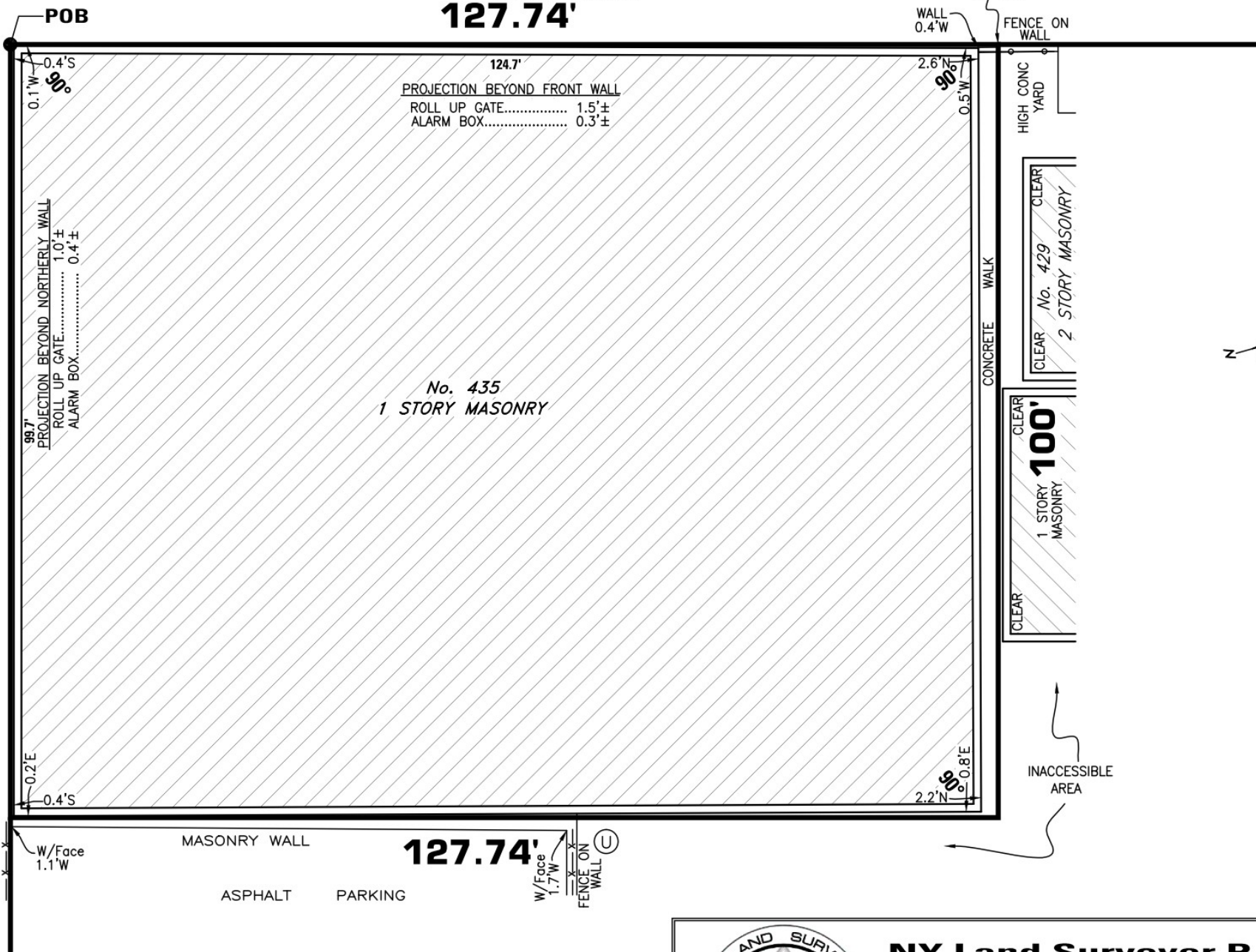


WALES AVENUE

(65' WIDE)
(BEACH AVENUE)
(TINTON AVENUE)

127.74'

EAST 145TH STREET
(50' WIDE)
(ELM STREET)
(CRANE AVENUE)
100'



| LEGEND | |
|--------|--------------------|
| | IRON FENCE |
| | CHAIN LINK FENCE |
| | PROPERTY LINE |
| | POINT OF BEGINNING |



DESIGNATED AS LOT Nos. 111 & 112
ON "MAP OF WILTON PORT MORRIS AND EAST MORRISANIA"

| | |
|------------------------|---|
| Tax Block: 2577 | PROPERTY SITUATED AT 435 WALES AVENUE BOROUGH & COUNTY OF BRONX CITY & STATE OF NEW YORK |
| Tax Lot: 14 | |

| |
|--|
| Date of Survey: September 22, 2020 |
| CERTIFIED TO:- BronxCo, LLC Vintage Abstract Corp. First American Title Insurance Company |

NY Land Surveyor P.C.
Records of: Earl B. Lovell - S.P. Belcher Inc.
77-15 164 Street, Fresh Meadows, NY 11366
Tel: 718-591-6600 Tel: 212-732-1575
nylandsurveyor@gmail.com Fax: 631-930-3292
www.nylandsurveyor.com



Ramzan Alli License No. 050457

WJ2002

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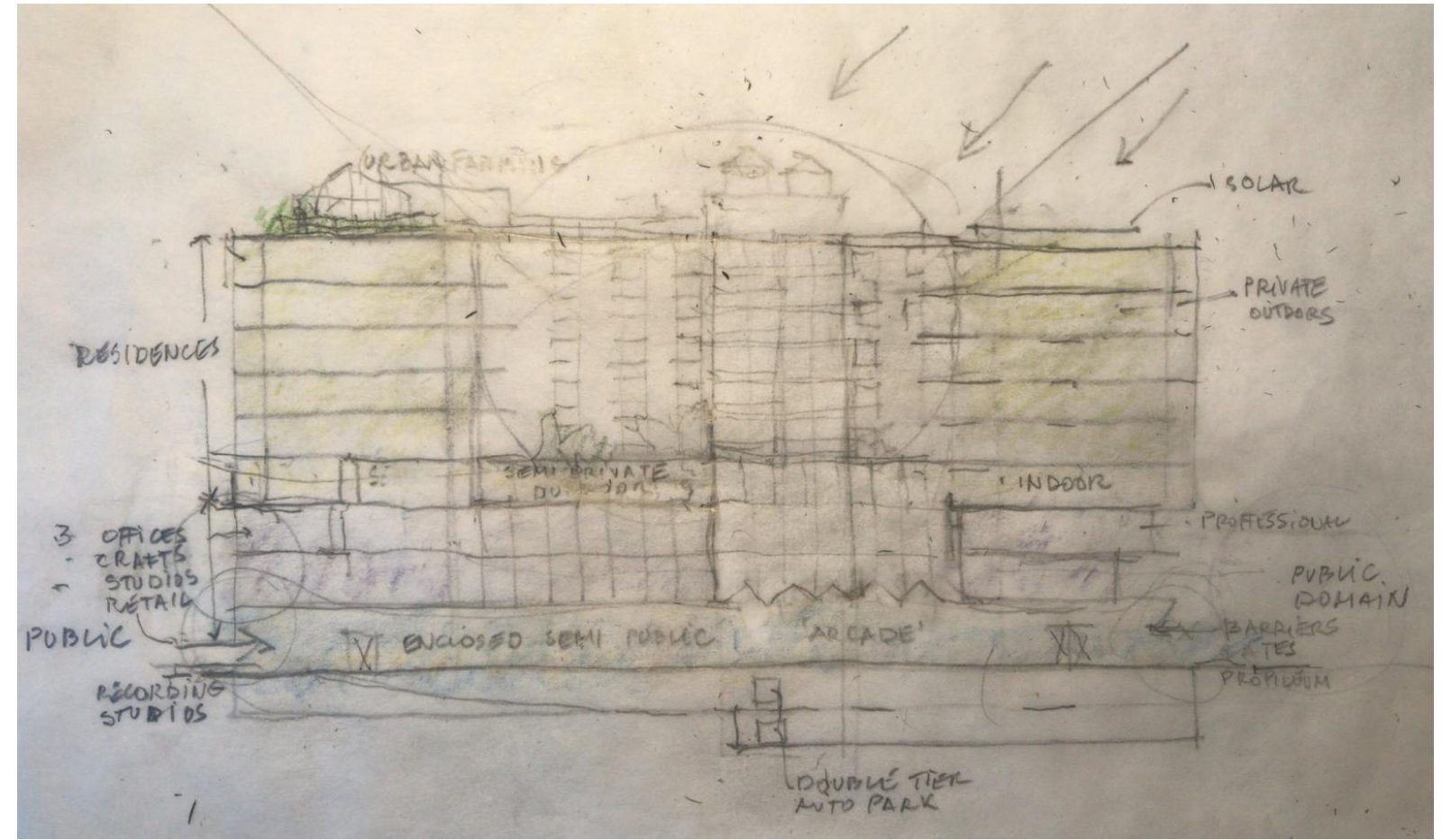
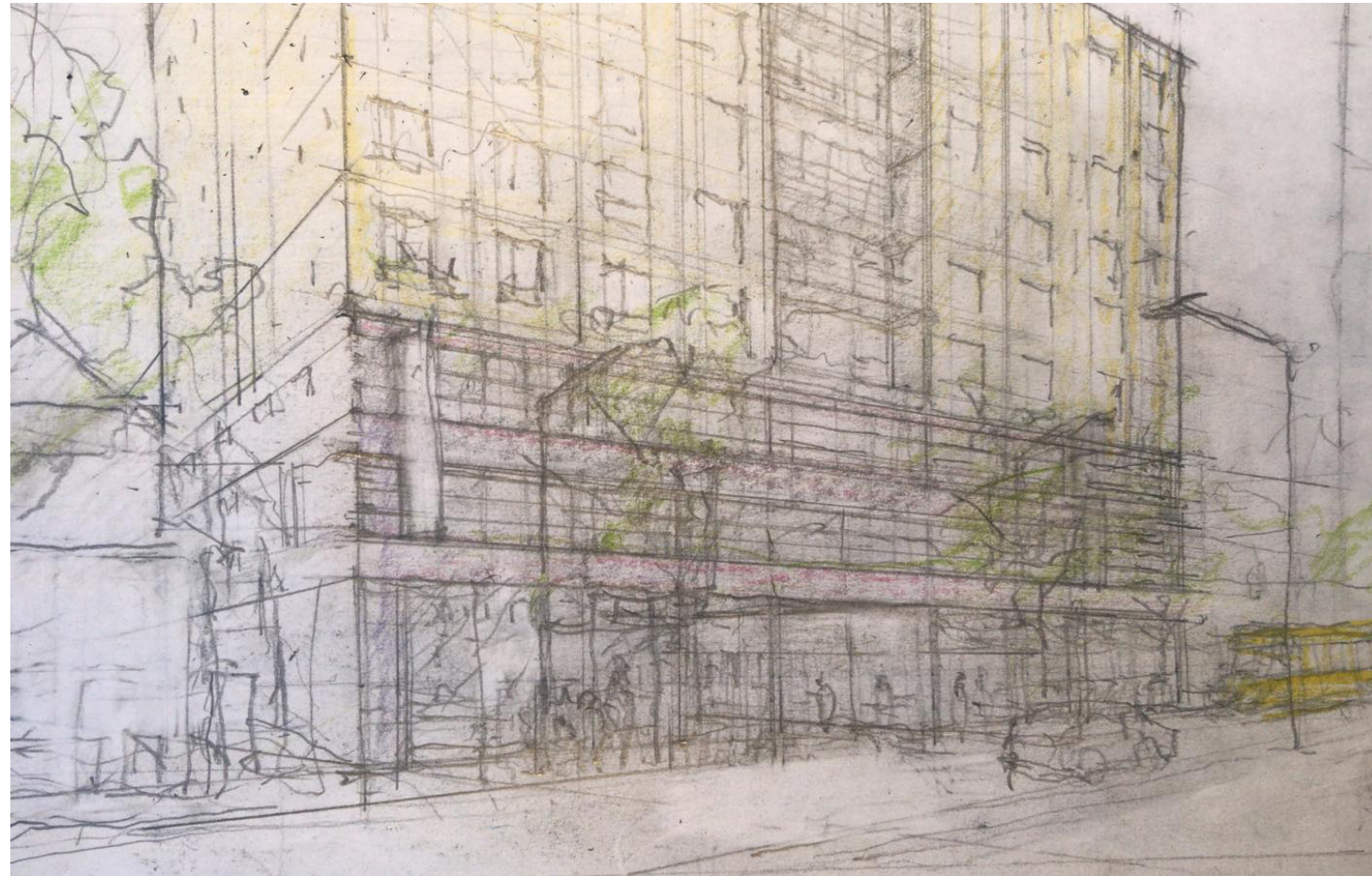
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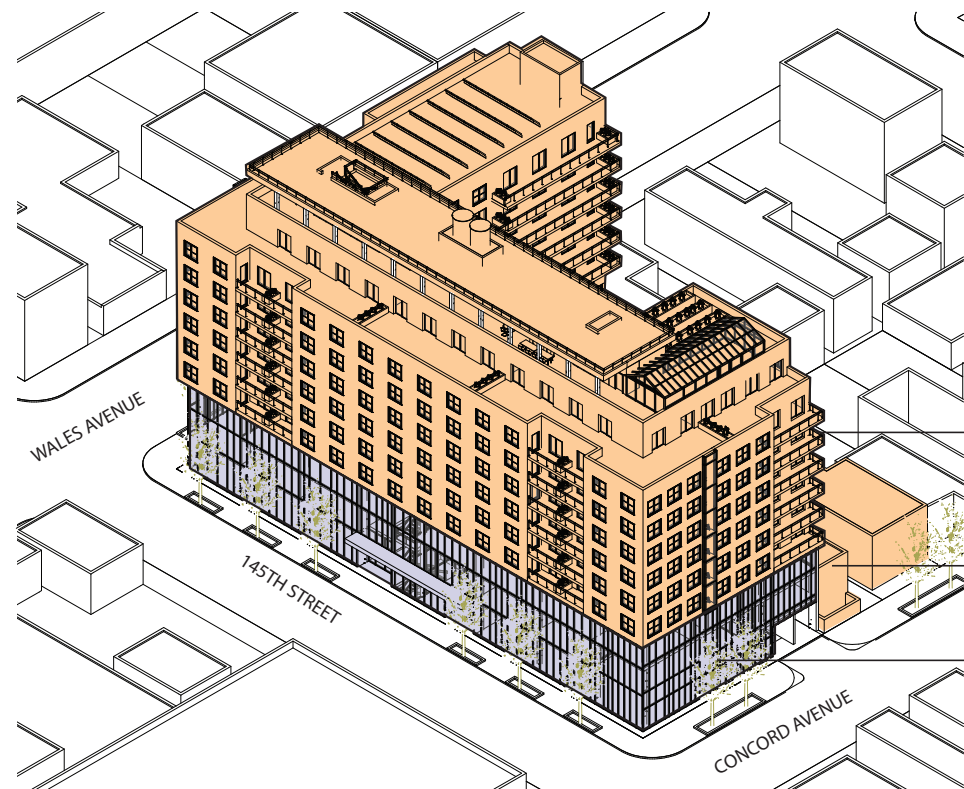
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SITE SURVEY LOT 14

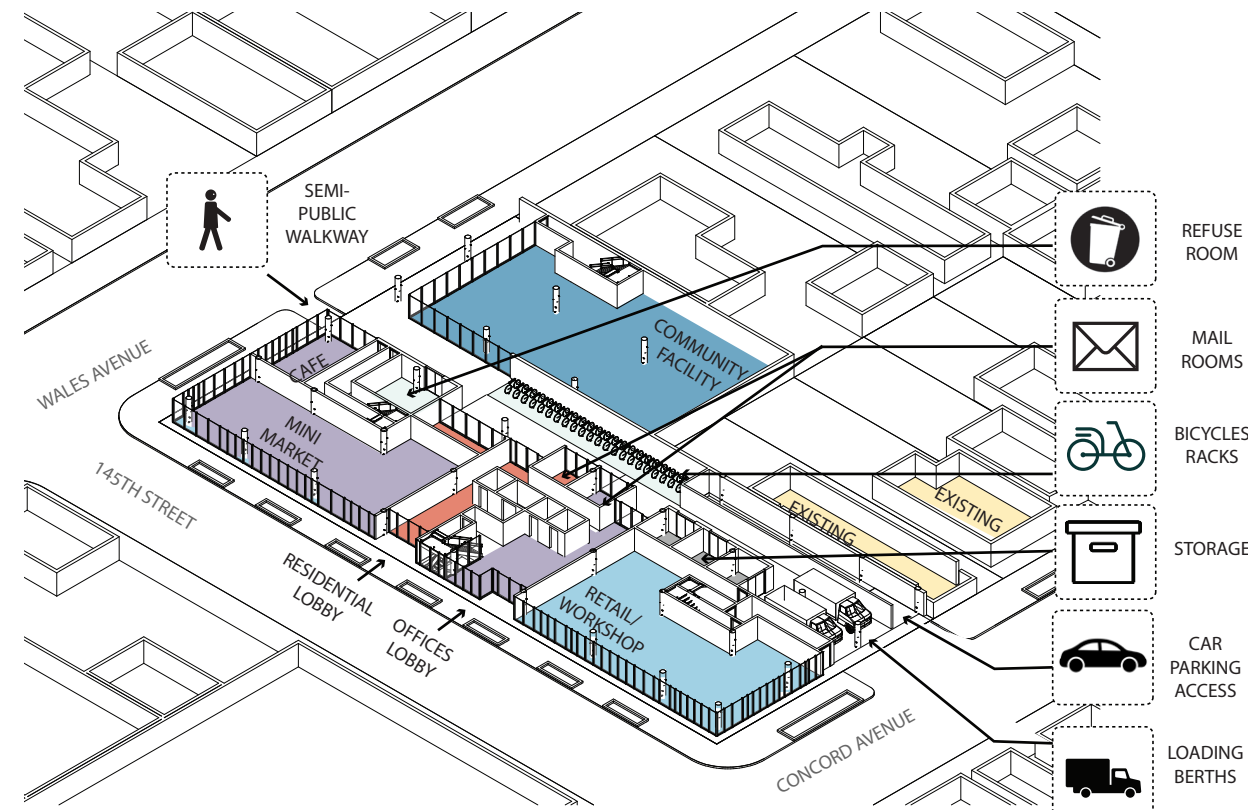
A - 09



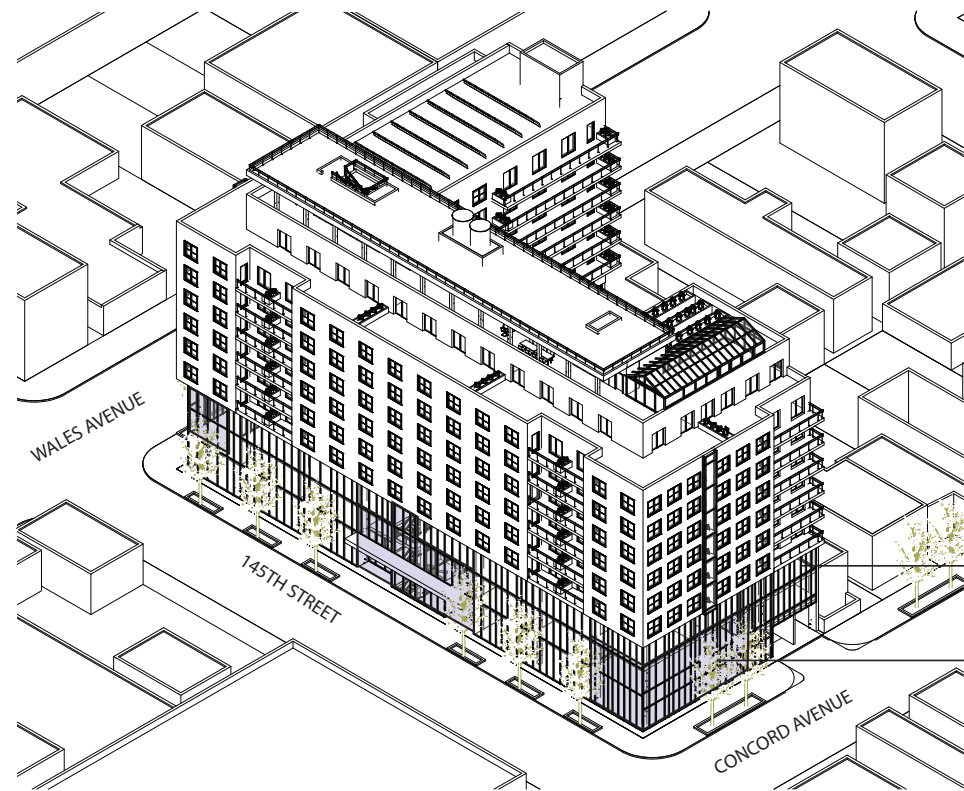


A MIXED-USE BUILDING

- RESIDENTIAL
- EXISTING RESIDENTIAL BUILDING ON LOTS 8 AND 7 TO REMAIN
- LIGHT MANUFACTURING
- OFFICES
- CRAFTS
- RECORDING STUDIOS
- RETAIL
- COMMUNITY FACILITY

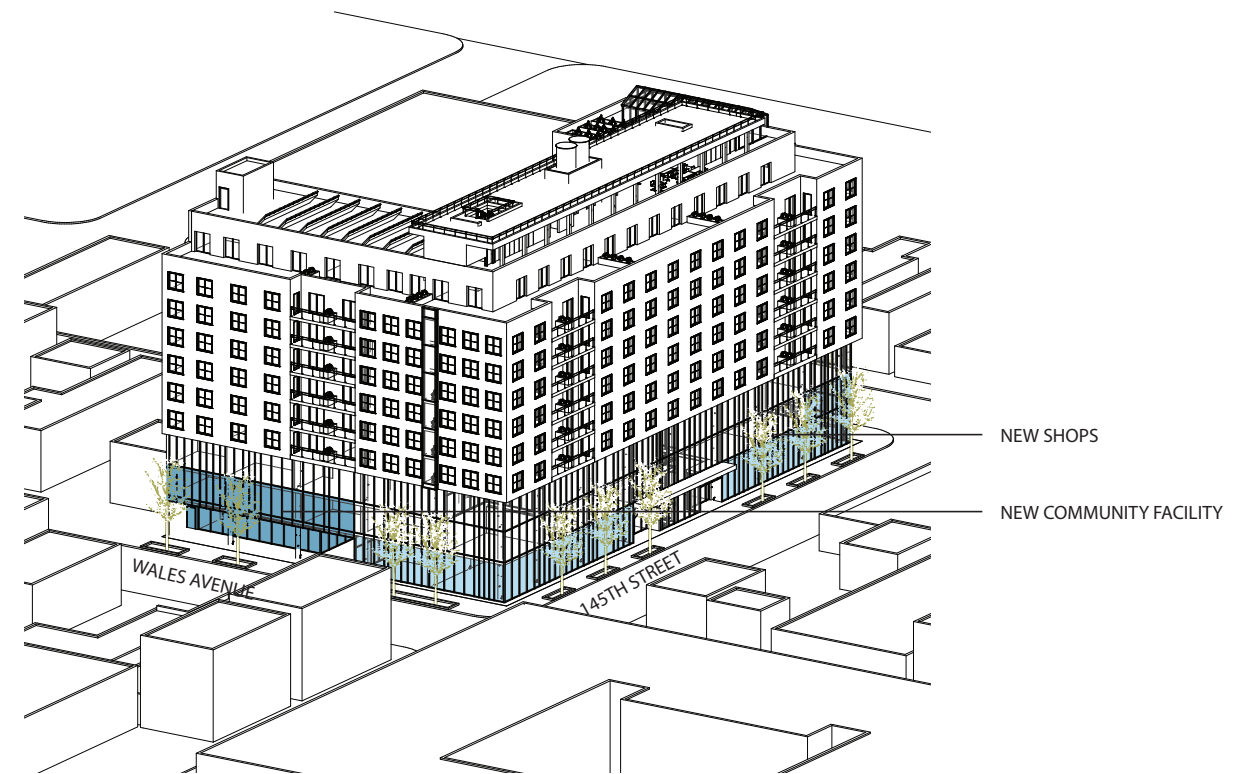


MAIN ENTRANCES 1ST FLOOR



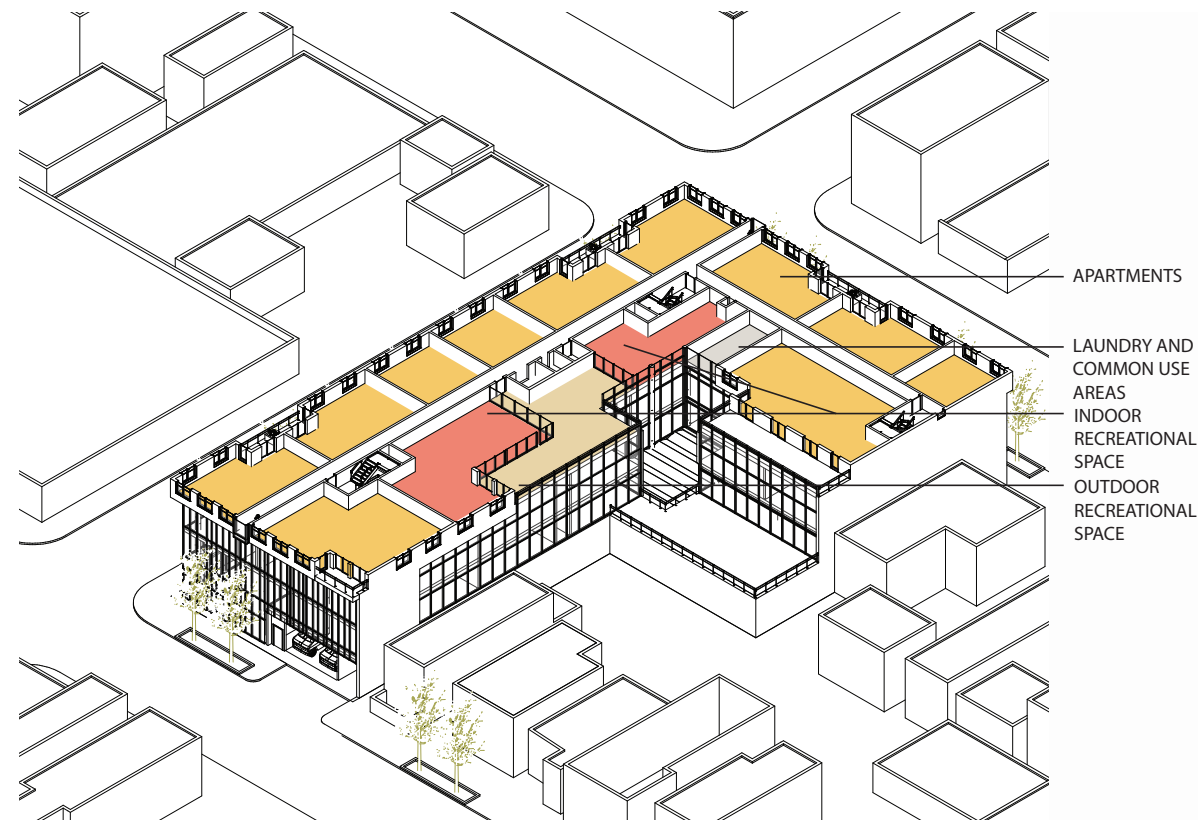
TRANSPARENCY AND PERMEABILITY

- TRANSPARENT AND/OR OPAQUE PANELS
- TRANSPARENCY AND PERMEABILITY OF LIGHT AND COLOR
- DOUBLE HEIGHTS ANIMATE THE FACADE AND CREATE QUALITY INTERIOR SPACES



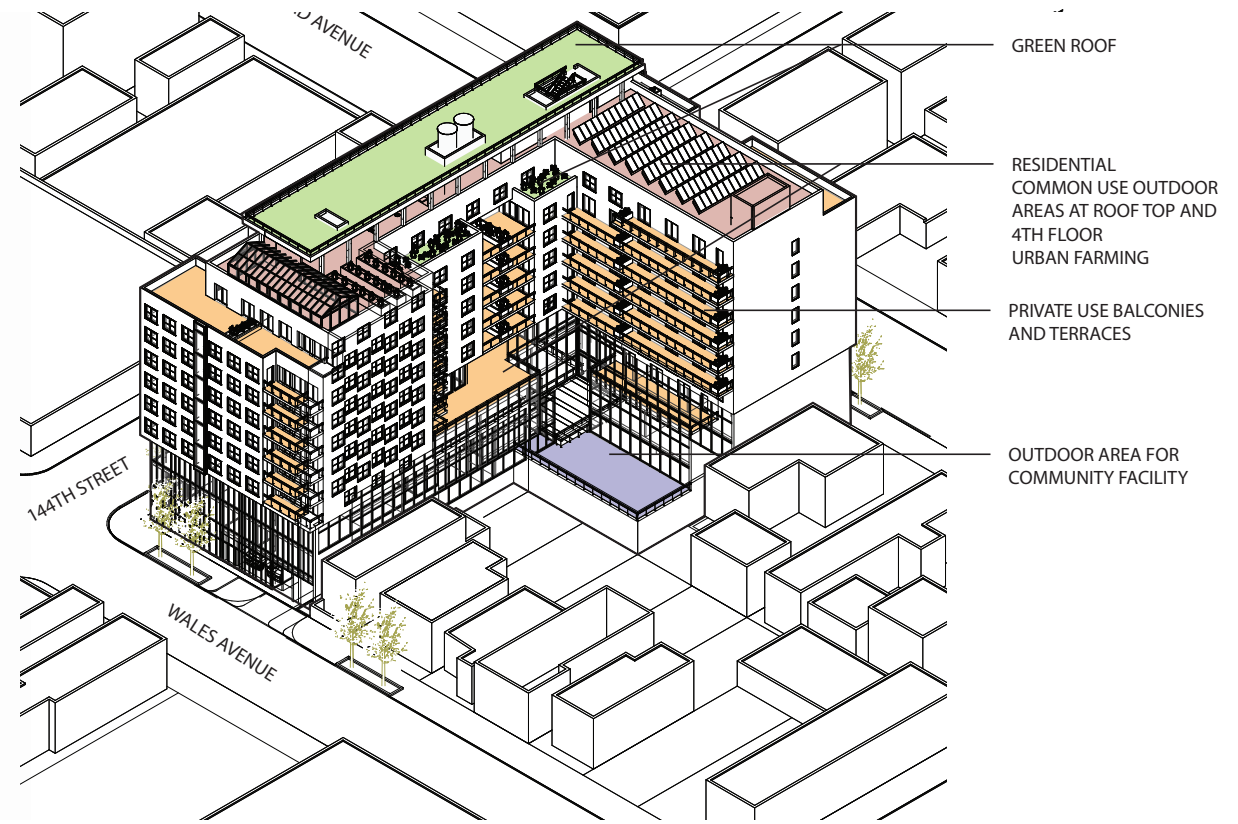
NEW COMMUNITY FACILITY AND SHOPS

- NEW SHOPS
- NEW COMMUNITY FACILITY



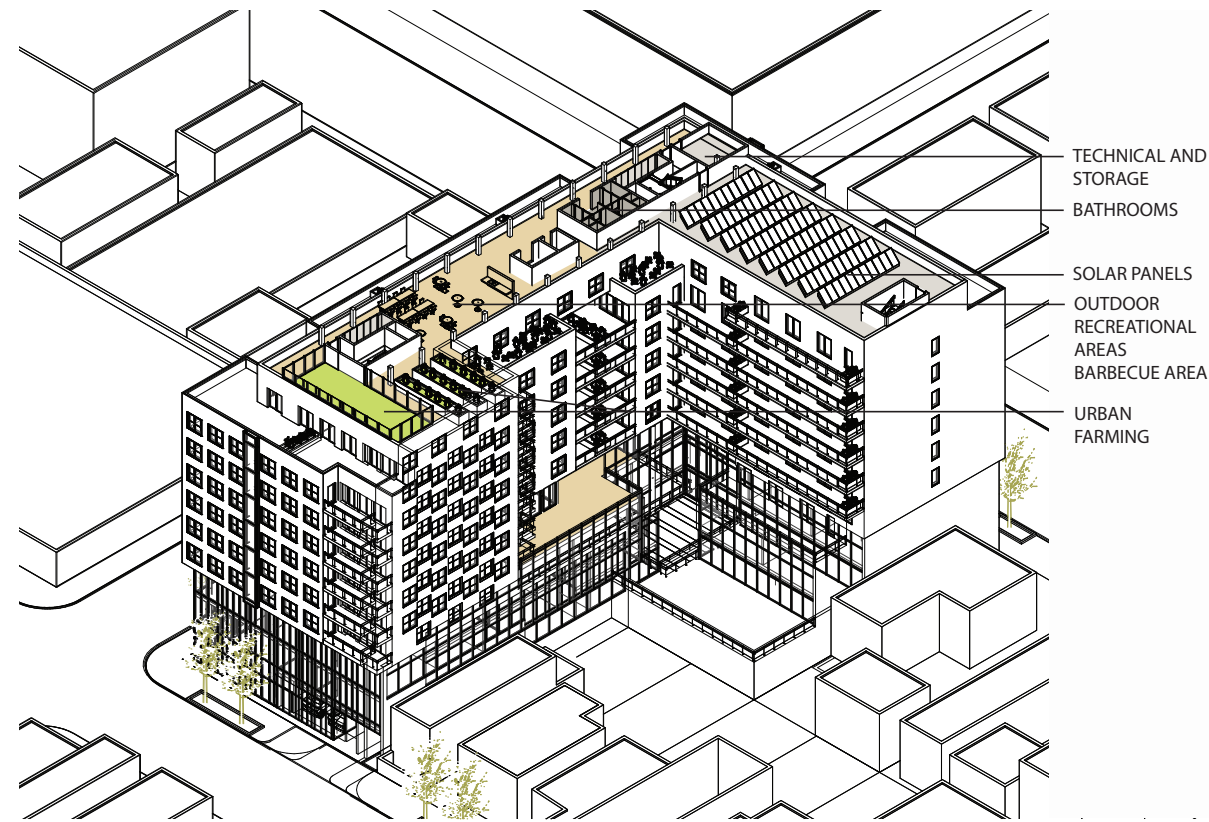
RESIDENTIAL COMMON USE AREAS - 4TH FLOOR

- APARTMENTS
- LAUNDRY AND COMMON USE AREAS
- INDOOR RECREATIONAL SPACE
- OUTDOOR RECREATIONAL SPACE



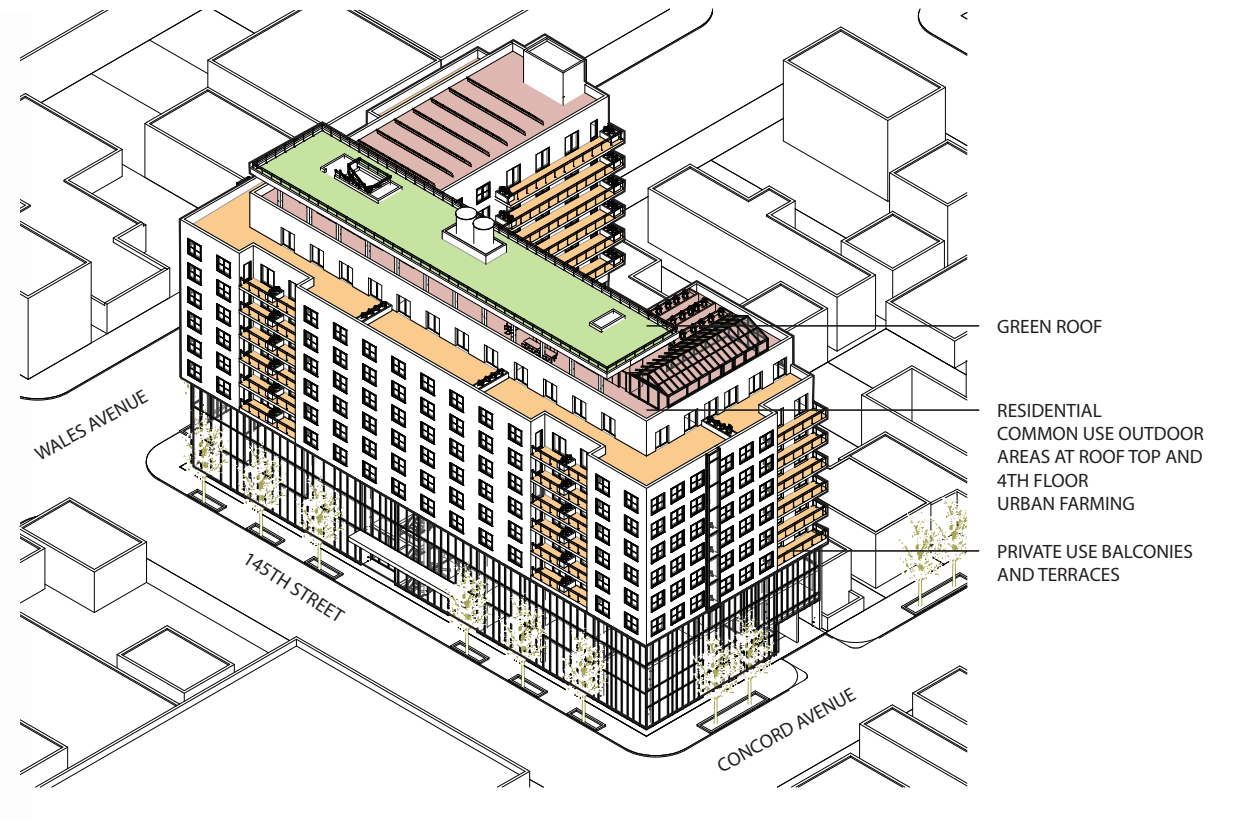
EXTERIOR SPACE - REAR VIEW

- GREEN ROOF
- RESIDENTIAL COMMON USE OUTDOOR AREAS AT ROOF TOP AND 4TH FLOOR URBAN FARMING
- PRIVATE USE BALCONIES AND TERRACES
- OUTDOOR AREA FOR COMMUNITY FACILITY



RESIDENTIAL COMMON USE AREAS - ROOF

- TECHNICAL AND STORAGE
- BATHROOMS
- SOLAR PANELS
- OUTDOOR RECREATIONAL AREAS
- BARBECUE AREA
- URBAN FARMING



EXTERIOR SPACE - FRONT VIEW

- GREEN ROOF
- RESIDENTIAL COMMON USE OUTDOOR AREAS AT ROOF TOP AND 4TH FLOOR URBAN FARMING
- PRIVATE USE BALCONIES AND TERRACES

| SECTION | TITLE OF SECTION | ZONING REGULATION - SUMMARY | ALLOWED AND / OR REQUIRED | PROVIDED |
|---|--|---|--|---|
| USE GROUPS | ZR: 123-20 ZR: 22-00 ZR: 42-00 ZR: 123-31 | USE GROUPS LOCATION OF USES IN MIXED USE BUILDING PERMITTED USE GROUPS: 1-14, 16-17 IN ANY BUILDING OR PORTION OF A BUILDING OCCUPIED BY RESIDENTIAL USES, COMMERCIAL OR MANUFACTURING USES MAY BE LOCATED ONLY ON A STORY BELOW THE LOWEST STORY OCCUPIED BY DWELLING UNITS. IF COMMERCIAL OR MANUFACTURING USES ON THE SAME STORY, OR ON A STORY HIGHER THAN THAT OCCUPIED BY DWELLING UNITS, PROVIDED THAT THEY HAVE SEPARATE DIRECT ACCESS TO THE STREET, AND ARE NOT LOCATED DIRECTLY OVER ANY PORTION OF A BUILDING CONTAINING DWELLING UNITS. | SINGLE & MULTI-FAMILY RESIDENTIAL USES , TRANSIENT RESIDENTIAL, AND COMMUNITY FACILITIES, VARIETY OF CUSTOM MANUFACTURING ACTIVITIES AND SEMI-INDUSTRIAL USES, VARIETY OF COMMERCIAL AND BUSINESS USES. COMMERCIAL AND MANUFACTURING USES TO BE LOCATED ON A STORY BELOW THE LOWEST STORY OCCUPIED BY DWELLING UNITS OR TO HAVE SEPARATED ACCESS TO THE STREET AND NOT BE LOCATED OVER ANY PORTION OF DWELLING UNITS. | USE GROUP 2 - RESIDENTIAL , OK USE GROUP 6 - RETAIL AND OFFICES , OK USE GROUP 9 - CUSTOM MANUFACTURING ACTIVITIES SUCH AS : > Food Production Cluster <input type="checkbox"/> Confectionery manufacturing from purchased chocolate <input type="checkbox"/> Cookie, cracker, & pasta manufacturing <input type="checkbox"/> Breweries <input type="checkbox"/> Confectionery wholesalers <input type="checkbox"/> Wine & liquor wholesalers ... > Arts & Crafts Manufacturing Cluster <input type="checkbox"/> Commercial screen printing (Consumer goods/retail focus – not print shops) <input type="checkbox"/> Pottery product manufacturing <input type="checkbox"/> Ornamental & architectural metalwork manufacturing ... > Research & Development in the Hard Sciences (No hazardous materials) USE GROUP 4 - COMMUNITY FACILITY, OK MULTIPLE DWELLING BUILDING: THE LOWEST STORY OCCUPIED BY DWELLING UNITS IS THE FOURTH FLOOR. COMMERCIAL AND MANUFACTURING USES ARE LOCATED ON FIRST, SECOND AND THIRD FLOORS EXCLUSIVELY. TOWN HOUSES TO REMAIN: HAVE SEPARATE DIRECT STREET ACCESS THAN THE MULTIPLE DWELLING BUILDING. |
| LOT COVERAGE F.A.R. | ZR: 123-64 ZR: 23-154 (b) | MAXIMUM FLOOR AREA RATIO AND LOT COVERAGE REQUIREMENTS FOR ZONING LOTS CONTAINING MIXED USE BUILDINGS. FLOOR AREA REGULATIONS FOR DEVELOPMENTS PROVIDING INCLUSIONARY HOUSING (1) MANUFACTURING AND COMMERCIAL (SECTION 43-12) MAX FAR = 2 (2) COMMUNITY FACILITY (SECTIONS 24-10, 24-11) MAX FAR = 4.20 (3) RESIDENTIAL USES WITH INCLUSIONARY HOUSING (SECTION 23-154) MAX RESIDENTIAL FAR = 5.6 | LOT COVERAGE REQUIREMENTS SHALL NOT APPLY. THE MAXIMUM TOTAL FLOOR AREA IN A MIXED USE BUILDING SHALL BE THE MAXIMUM FLOOR AREA PERMITTED FOR EITHER THE COMMERCIAL, MANUFACTURING, COMMUNITY FACILITY OR RESIDENTIAL USE WHICHEVER PERMITS THE GREATEST AMOUNT OF FLOOR AREA. IN INCLUSIONARY HOUSING DESIGNATED AREAS, THE MAXIMUM FLOOR AREA RATIO PERMITTED SHALL BE THE BASE FLOOR AREA RATIO SET FORTH IN SECTION 23-154 (INCLUSIONARY HOUSING). SUCH BASE FLOOR AREA RATIO MAY BE INCREASED TO THE MAXIMUM FLOOR AREA RATIO SET FORTH IN SUCH SECTION ONLY THROUGH THE PROVISION OF AFFORDABLE HOUSING, PURSUANT TO SECTION 23-90, INCLUSIVE. MAX TOTAL ZFA [25,548 x 5.60] = 143,069 SF MAX MANUFACTURING AND COMMERCIAL ZFA [25,548 x 2.00] = 51,096 SF MAX COMMUNITY FACILITY ZFA [25,548 x 4.20] = 107,301 SF. MAX RESIDENTIAL ZFA (INCLUDING INCLUSIONARY HOUSING) [25,548 x 5.60] = 143,069 SF | TOTAL ZFA PROVIDED = 141,611 SF, OK MANUFACTURING AND COMMERCIAL = LIGHT MANUFACTURING 4,000 SF + OFFICES AND COMMERCIAL 31,516 SF = 35,516 SF, OK COMMUNITY FACILITY = 7,290 SF, OK TOTAL RESIDENTIAL= 95,365 + 1,940 (EXISTING HOUSE LOT 8) + 1,500 (EXISTING HOUSE LOT 7) = 98,805 SF, OK AFFORDABLE HOUSING = 24,883 SF (26%) |
| DENSITY | ZR: 23-22 | MAXIMUM NUMBER OF DWELLING UNITS | MAX. NO OF DWELLING UNITS (D.U.) EQUALS THE MAX. ALLOWABLE RESIDENTIAL FLOOR AREA DIVIDED BY THE APPLICABLE DENSITY FACTOR R7: [MAX. ALLOWABLE RES. FLR AREA - NON-RESIDENTIAL FLR. AREA] / 680 | 98,805 SF / 680 = 145 D.U.'s PROVIDED = 87 D.U.'s + 4 EXISTING = 91 D.U.'s, OK |
| MIN LOT SIZE REQS. | ZR: 23-32 | MINIMUM LOT AREA OR LOT WIDTH FOR RESIDENCES | (a) THE MINIMUM LOT WIDTH MUST BE 18 FEET IN R7D DISTRICTS (b) THE MINIMUM LOT ARE MUST BE 1,700 SQUARE FEET IN R7D DISTRICTS | LOT WIDTH = 127.74' LOT AREA = 25,548 SF SITE COMPLIES REFER TO SURVEY |
| YARD REGULATIONS | ZR: 23-531 ZR: 123-65 | MIN. REQUIRED REAR YARDS SPECIAL YARD REGULATIONS FOR MIXED-USE BUILDINGS | (B) FOR ZONING LOTS CONTAINING QUALITY HOUSING BUILDINGS, NO REAR YARD REGULATIONS SHALL APPLY TO ANY ZONING LOT THAT INCLUDES A THROUGH LOT PORTION THAT IS CONTIGUOUS ON ONE SIDE TO TWO CORNER LOT PORTIONS AND SUCH ZONING LOT OCCUPIES THE ENTIRE BLOCK FRONTAGE OF A STREET. NO FRONT YARDS OR SIDE YARDS ARE REQUIRED IN SPECIAL MIXED USE DISTRICTS. | - - |
| HEIGHT & SETBACK REGULATIONS | ZR: 23-60 ZR: 23-664 | HEIGHT & SETBACK REGULATIONS | IN CONTEXTUAL DISTRICT R7D THE MAXIMUM BASE HEIGHT, MAXIMUM BUILDING HEIGHT FOR QUALITY HOUSING BUILDINGS WITH QUALIFYING GROUND FLOORS AND INCLUSIONARY HOUSING ARE SET FORTH IN TABLE 1 OF SECTION 23-664. AT BASE HEIGHT, SETBACK OF AT LEAST 15' FOR NARROW STREETS. | MAX BASE HEIGHT = 95'-0" MAX BLDG. HEIGHT = 115'-0" SETBACK AT CONCORD AVE. = 15'-0" SETBACK AT 145TH ST. = 15'-0" SETBACK AT WALES AVE. = 15'-0" 92'-0" PROVIDED, COMPLIES 111'-0" PROVIDED, COMPLIES 15'-6" PROVIDED, COMPLIES 15'-0" PROVIDED, COMPLIES 15'-0" PROVIDED, COMPLIES |
| STREET WALL LOCATION | ZR: 23-661 | STREET WALL LOCATION FOR QUALITY HOUSING BUILDINGS (a) (d) | (a) STREET WALL SHALL BE LOCATED NO CLOSER TO THE STREET LINE THAN THE CLOSEST ADJACENT BUILDING THAT IS WITHIN 25 FEET. (d) STREET WALL SHALL NOT BE LOCATED CLOSER TO THE STREET LINE THAN THE FURTHEST PORTION OF SUCH EXISTING ADJACENT STREET WALL THAT IS AT LEAST 5 FEET IN WIDTH. | DEPTH OF ADJ. BLDG. ON CONCORD AVENUE = 0'-0" DEPTH OF ADJ. BLDG. ON 145TH STREET = 0'-0" DEPTH OF ADJ. BLDG. ON WALES AVENUE = 2'-0" DEPTH ON CONCORD AVE. : 2'-0", COMPLIES DEPTH ON 145TH STREET : 2'-0", COMPLIES DEPTH ON WALES AVE. : 2'-0", COMPLIES |
| VEHICULAR PARKING | ZR: 25-11 ZR: 25-13 ZR: 25-162 ZR: 44-20 ZR: 44-52 | GENERAL PROVISIONS MAXIMUM SIZE OF ACCESSORY GROUP PARKING FACILITIES MAXIMUM SPACES FOR RESIDENCES PARKING SPACES REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES REQUIRED ACCESSORY OFF-STREET LOADING BERTHS | IN R7D DISTRICTS ACCESSORY OFF STREET PARKING SPACE MAY BE PROVIDED FOR RESIDENCES NO GROUP PARKING FACILITY SHALL CONTAIN MORE THAN 200 OFF-STREET PARKING SPACES. NOT MORE THAN ONE OFF-STREET PARKING SPACE SHALL BE PROVIDED FOR EVERY 300 SF OF LOT AREA IN R7D. IN R7D FOR ZONING LOTS OF MORE THAN 10,000 SF ACCESSORY PARKING SPACES SHALL BE PROVIDED FOR AT LEAST 50% OF THE TOTAL NUMBER OF RESIDENCES. M1-4 TYPE OF USES LISTED IN ZR-44-20 - NONE REQUIRED USE GROUPS 6A, 6C, 9A, 9B: FIRST 8,000 SF NO LOADING BERTH REQUIRED, NEXT 17,000 SF ONE LOADING BERTH REQUIRED, NEXT 15,000 SF ONE LOADING BERTH REQUIRED. | MAX # OF SPACES = 200 SPACES NUMBER OF DWELLINGS : 87 APARTMENTS 87 x .50 = 43 43 SPACES REQUIRED MANUFACTURING/COMMERCIAL FLOOR AREA = 35,516 SF, 2 LOADING BERTHS REQUIRED 43 SPACES PROVIDED IN UNDERGROUND PARKING 43 SPACES PROVIDED, OK 2 LOADING BERTHS PROVIDED, OK |

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12/02/2021
Scale

ZONING ANALYSIS

A - 13

| | |
|-----------------------------------|--|
| LOT AREA | 25,548 SF |
| FAR | 5.6 |
| MAXIMUM ZONING FLOOR AREA ALLOWED | 143,069 SF |
| FLOOR AREA PROVIDED | 141,611 SF (includes 3,440 SF - existing houses to remain) |

| | Gross Floor Area | Total deductions | Residential Area | Manufacturing Area | Community Facility Area | Total Floor Area | Studio (residential) | 1BR | 2BR | 3BR | 4BR | Total |
|------------|------------------|------------------|------------------|--------------------|-------------------------|------------------|----------------------|-----|-----|-----|-----|-------|
| 1ST FLOOR | 4504 SF | 1954 SF | 2550 SF | 0 SF | 0 SF | 2550 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| 1ST FLOOR | 4251 SF | 160 SF | 0 SF | 0 SF | 4091 SF | 4091 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| 1ST FLOOR | 8821 SF | 360 SF | 0 SF | 8461 SF | 0 SF | 8461 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| | 17576 SF | 2474 SF | 2550 SF | 8461 SF | 4091 SF | 15102 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| 2ND FLOOR | 321 SF | 0 SF | 321 SF | 0 SF | 0 SF | 321 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| 2ND FLOOR | 3298 SF | 100 SF | 0 SF | 0 SF | 3198 SF | 3198 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| 2ND FLOOR | 11598 SF | 480 SF | 0 SF | 11118 SF | 0 SF | 11118 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| | 15217 SF | 580 SF | 321 SF | 11118 SF | 3198 SF | 14637 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| 3RD FLOOR | 196 SF | 0 SF | 196 SF | 0 SF | 0 SF | 196 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| 3RD FLOOR | 16537 SF | 600 SF | 0 SF | 15937 SF | 0 SF | 15937 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| | 16733 SF | 600 SF | 196 SF | 15937 SF | 0 SF | 16133 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| 4TH FLOOR | 15432 SF | 3859 SF | 11573 SF | 0 SF | 0 SF | 11573 SF | 1 | 2 | 6 | 0 | 2 | 11 |
| | 15432 SF | 3859 SF | 11573 SF | 0 SF | 0 SF | 11573 SF | 1 | 2 | 6 | 0 | 2 | 11 |
| 5TH FLOOR | 15294 SF | 1272 SF | 14022 SF | 0 SF | 0 SF | 14022 SF | 1 | 3 | 8 | 1 | 1 | 14 |
| | 15294 SF | 1272 SF | 14022 SF | 0 SF | 0 SF | 14022 SF | 1 | 3 | 8 | 1 | 1 | 14 |
| 6TH FLOOR | 15294 SF | 1272 SF | 14022 SF | 0 SF | 0 SF | 14022 SF | 1 | 3 | 8 | 1 | 1 | 14 |
| | 15294 SF | 1272 SF | 14022 SF | 0 SF | 0 SF | 14022 SF | 1 | 3 | 8 | 1 | 1 | 14 |
| 7TH FLOOR | 15265 SF | 1272 SF | 13993 SF | 0 SF | 0 SF | 13993 SF | 1 | 3 | 8 | 1 | 1 | 14 |
| | 15265 SF | 1272 SF | 13993 SF | 0 SF | 0 SF | 13993 SF | 1 | 3 | 8 | 1 | 1 | 14 |
| 8TH FLOOR | 15265 SF | 1272 SF | 13993 SF | 0 SF | 0 SF | 13993 SF | 1 | 3 | 8 | 1 | 1 | 14 |
| | 15265 SF | 1272 SF | 13993 SF | 0 SF | 0 SF | 13993 SF | 1 | 3 | 8 | 1 | 1 | 14 |
| 9TH FLOOR | 15265 SF | 1272 SF | 13993 SF | 0 SF | 0 SF | 13993 SF | 1 | 3 | 8 | 1 | 1 | 14 |
| | 15265 SF | 1272 SF | 13993 SF | 0 SF | 0 SF | 13993 SF | 1 | 3 | 8 | 1 | 1 | 14 |
| 10TH FLOOR | 9814 SF | 832 SF | 8982 SF | 0 SF | 0 SF | 8982 SF | 0 | 0 | 1 | 4 | 1 | 6 |
| | 9814 SF | 832 SF | 8982 SF | 0 SF | 0 SF | 8982 SF | 0 | 0 | 1 | 4 | 1 | 6 |
| ROOF | 2020 SF | 300 SF | 1720 SF | 0 SF | 0 SF | 1720 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| | 2020 SF | 300 SF | 1720 SF | 0 SF | 0 SF | 1720 SF | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 153176 SF | 15005 SF | 95365 SF | 35516 SF | 7290 SF | 138171 SF | 6 | 17 | 47 | 9 | 8 | 87 |

| Apartments | | | |
|------------|--------|----------------------|--------------------|
| Level | Name | Apartment Gross Area | Apartment Net Area |
| 4TH FLOOR | STUDIO | 493 SF | 469 SF |
| 4TH FLOOR | 1BR | 587 SF | 558 SF |
| 4TH FLOOR | 1BR | 587 SF | 558 SF |
| 4TH FLOOR | 2BR | 796 SF | 756 SF |
| 4TH FLOOR | 2BR | 796 SF | 756 SF |
| 4TH FLOOR | 2BR | 799 SF | 759 SF |
| 4TH FLOOR | 2BR | 800 SF | 760 SF |
| 4TH FLOOR | 2BR | 811 SF | 771 SF |
| 4TH FLOOR | 2BR | 812 SF | 772 SF |
| 4TH FLOOR | 4BR | 1324 SF | 1258 SF |
| 4TH FLOOR | 4BR | 1588 SF | 1508 SF |
| | | 9394 SF | 8924 SF |

| | | | |
|-----------|--------|----------|----------|
| 5TH FLOOR | STUDIO | 493 SF | 469 SF |
| 5TH FLOOR | 1BR | 587 SF | 558 SF |
| 5TH FLOOR | 1BR | 587 SF | 558 SF |
| 5TH FLOOR | 1BR | 587 SF | 558 SF |
| 5TH FLOOR | 2BR | 796 SF | 756 SF |
| 5TH FLOOR | 2BR | 796 SF | 756 SF |
| 5TH FLOOR | 2BR | 799 SF | 759 SF |
| 5TH FLOOR | 2BR | 800 SF | 760 SF |
| 5TH FLOOR | 2BR | 811 SF | 771 SF |
| 5TH FLOOR | 2BR | 812 SF | 772 SF |
| 5TH FLOOR | 2BR | 966 SF | 918 SF |
| 5TH FLOOR | 2BR | 997 SF | 947 SF |
| 5TH FLOOR | 4BR | 1354 SF | 1287 SF |
| 5TH FLOOR | 3BR | 1433 SF | 1362 SF |
| | | 11819 SF | 11228 SF |

| | | | |
|-----------|--------|----------|----------|
| 6TH FLOOR | STUDIO | 493 SF | 469 SF |
| 6TH FLOOR | 1BR | 587 SF | 558 SF |
| 6TH FLOOR | 1BR | 587 SF | 558 SF |
| 6TH FLOOR | 1BR | 587 SF | 558 SF |
| 6TH FLOOR | 2BR | 796 SF | 756 SF |
| 6TH FLOOR | 2BR | 796 SF | 756 SF |
| 6TH FLOOR | 2BR | 799 SF | 759 SF |
| 6TH FLOOR | 2BR | 800 SF | 760 SF |
| 6TH FLOOR | 2BR | 811 SF | 771 SF |
| 6TH FLOOR | 2BR | 812 SF | 772 SF |
| 6TH FLOOR | 2BR | 966 SF | 918 SF |
| 6TH FLOOR | 2BR | 997 SF | 947 SF |
| 6TH FLOOR | 4BR | 1354 SF | 1287 SF |
| 6TH FLOOR | 3BR | 1433 SF | 1362 SF |
| | | 11819 SF | 11228 SF |

| | | | |
|-----------|--------|--------|--------|
| 7TH FLOOR | STUDIO | 493 SF | 469 SF |
| 7TH FLOOR | 1BR | 587 SF | 558 SF |
| 7TH FLOOR | 1BR | 587 SF | 558 SF |
| 7TH FLOOR | 1BR | 587 SF | 558 SF |

| Apartments | | | |
|------------|------|----------------------|--------------------|
| Level | Name | Apartment Gross Area | Apartment Net Area |
| 7TH FLOOR | 2BR | 796 SF | 756 SF |
| 7TH FLOOR | 2BR | 796 SF | 756 SF |
| 7TH FLOOR | 2BR | 799 SF | 759 SF |
| 7TH FLOOR | 2BR | 800 SF | 760 SF |
| 7TH FLOOR | 2BR | 811 SF | 771 SF |
| 7TH FLOOR | 2BR | 812 SF | 772 SF |
| 7TH FLOOR | 2BR | 966 SF | 918 SF |
| 7TH FLOOR | 2BR | 997 SF | 947 SF |
| 7TH FLOOR | 4BR | 1354 SF | 1287 SF |
| 7TH FLOOR | 3BR | 1433 SF | 1362 SF |
| | | 11819 SF | 11228 SF |

| | | | |
|-----------|--------|----------|----------|
| 8TH FLOOR | STUDIO | 493 SF | 469 SF |
| 8TH FLOOR | 1BR | 587 SF | 558 SF |
| 8TH FLOOR | 1BR | 587 SF | 558 SF |
| 8TH FLOOR | 1BR | 587 SF | 558 SF |
| 8TH FLOOR | 2BR | 796 SF | 756 SF |
| 8TH FLOOR | 2BR | 796 SF | 756 SF |
| 8TH FLOOR | 2BR | 799 SF | 759 SF |
| 8TH FLOOR | 2BR | 800 SF | 760 SF |
| 8TH FLOOR | 2BR | 811 SF | 771 SF |
| 8TH FLOOR | 2BR | 812 SF | 772 SF |
| 8TH FLOOR | 2BR | 966 SF | 918 SF |
| 8TH FLOOR | 2BR | 997 SF | 947 SF |
| 8TH FLOOR | 4BR | 1354 SF | 1287 SF |
| 8TH FLOOR | 3BR | 1433 SF | 1362 SF |
| | | 11819 SF | 11228 SF |

| | | | |
|-----------|--------|----------|----------|
| 9TH FLOOR | STUDIO | 493 SF | 469 SF |
| 9TH FLOOR | 1BR | 587 SF | 558 SF |
| 9TH FLOOR | 1BR | 587 SF | 558 SF |
| 9TH FLOOR | 1BR | 587 SF | 558 SF |
| 9TH FLOOR | 2BR | 796 SF | 756 SF |
| 9TH FLOOR | 2BR | 796 SF | 756 SF |
| 9TH FLOOR | 2BR | 799 SF | 759 SF |
| 9TH FLOOR | 2BR | 800 SF | 760 SF |
| 9TH FLOOR | 2BR | 811 SF | 771 SF |
| 9TH FLOOR | 2BR | 812 SF | 772 SF |
| 9TH FLOOR | 2BR | 966 SF | 918 SF |
| 9TH FLOOR | 2BR | 997 SF | 947 SF |
| 9TH FLOOR | 4BR | 1354 SF | 1287 SF |
| 9TH FLOOR | 3BR | 1433 SF | 1362 SF |
| | | 11819 SF | 11228 SF |

| | | | |
|------------|-----|---------|---------|
| 10TH FLOOR | 2BR | 948 SF | 900 SF |
| 10TH FLOOR | 3BR | 1130 SF | 1074 SF |
| 10TH FLOOR | 3BR | 1144 SF | 1087 SF |
| 10TH FLOOR | 3BR | 1230 SF | 1168 SF |
| 10TH FLOOR | 3BR | 1242 SF | 1179 SF |

| Apartments | | | |
|------------|------|----------------------|--------------------|
| Level | Name | Apartment Gross Area | Apartment Net Area |
| 10TH FLOOR | 4BR | 1687 SF | 1603 SF |
| | | 7381 SF | 7012 SF |
| | | 75872 SF | 72078 SF |

| Shared Common Areas | | |
|---------------------|----------------------|---------|
| Level | Name | Area |
| CELLAR | STORAGE | 1325 SF |
| CELLAR | CORRIDOR RESIDENTIAL | 338 SF |
| CELLAR | PARKING AREA | 8130 SF |
| | | 9793 SF |

| | | |
|-----------|-------------------------------|---------|
| 1ST FLOOR | BICYCLES | 672 SF |
| 1ST FLOOR | RESIDENTIAL LOBBY | 804 SF |
| 1ST FLOOR | RESIDENTIAL ACCESS FROM BIKES | 715 SF |
| 1ST FLOOR | REFUSE ROOM | 334 SF |
| | | 2525 SF |

| | | |
|-----------|---------------------------|---------|
| 4TH FLOOR | INDOOR RECREATIONAL SPACE | 1131 SF |
| 4TH FLOOR | INDOOR RECREATIONAL SPACE | 1456 SF |
| 4TH FLOOR | CORRIDOR RESIDENTIAL | 1314 SF |
| 4TH FLOOR | REFUSE ROOM | 48 SF |
| | | 3949 SF |

| | | |
|-----------|----------------------|---------|
| 5TH FLOOR | CORRIDOR RESIDENTIAL | 1356 SF |
| 5TH FLOOR | REFUSE ROOM | 48 SF |
| | | 1404 SF |

| | | |
|-----------|----------------------|---------|
| 6TH FLOOR | CORRIDOR RESIDENTIAL | 1356 SF |
| 6TH FLOOR | REFUSE ROOM | 48 SF |
| | | 1404 SF |

| | | |
|-----------|----------------------|---------|
| 7TH FLOOR | CORRIDOR RESIDENTIAL | 1356 SF |
| 7TH FLOOR | REFUSE ROOM | 48 SF |
| | | 1404 SF |

| | | |
|-----------|----------------------|---------|
| 8TH FLOOR | CORRIDOR RESIDENTIAL | 1356 SF |
| 8TH FLOOR | REFUSE ROOM | 48 SF |
| | | 1404 SF |

| | | |
|------------|----------------------|---------|
| 9TH FLOOR | CORRIDOR RESIDENTIAL | 1356 SF |
| 9TH FLOOR | REFUSE ROOM | 48 SF |
| | | 1404 SF |
| 10TH FLOOR | CORRIDOR RESIDENTIAL | 747 SF |
| 10TH FLOOR | REFUSE ROOM | 47 SF |
| | | 794 SF |

| | | |
|------|---------------------------|----------|
| ROOF | BATHROOM AND LOCKER ROOMS | 288 SF |
| ROOF | TECHNICAL | 6869 SF |
| ROOF | GREENHOUSE | 688 SF |
| ROOF | STORAGE | 88 SF |
| ROOF | STORAGE | 77 SF |
| | | 8010 SF |
| | | 32091 SF |

MANDATORY INCLUSIONARY HOUSING

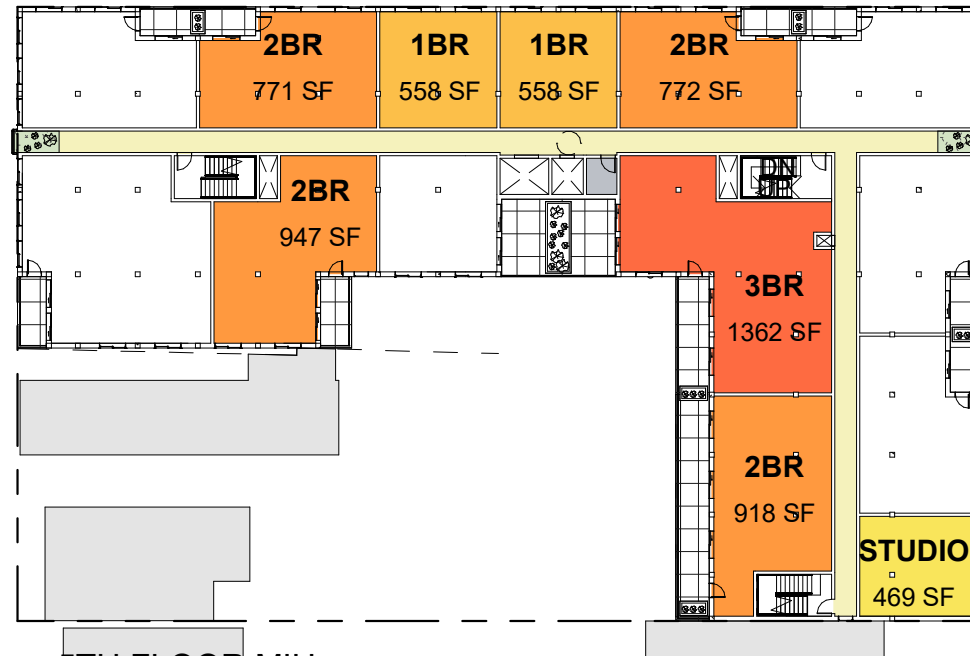
Option 1: At least 25% of residential FAR.

| MIH APARTMENTS | | | | |
|----------------|----------------------|--------------------|-----------|-----------|
| Name | Apartment Gross Area | Apartment Net Area | Level | Occupancy |
| STUDIO | 493 SF | 469 SF | 4TH FLOOR | MIH |
| 1BR | 587 SF | 558 SF | 4TH FLOOR | MIH |
| 1BR | 587 SF | 558 SF | 4TH FLOOR | MIH |
| 2BR | 811 SF | 771 SF | 4TH FLOOR | MIH |
| 2BR | 812 SF | 772 SF | 4TH FLOOR | MIH |
| 4BR | 1324 SF | 1258 SF | 4TH FLOOR | MIH |
| 4TH FLOOR: 6 | 4615 SF | 4384 SF | | |
| STUDIO | 493 SF | 469 SF | 5TH FLOOR | MIH |
| 1BR | 587 SF | 558 SF | 5TH FLOOR | MIH |
| 1BR | 587 SF | 558 SF | 5TH FLOOR | MIH |
| 2BR | 811 SF | 771 SF | 5TH FLOOR | MIH |
| 2BR | 812 SF | 772 SF | 5TH FLOOR | MIH |
| 2BR | 966 SF | 918 SF | 5TH FLOOR | MIH |
| 2BR | 997 SF | 947 SF | 5TH FLOOR | MIH |
| 3BR | 1433 SF | 1362 SF | 5TH FLOOR | MIH |
| 5TH FLOOR: 8 | 6687 SF | 6352 SF | | |
| 1BR | 587 SF | 558 SF | 6TH FLOOR | MIH |
| 1BR | 587 SF | 558 SF | 6TH FLOOR | MIH |
| 2BR | 811 SF | 771 SF | 6TH FLOOR | MIH |
| 2BR | 812 SF | 772 SF | 6TH FLOOR | MIH |
| 2BR | 997 SF | 947 SF | 6TH FLOOR | MIH |
| 3BR | 1433 SF | 1362 SF | 6TH FLOOR | MIH |
| 6TH FLOOR: 6 | 5228 SF | 4966 SF | | |
| 2BR | 811 SF | 771 SF | 7TH FLOOR | MIH |
| 2BR | 812 SF | 772 SF | 7TH FLOOR | MIH |
| 7TH FLOOR: 2 | 1623 SF | 1542 SF | | |
| 2BR | 811 SF | 771 SF | 8TH FLOOR | MIH |
| 2BR | 812 SF | 772 SF | 8TH FLOOR | MIH |
| 8TH FLOOR: 2 | 1623 SF | 1542 SF | | |
| : 24 | 19776 SF | 18787 SF | | |

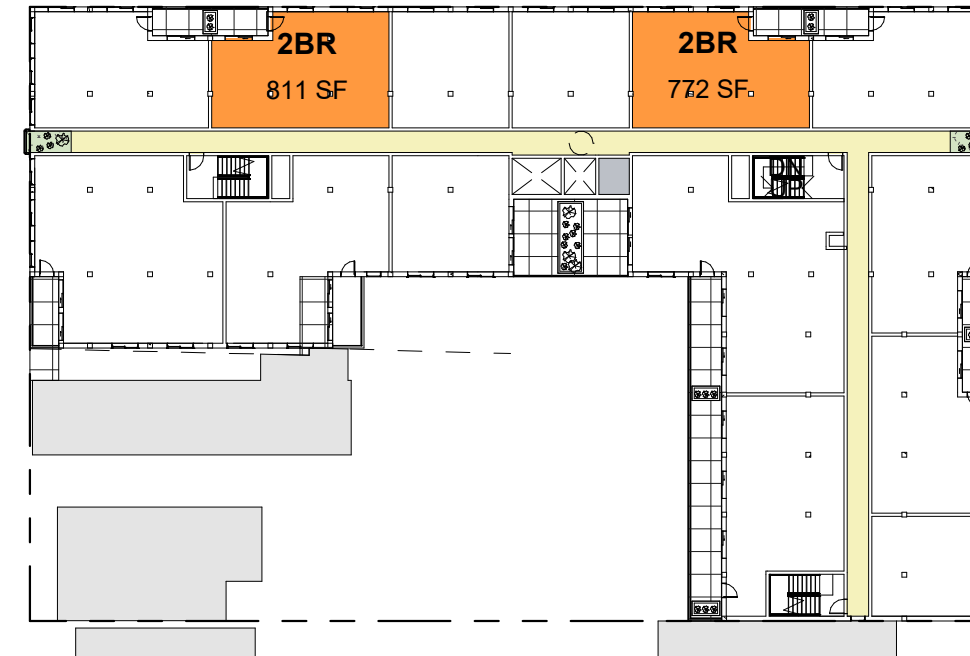
| MIH FAR | | |
|------------|------------------|----------|
| | Residential Area | MIH FAR |
| 1ST FLOOR | 2550 SF | 663 SF |
| 1ST FLOOR | 2550 SF | 663 SF |
| 2ND FLOOR | 321 SF | 83 SF |
| 2ND FLOOR | 321 SF | 83 SF |
| 3RD FLOOR | 196 SF | 51 SF |
| 3RD FLOOR | 196 SF | 51 SF |
| 4TH FLOOR | 11573 SF | 5671 SF |
| 4TH FLOOR | 11573 SF | 5671 SF |
| 5TH FLOOR | 14022 SF | 7852 SF |
| 5TH FLOOR | 14022 SF | 7852 SF |
| 6TH FLOOR | 14022 SF | 6170 SF |
| 6TH FLOOR | 14022 SF | 6170 SF |
| 7TH FLOOR | 13993 SF | 1973 SF |
| 7TH FLOOR | 13993 SF | 1973 SF |
| 8TH FLOOR | 13993 SF | 1973 SF |
| 8TH FLOOR | 13993 SF | 1973 SF |
| 9TH FLOOR | 13993 SF | 0 SF |
| 9TH FLOOR | 13993 SF | 0 SF |
| 10TH FLOOR | 8982 SF | 0 SF |
| 10TH FLOOR | 8982 SF | 0 SF |
| ROOF | 1720 SF | 447 SF |
| ROOF | 1720 SF | 447 SF |
| Total | 95365 SF | 24883 SF |

MANDATORY INCLUSIONARY HOUSING

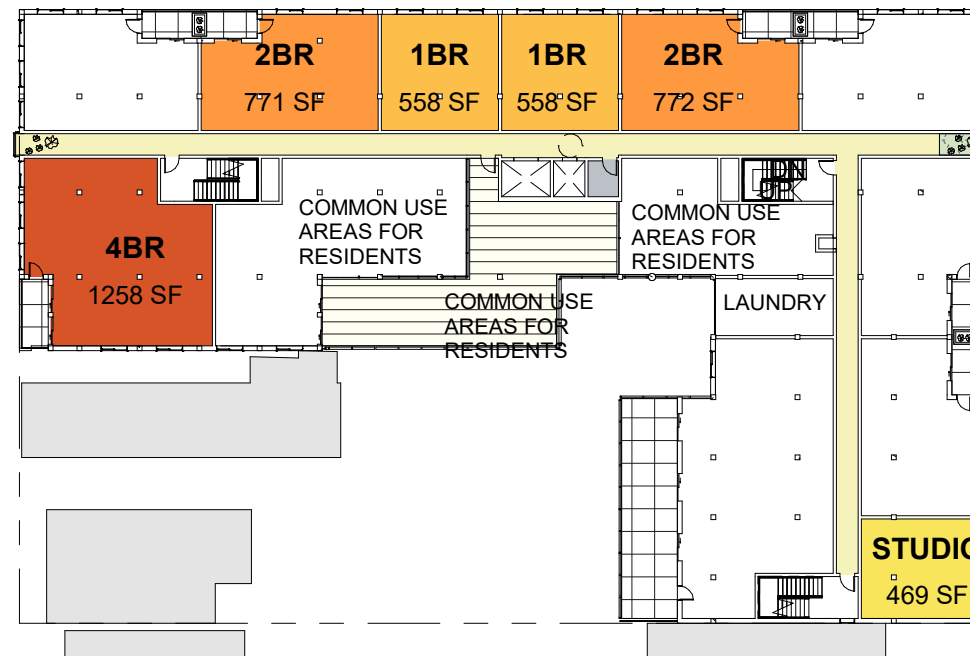
Option 1: 25% of residential FAR.



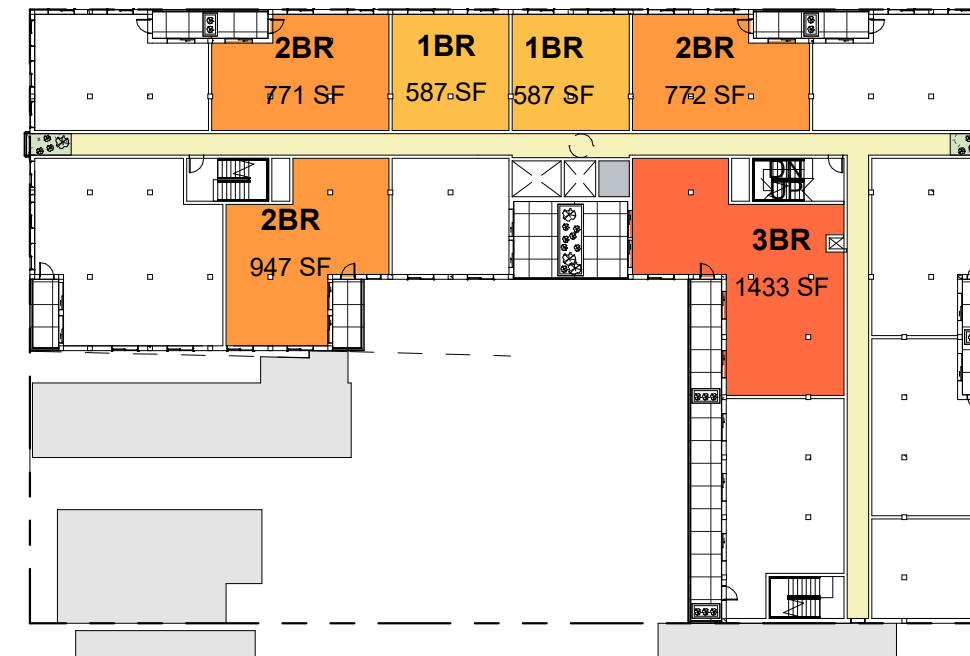
② 5TH FLOOR MIH
1" = 40'-0"



④ 7TH-8TH FLOORS MIH
1" = 40'-0"



① 4TH FLOOR MIH
1" = 40'-0"



③ 6TH FLOOR MIH
1" = 40'-0"

Manufacturing/Business Areas

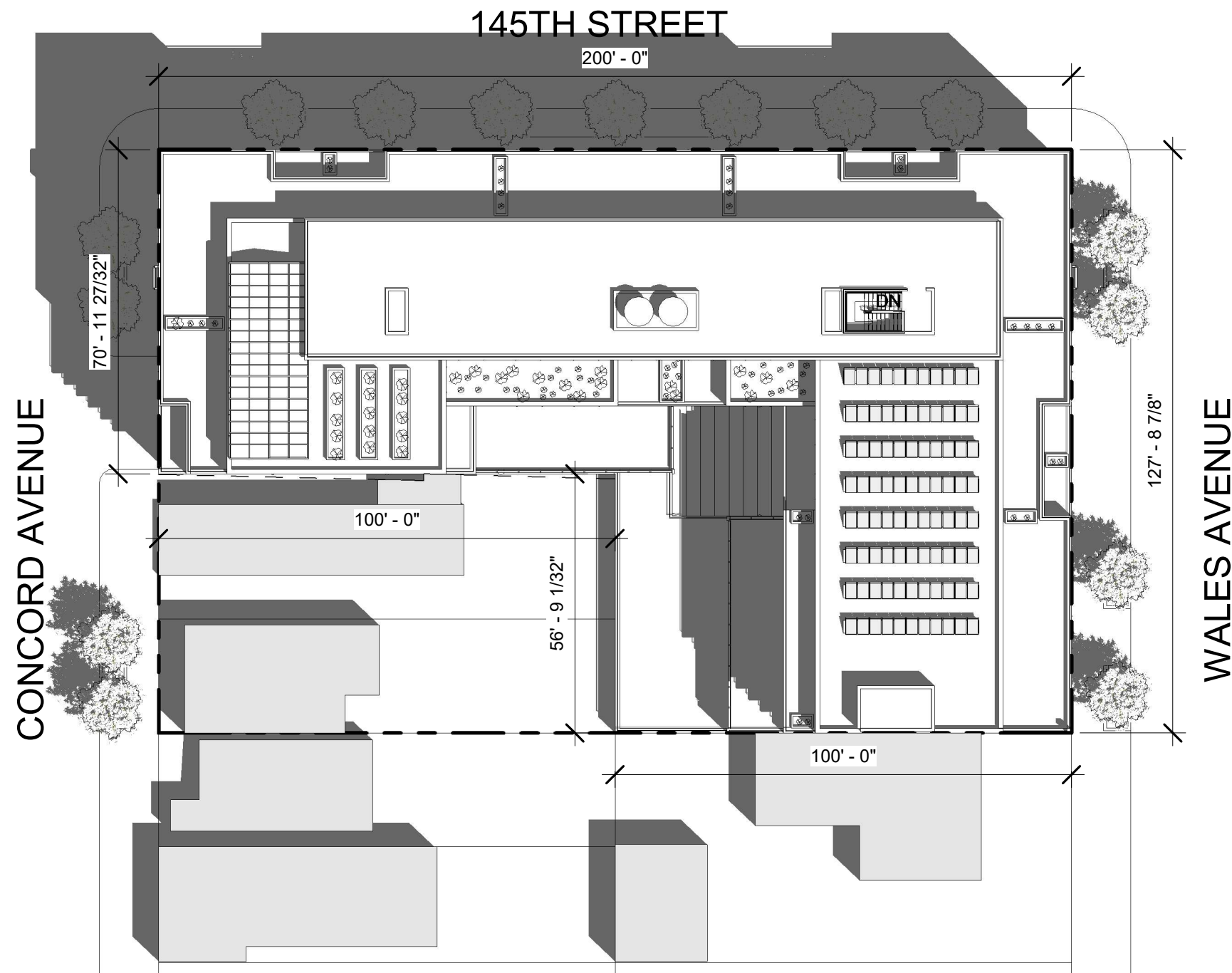
| Level | Name | Area |
|-----------|-----------------------------------|----------|
| CELLAR | LIGHT MANUFACTURING / WORKSHOP | 1896 SF |
| CELLAR | OFFICE / STUDIO | 2770 SF |
| CELLAR | TECHNICAL | 290 SF |
| | | 4956 SF |
| 1ST FLOOR | CAFE BAR | 478 SF |
| 1ST FLOOR | DELI / MINI MARKET | 2235 SF |
| 1ST FLOOR | LIGHT MANUFACTURING / WORKSHOP | 2414 SF |
| 1ST FLOOR | LOADING BERTHS | 955 SF |
| 1ST FLOOR | OFFICE ACCESS FROM LOADING BERTHS | 394 SF |
| 1ST FLOOR | OFFICE LOBBY | 1120 SF |
| 1ST FLOOR | STORAGE | 289 SF |
| | | 7886 SF |
| 2ND FLOOR | CORRIDOR STUDIOS | 1611 SF |
| 2ND FLOOR | OFFICE | 8065 SF |
| | | 9676 SF |
| 3RD FLOOR | CORRIDOR STUDIOS | 1927 SF |
| 3RD FLOOR | OFFICE | 12255 SF |
| | | 14182 SF |
| | | 36699 SF |

Community Facility Areas

| Level | Name | Area |
|-----------|--------------------|---------|
| 1ST FLOOR | COMMUNITY FACILITY | 4174 SF |
| | | 4174 SF |
| 2ND FLOOR | COMMUNITY FACILITY | 3076 SF |
| | | 3076 SF |
| | | 7250 SF |

Common Use Areas

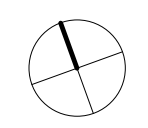
| Level | Name | Area |
|-----------|---------------------------|---------|
| CELLAR | TECHNICAL | 418 SF |
| CELLAR | BATHROOM AND LOCKER ROOMS | 498 SF |
| CELLAR | TECHNICAL | 796 SF |
| CELLAR | CORRIDOR | 987 SF |
| | | 2699 SF |
| 1ST FLOOR | BUILDINGS OFFICE | 236 SF |
| | | 236 SF |
| | | 2935 SF |



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12/02/2021
 Scale
1" = 30'-0"

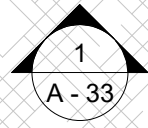
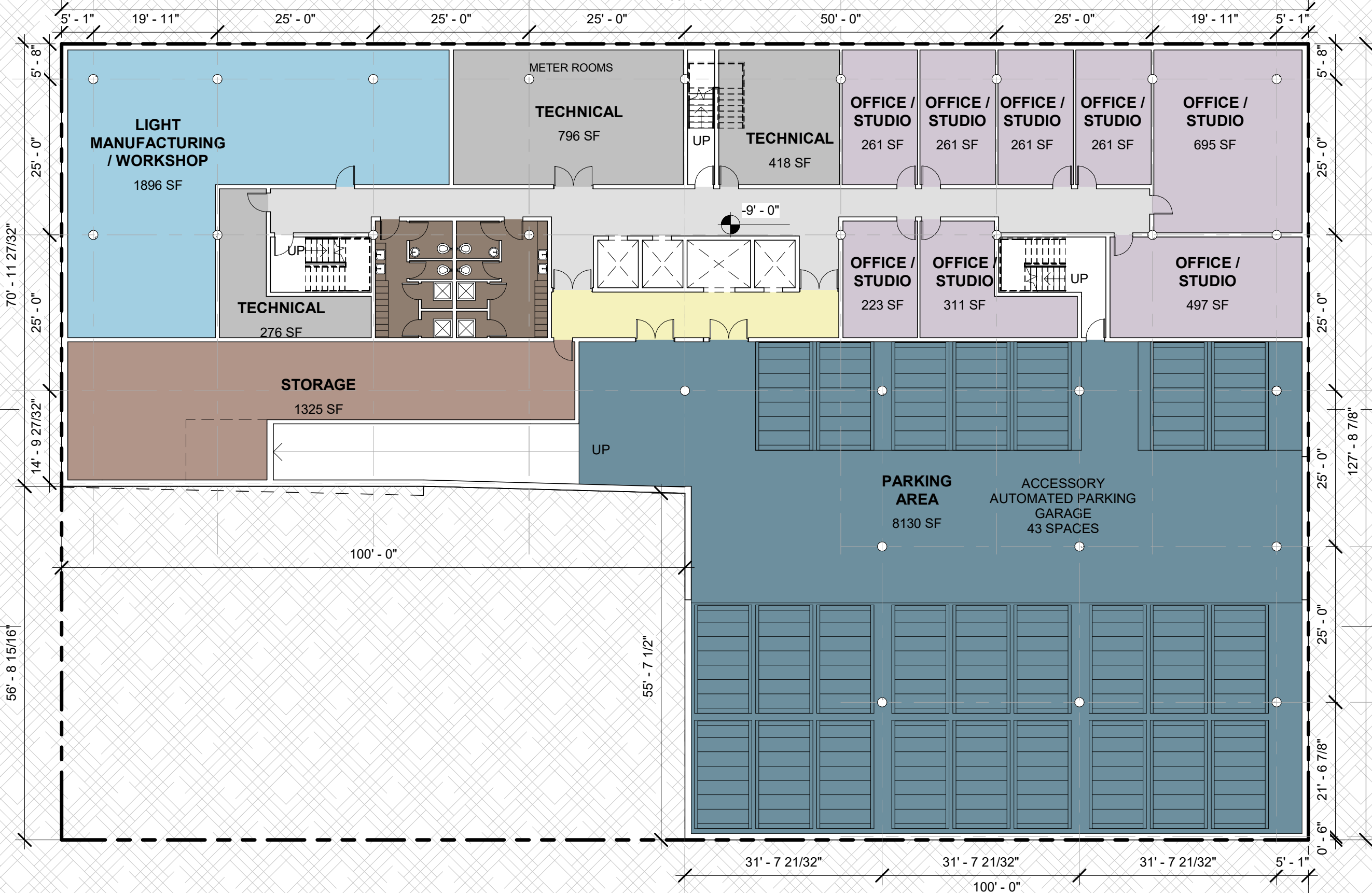


SITE PLAN

A - 19

145TH STREET

200'-0"



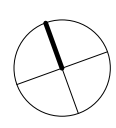
CONCORD AVENUE

WALES AVENUE

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12/02/2021
Scale
1/16" = 1'-0"



CELLAR PLAN

A - 20

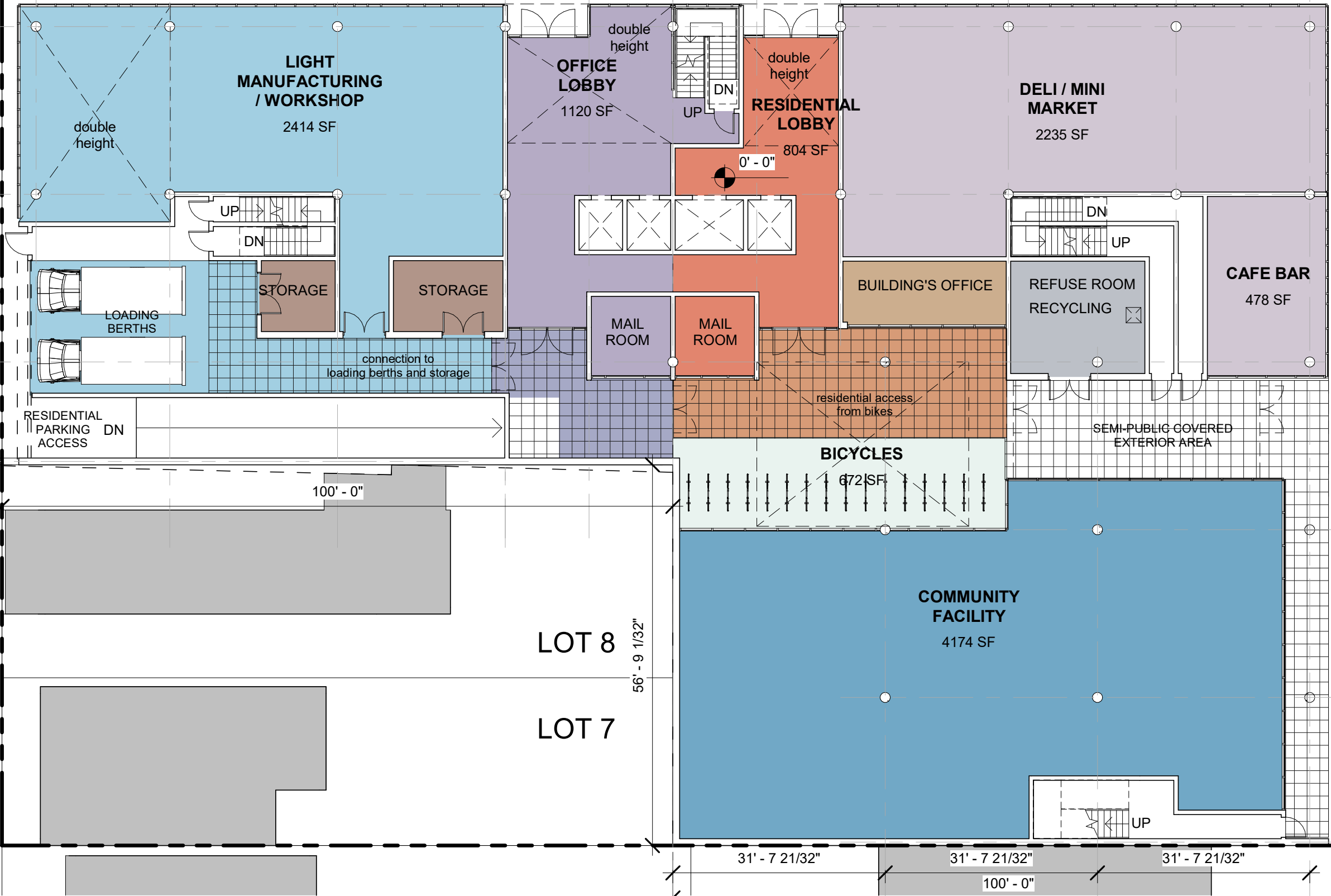
145TH STREET

CONCORD AVENUE

WALES AVENUE

1
A - 33

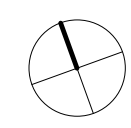
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A - 34



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Marina della Paolera ADE HMONP

438 CONCORD AVENUE
BRONX, NY 10045
"CITY PLANNING INFORMATION MEETING"

12/02/2021
Scale
1/16" = 1'-0"



FIRST FLOOR PLAN

A - 21

145TH STREET

CONCORD AVENUE

WALES AVENUE

1
A - 33

1
A - 34

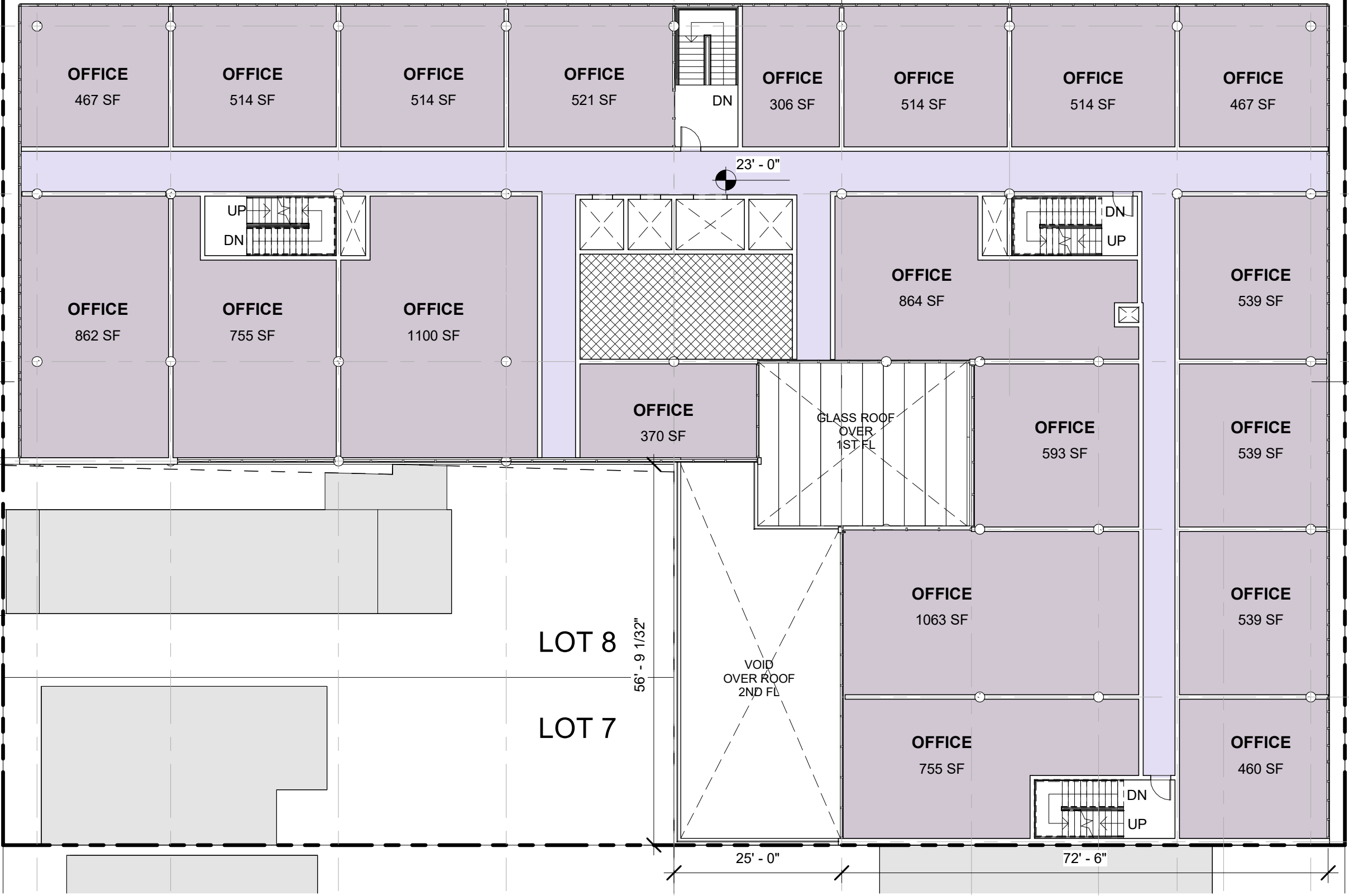


145TH STREET

200' - 0"

CONCORD AVENUE

WALES AVENUE



1
A - 33

1
A - 34

LOT 8

LOT 7

56' - 9 1/32"

VOID
OVER ROOF
2ND FL

25' - 0"

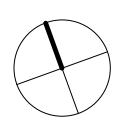
72' - 6"

127' - 8 7/8"

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438 CONCORD AVENUE
 BRONX, NY 10045
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12/02/2021
 Scale
 1/16" = 1'-0"



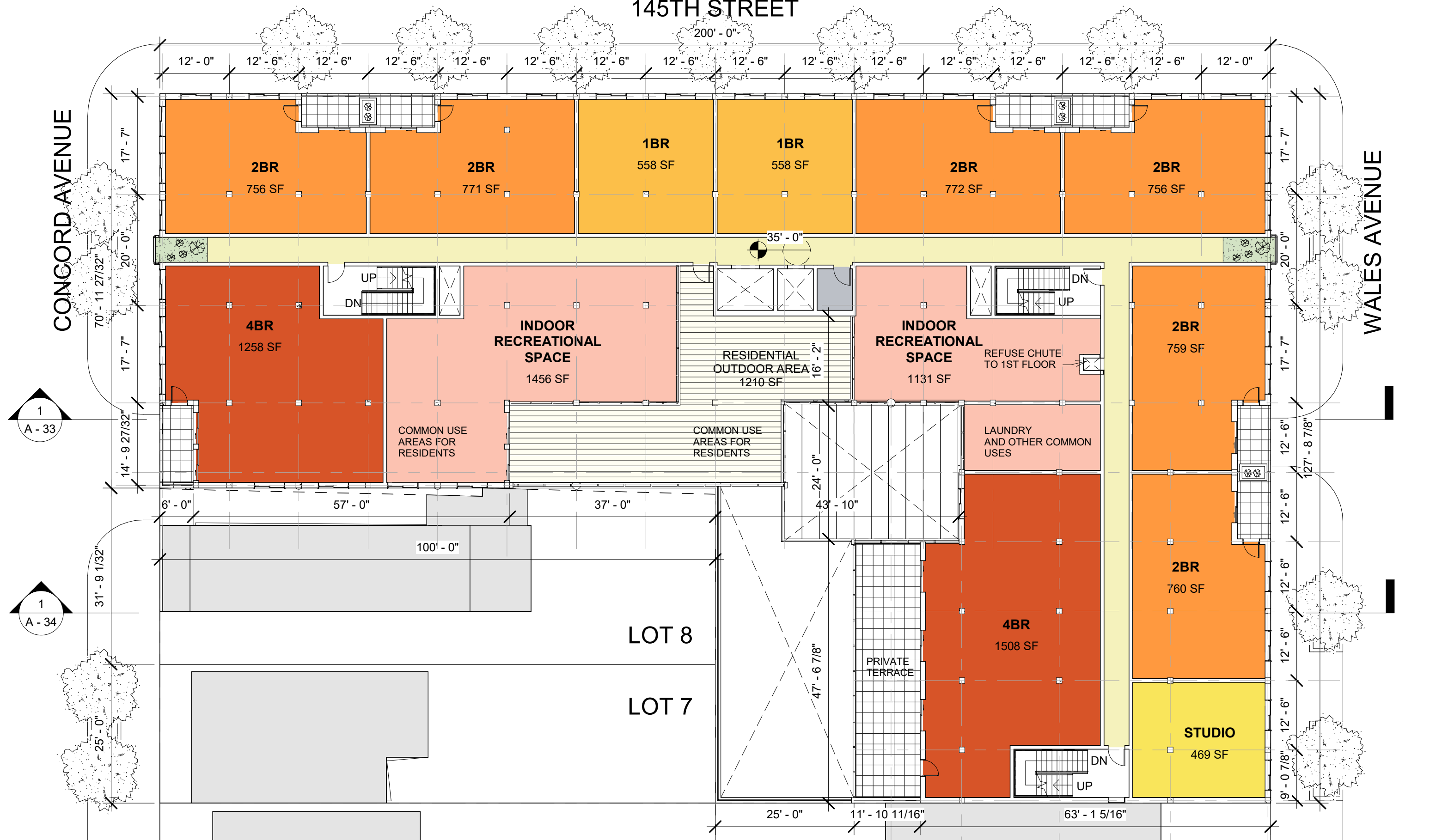
3RD FLOOR PLAN

A - 23

145TH STREET

CONCORD AVENUE

WALES AVENUE



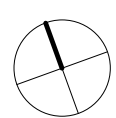
1
A - 33

1
A - 34

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 Scale
 1/16" = 1'-0"



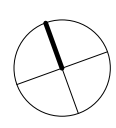
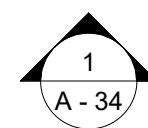
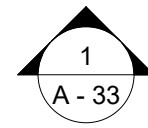
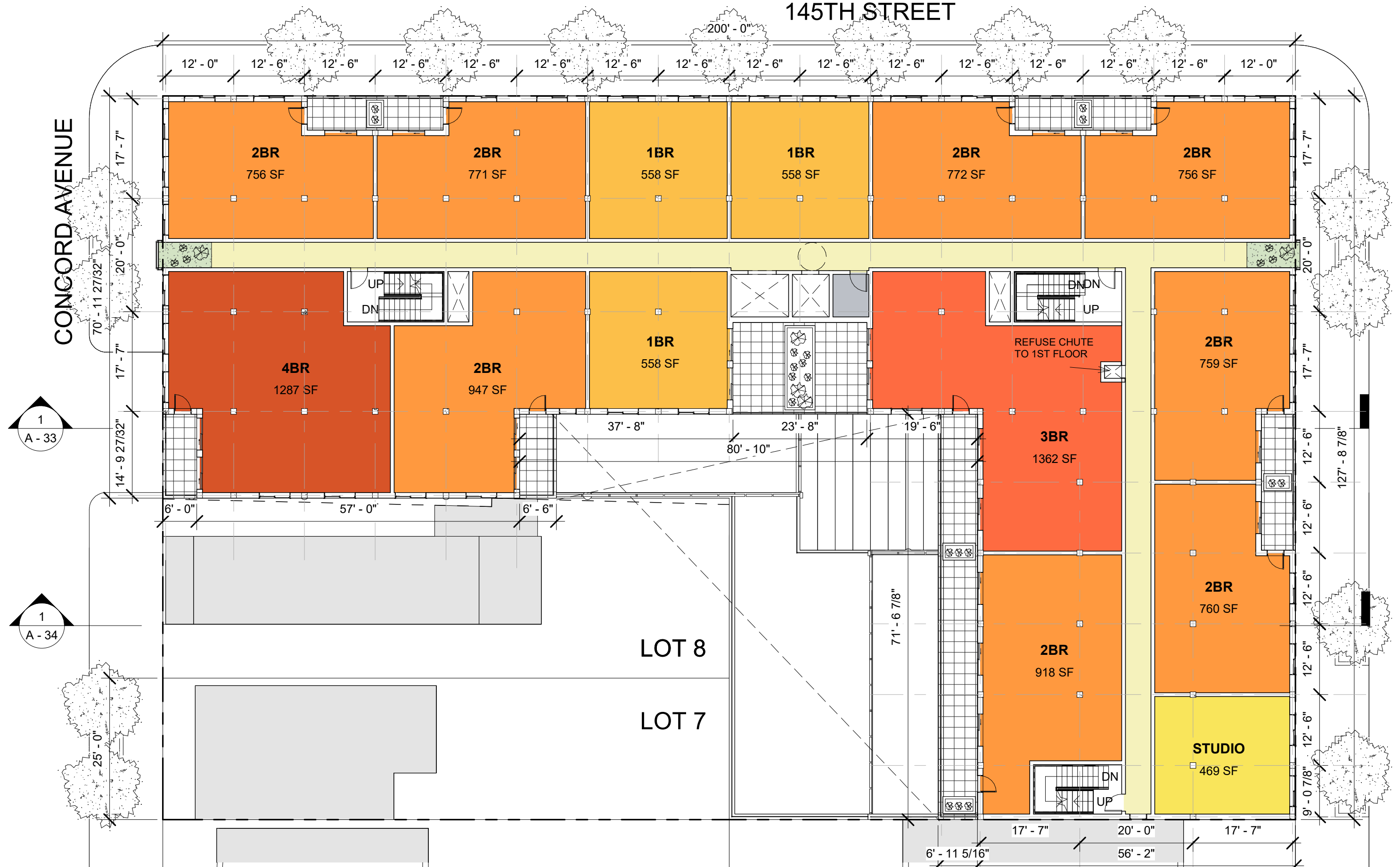
4TH FLOOR PLAN

A - 24

145TH STREET

CONCORD AVENUE

WALES AVENUE



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 Scale
 1/16" = 1'-0"

5TH-9TH FLOORS PLAN

A - 25

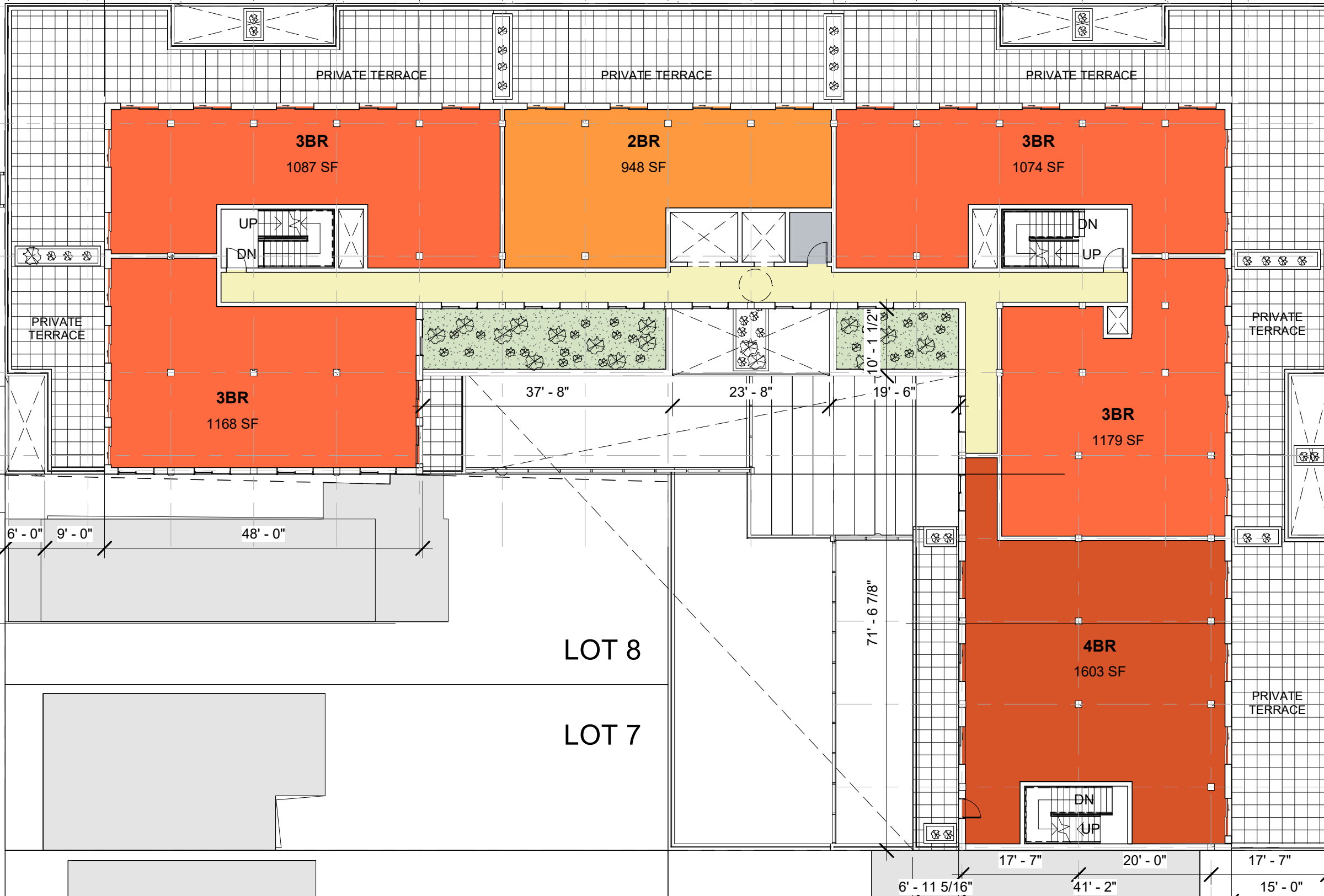
145TH STREET

CONCORD AVENUE

WALES AVENUE

1
A-33

1
A-34



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 BRONX, NY 10045
 "CITY PLANNING INFORMATION MEETING"

12/02/2021
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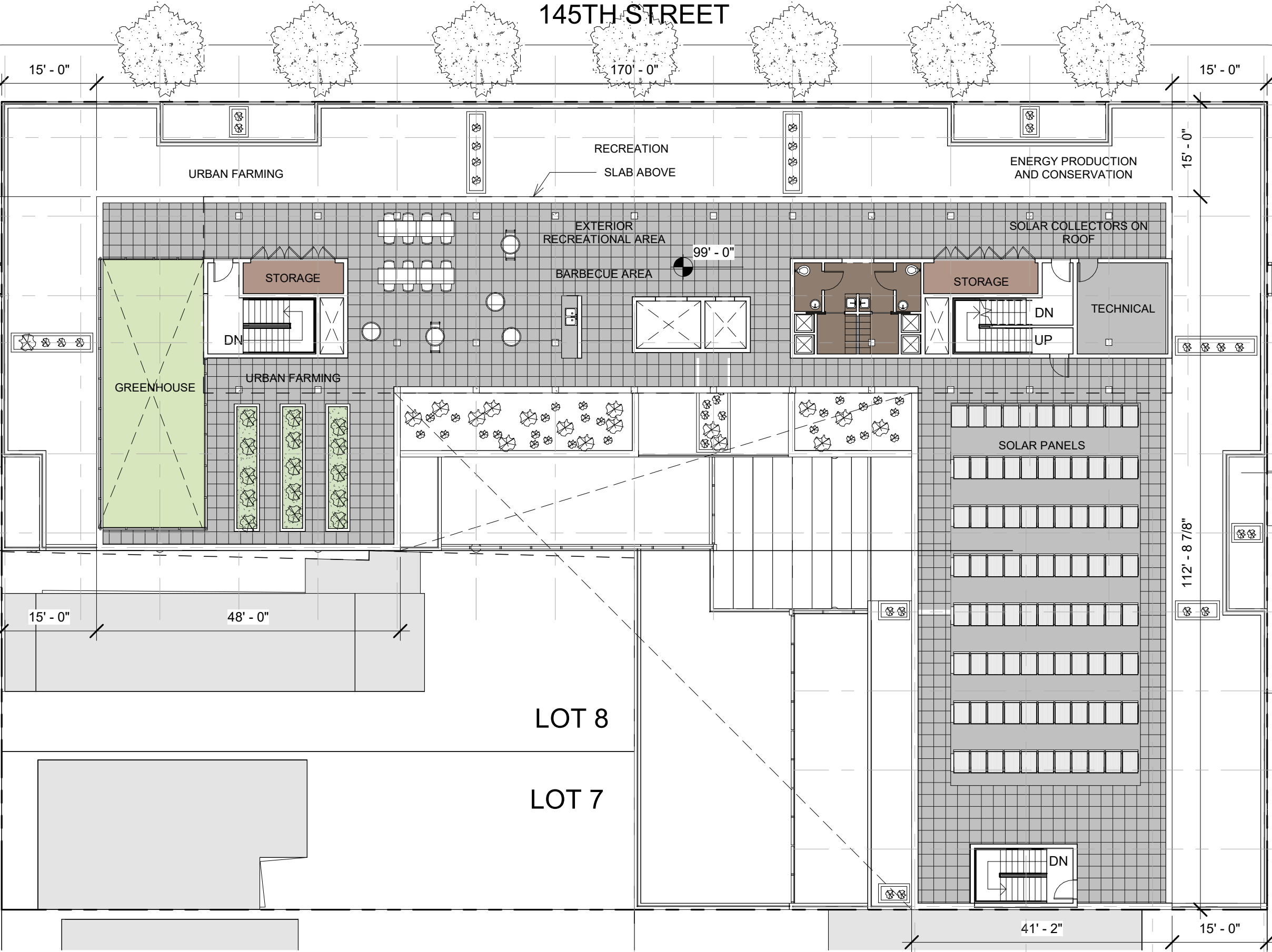
10TH FLOOR PLAN

A - 26

145TH STREET

CONCORD AVENUE

WALES AVENUE

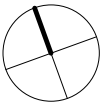


1
A - 33

1
A - 34

LOT 8

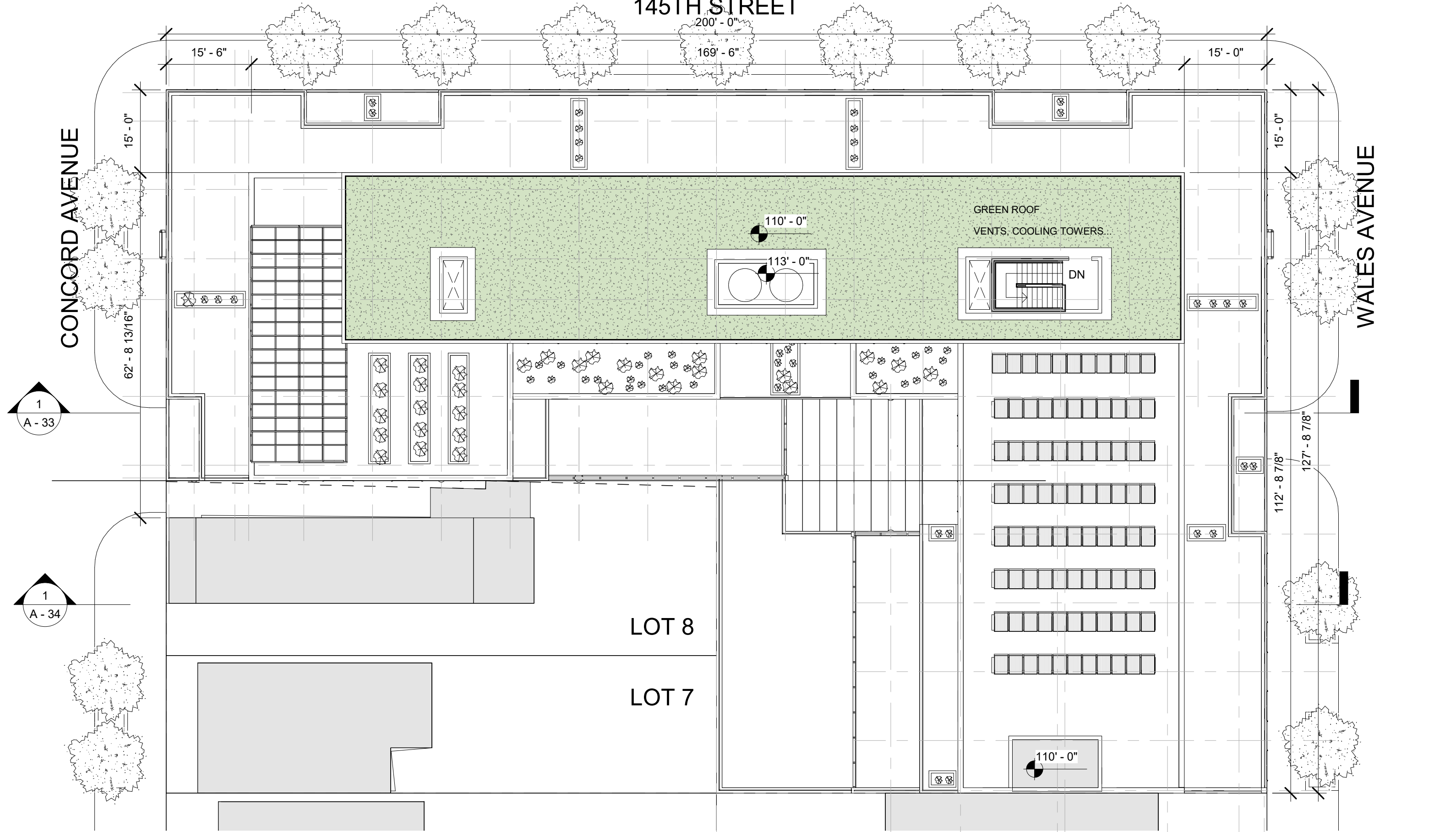
LOT 7



145TH STREET

CONCORD AVENUE

WALES AVENUE



WALES AVENUE

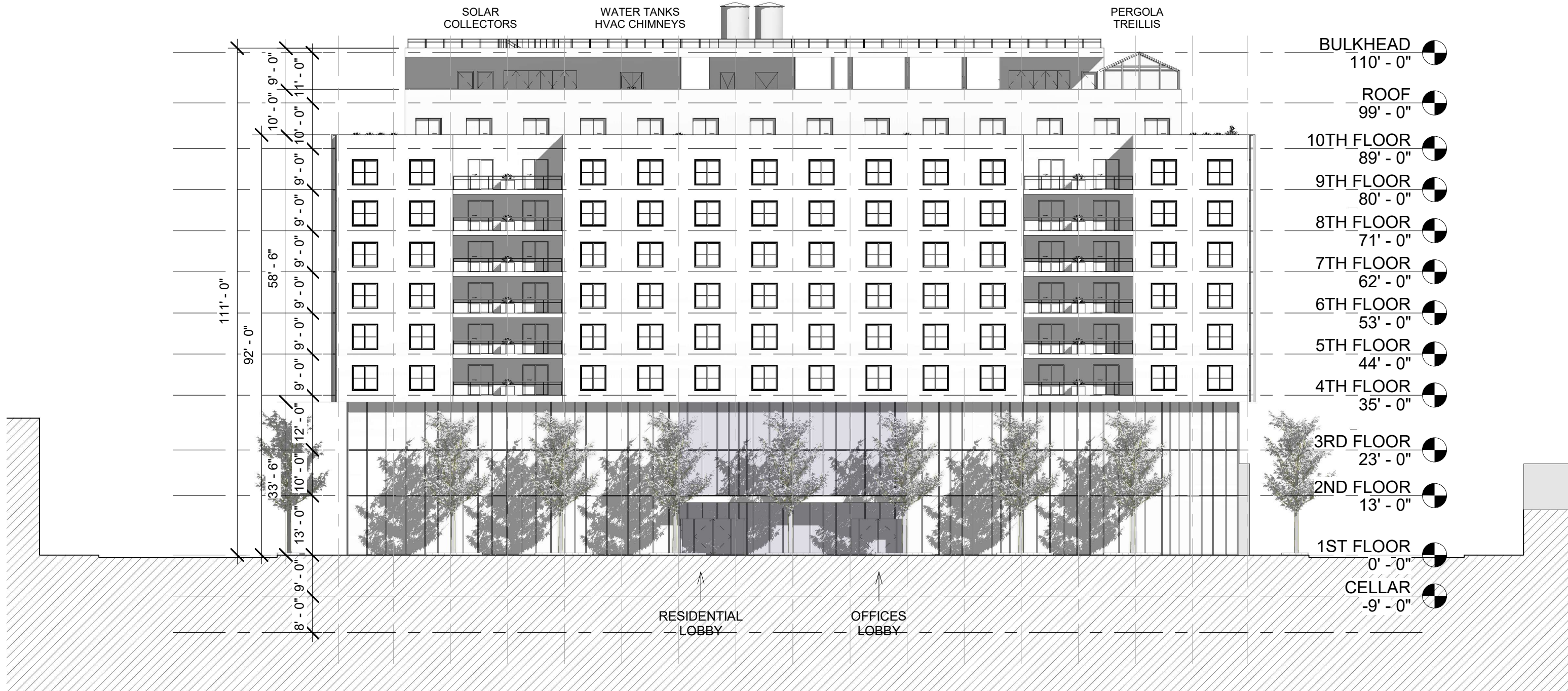
145TH STREET

CONCORD AVENUE

SOLAR COLLECTORS

WATER TANKS
HVAC CHIMNEYS

PERGOLA
TREILLIS



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12/02/2021
 Scale
 3/64" = 1' - 0"

NORTH EAST ELEVATION

A - 29

145TH STREET

CONCORD AVENUE



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12/02/2021
Scale
3/64" = 1'- 0"

NORTH WEST ELEVATION

A - 30

WALES AVENUE

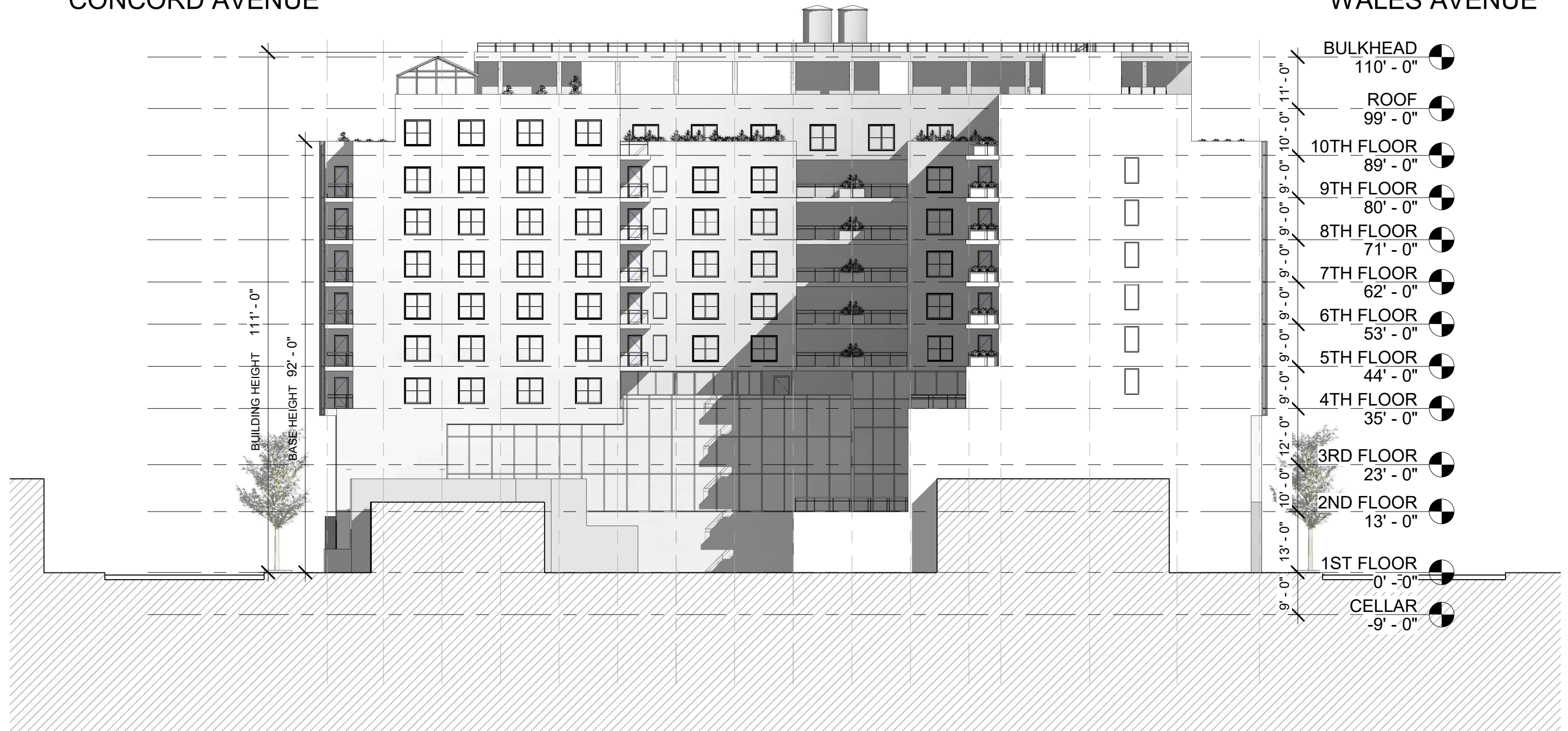
145TH STREET



SEMI PUBLIC COVERED
PASSAGEWAY TO CONCORD AVENUE

CONCORD AVENUE

WALES AVENUE



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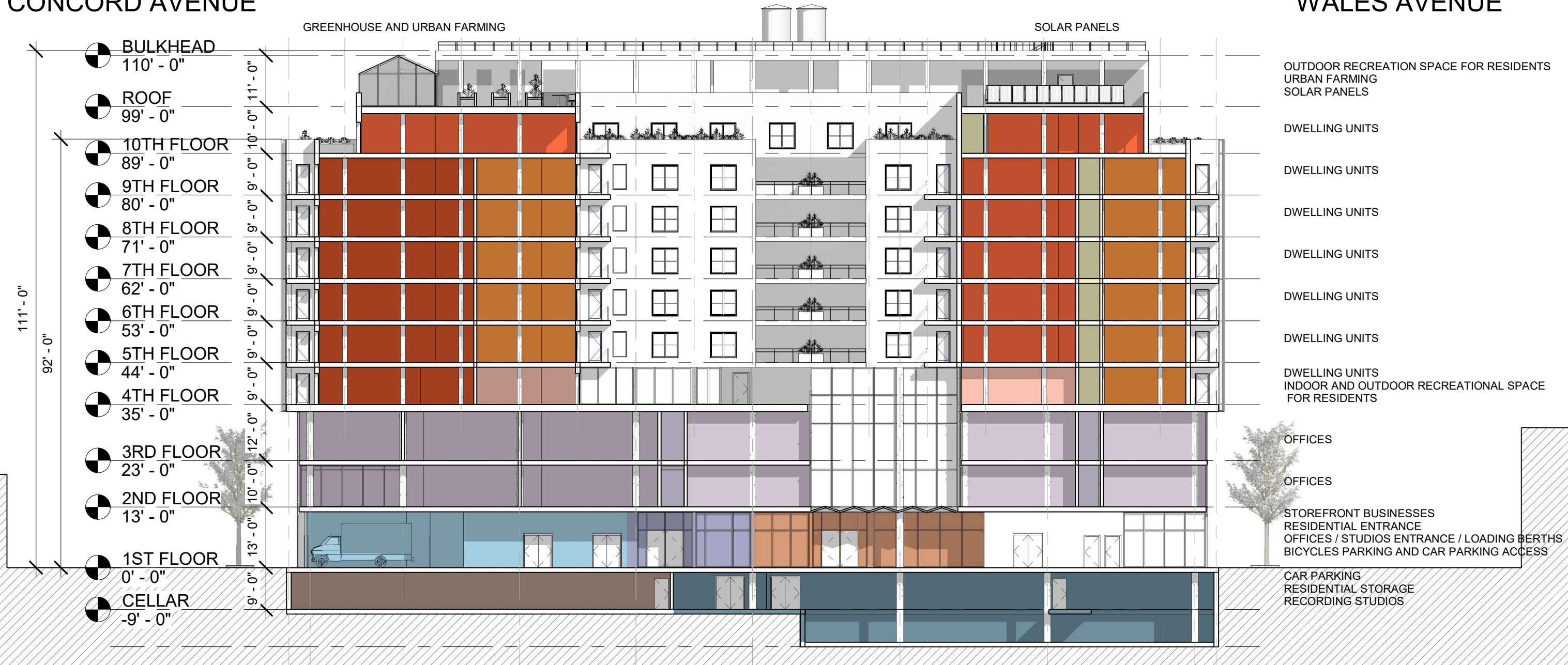
12/02/2021
Scale
3/64" = 1' - 0"

SOUTH WEST ELEVATION

A - 32

CONCORD AVENUE

WALES AVENUE



| | | |
|---------------------------|-----------------------------------|--------------|
| 2BR | RESIDENTIAL ACCESS FROM BIKES | STORAGE |
| 3BR | LOADING BERTHS | PARKING AREA |
| 4BR | OFFICE ACCESS FROM LOADING BERTHS | TECHNICAL |
| CORRIDOR RESIDENTIAL | OFFICE | |
| INDOOR RECREATIONAL SPACE | CORRIDOR STUDIOS | |

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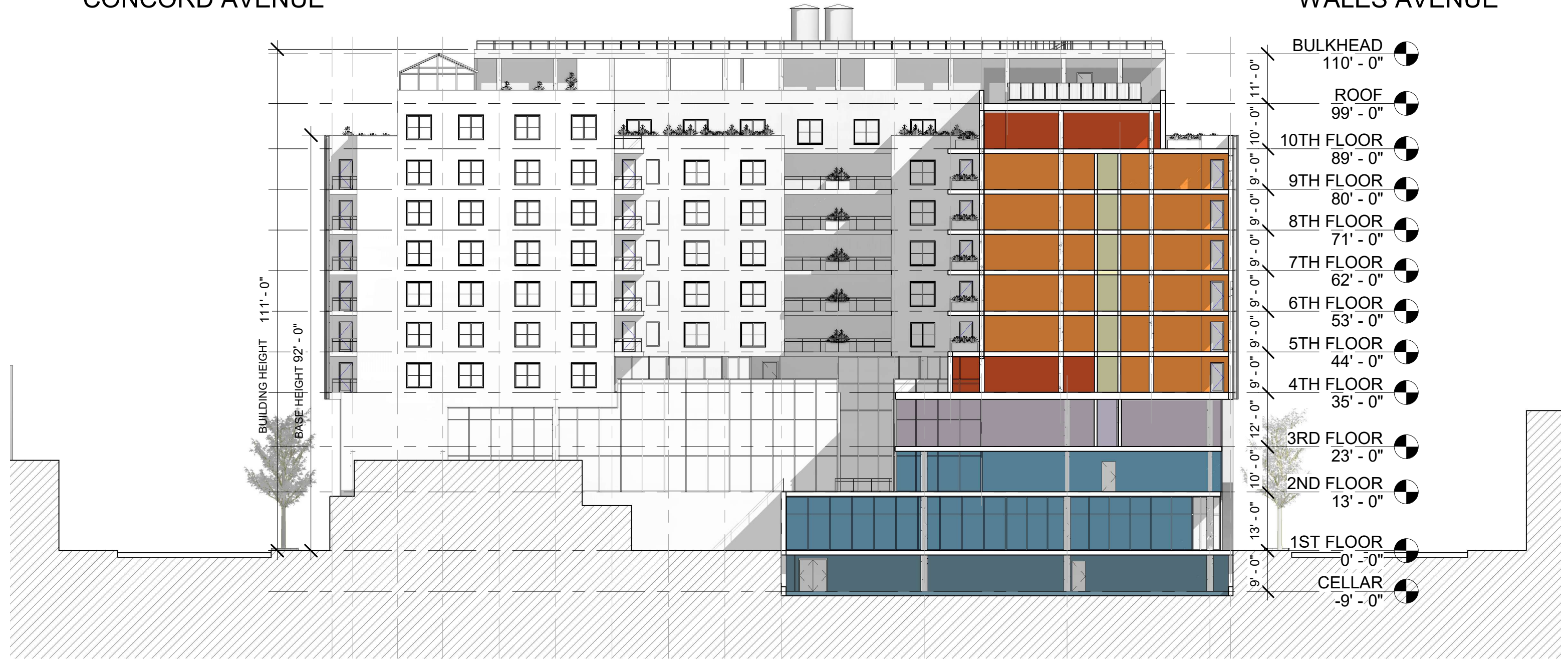
438 CONCORD AVENUE
BRONX, NY 10045
 "CITY PLANNING INFORMATION MEETING"

12/02/2021
 Scale
 3/64" = 1' - 0"

BUILDING SECTION
A - 33

CONCORD AVENUE

WALES AVENUE



- COMMUNITY FACILITY
- 2BR
- 4BR

- CORRIDOR RESIDENTIAL
- OFFICE
- CORRIDOR STUDIOS

- PARKING AREA
- TECHNICAL

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438 CONCORD AVENUE
 BRONX, NY 10045
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12/02/2021
 Scale
 3/64" = 1'- 0"

BUILDING SECTION

A - 34



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BRONX, NY 10045
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12/02/2021
Scale

CONCORD AVE. AXONOMETRIC
VIEW

A - 35



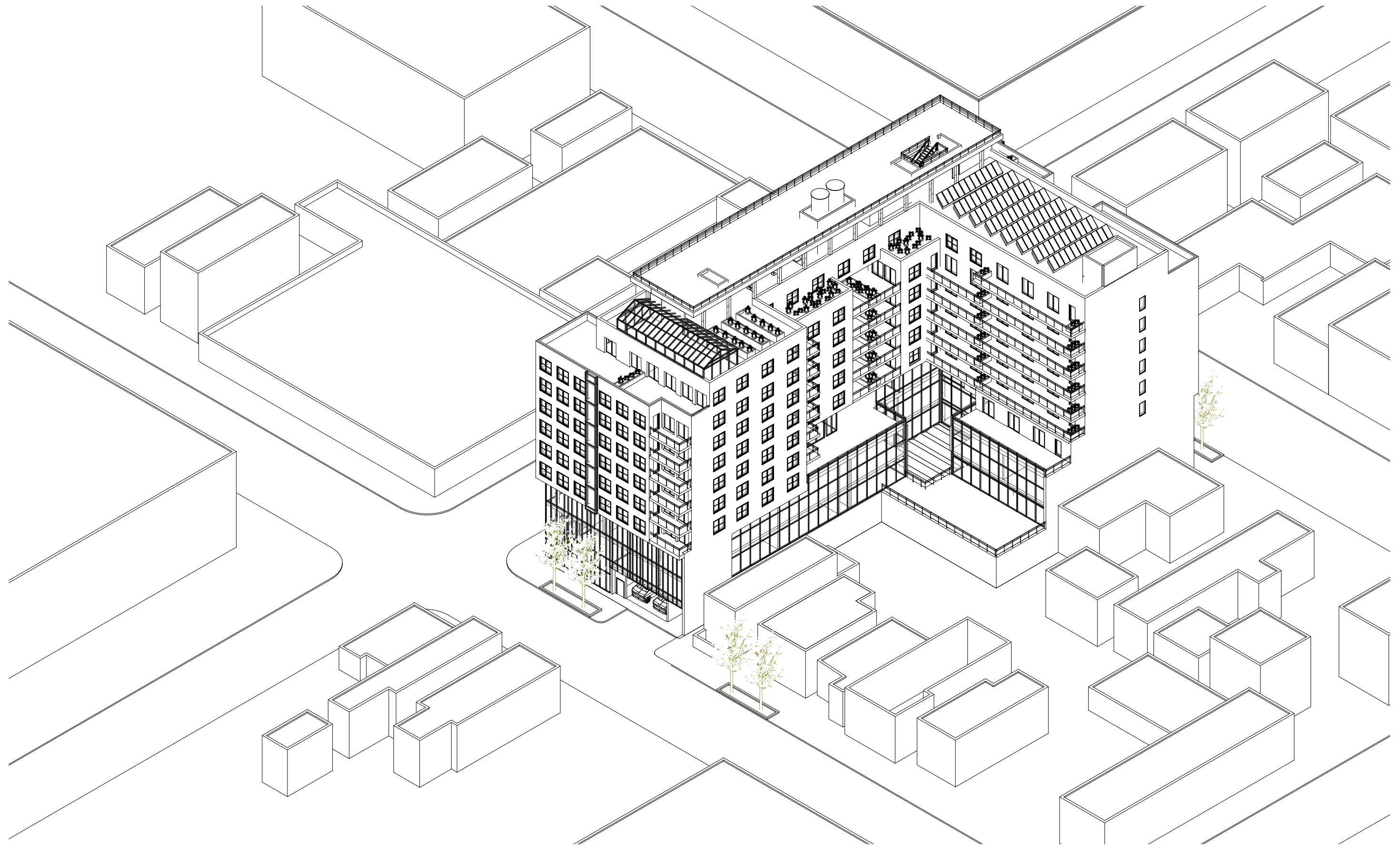
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12/02/2021
Scale

WALES AVE. AXONOMETRIC
VIEW

A - 36



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Scale

REAR AXONOMETRIC VIEW

A - 37

APPENDIX C

NYC HOUSING DATABASE BUILDING PERMITS

430-438 CONCORD AVE REZONING

Completed DOB Permits Within 1/2-mile Study Area Since 2020

| ID | Census Tract | Address | Job Type | Permit Year | Complete Year | Class A Initial Units | Class A Proposed Units | Class A Net Units | Ownership |
|----|--------------|---------------------|--------------|-------------|---------------|-----------------------|------------------------|-------------------|---------------------------------|
| 1 | 27.02 | 617 East 140 Street | Alteration | 2018 | 2020 | 1 | 2 | 1 | Private For-Profit: Corporation |
| 2 | 35 | 494 Jackson Avenue | New Building | 2019 | 2020 | 0 | 16 | 16 | Private For-Profit: Corporation |
| 3 | 73 | 603 Jackson Avenue | New Building | 2017 | 2020 | 0 | 25 | 25 | Private For-Profit: Partnership |

APPENDIX D

PHASE I ESA



PHASE I ENVIRONMENTAL SITE ASSESSMENT

438 Concord Avenue, Bronx, NY 10455

October 21, 2022

Prepared for:

Alejandro Waldman

65 Saint Felix Street, Brooklyn, NY 11217

Prepared by:



500 International Drive, Suite 150

Mount Olive, New Jersey 07828

(973) 527-7451



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EXECUTIVE SUMMARY

Equity was retained by BronxCo, LLC to conduct a Phase I (Phase I Environmental Site Assessment) to identify RECs (Recognized Environmental Conditions) associated with current and prior site use at the property identified as 438 Concord Avenue Bronx, NY 10455 and 435 Wales Avenue, Bronx NY 10455. Equity conducted the assessment in accordance with the requirements of the ASTM (American Society for Testing and Materials) Standard E1527-21, “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process” and good professional practices.

A. Site Overview

The Subject Property is as follows:

| | |
|-----------------------------|--|
| Property Designation | 438 Concord Avenue |
| Property Address | 438 Concord Avenue, Bronx, New York 10455 435 Wales Avenue, Bronx, New York 10455 |
| Parcel ID | Block 2577 / Lots 9 and 14 |
| Parcel Size | Lot 9: 7,758 square feet Lot 14: 12,774 square feet |
| Number of Buildings | Lot 9: No buildings Lot 14: One building |
| Number of Stories | Lot 14: One story |
| Finished Area (SF) | Lot 14: 12,500 square feet |
| Date Constructed | Lot 14: 1931 |
| Construction Type | Lot 14: Brick construction with concrete slab |
| Property Usage | Lot 9: Vehicle storage Lot 14: Auto body repair shop |
| Inspection Date | October 14, 2022 |
| Weather Conditions | 55°F, sunny, dry |
| Site Contact/Title | Alejandro Waldman/BronxCo, LLC. |
| Site Contact Phone | (646)-266-7447 |

B. Definitions

The ASTM Phase I Standard defines environmental conditions as follows:

- **Recognized Environmental Conditions (RECs)**
The term “Recognized Environmental Condition” means the presence of hazardous substances or petroleum products in, on, or at the Subject Property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the Subject Property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the Subject Property under conditions that pose a material threat of a future release to the environment.
- **Controlled Recognized Environmental Conditions (CRECs)**
The term “Controlled Recognized Environmental Condition” is a recognized environmental condition affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations).
- **Historical Recognized Environmental Conditions (HRECs)**
The term “Historical Recognized Environmental Condition” is a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations). A historical recognized environmental condition is not a recognized environmental condition.
- **Vapor Encroachment Conditions (VECs)**
The term “Vapor Encroachment Condition” is a condition where the presence or likely presence of chemical of concern vapors in the subsurface of the target property caused by the release of vapors from contaminated soil and/or groundwater either on or near the target property.
- **De Minimis Conditions**
The term “De Minimis Condition” is a condition related to a release that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. A condition determined to be a de minimis condition is not a recognized environmental condition nor a controlled recognized environmental condition.
- **Data Gaps**
The term “Data Gap” is a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice,

including, but not limited to site reconnaissance (for example, an inability to conduct the site visit), and interviews (for example, an inability to interview the key site manager, regulatory officials, etc.).

- **Key Site Manager**

A key site manager is the person identified by the owner or operator of a Subject Property as having good knowledge of the uses and physical characteristics of the Subject Property.

C. Findings

The following environmental conditions were identified:

- **Recognized Environmental Conditions (RECs)**

No RECs were identified as a result of this assessment.

- **Controlled Recognized Environmental Conditions (CRECs)**

No Controlled RECs were identified as a result of this assessment.

- **Historical Recognized Environmental Conditions (HRECs)**

No Historic RECs were identified as a result of this assessment.

- **Vapor Encroachment Conditions (VECs)**

The EDR Vapor Encroachment database identified three records on the Subject Property. One record is under the FINDS (Facility Index System) database and two records are under the SSTS (Section Seven Tracking Systems) database. These records are included at the Subject Property due to the facility on 435 Wales Avenue (Safeguard Chemical Corp) being an Insecticide, Fungicide, and Rodenticide facility. There are numerous potential VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to multiple NY Spills cases, four E-Designation sites, and one EDR Hist Auto listing. All NY Spills cases have either been closed or are not significant enough to have affected the Subject Property. Therefore, all spill cases are not considered VECs. Three of the four E-Designation sites are within 0.021 miles of the Subject Property. The E-Designation sites are located at 439 Concord Avenue, 431 Concord Avenue, and 441 Concord Avenue. 439 and 431 Concord Avenue have the following E-Designation description: "exhaust stack location limitations". The E-Designation site at 441 Concord Avenue lists descriptions relating to air quality (HVAC nitrogen oxides), exhaust stack limitations, and hazardous materials phase I and phase II testing protocol. Based on the E-Designation descriptions, these three sites are not considered VECs. The EDR Hist Auto site is 0.086 miles from the Subject Property. The EDR Hist Auto site is cross gradient of the Subject Property, therefore the EDR Hist Auto listing is not considered a VEC. Due to the records listed on the Subject Property, VECs cannot be ruled out. Details on the VECs can be found in Appendix C.

- **De Minimis Conditions**

No De Minimis Conditions were identified as a result of this assessment.

- **Data Gaps**

Equity did not identify any significant data gaps that would affect its ability to identify RECs associated with the Subject Property.

D. Conclusions

Equity's review of available information and observations of the Subject Property and surrounding properties indicates that no RECs, CRECs, HRECs, De Minimis Conditions, or Data Gaps were identified as a result of this assessment. However VECs could not be ruled out.

I. INTRODUCTION

A. Purpose

Equity was contracted by BronxCo, LLC to perform a Phase I Environmental Site Assessment of the referenced property in accordance with the ASTM (American Society for Testing and Materials) International Standard E1527-21, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The ASTM International Standard satisfies the requirements of the USEPA's (United States Environmental Protection Agency's) All Appropriate Inquiry Standard, 40 CFR Part 312, which is required to qualify for certain landowner liability protections under the CERCLA (Comprehensive Environmental Response, Compensation and Liability Act). The ASTM Standard constitutes "all appropriate inquiry into previous ownership and uses of the property consistent with good commercial or customary practice." The investigation was conducted to identify RECs (Recognized Environmental Conditions), which are identified as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

It is Equity's understanding that the proposed Project is part of the zoning map amendment process to rezone the Project area from the existing M1-2 zoning district to an R7X/M1-4 zoning district.

B. Scope-of-Services

The Phase I consisted of the following components:

1. Review of environmental and historical records
2. Site reconnaissance
3. Interviews
4. Report preparation

The environmental assessment is non-invasive and does not include any testing or sampling of materials, such as soil, water, air or building materials. The environmental assessment included a non-invasive (no sampling) evaluation of the potential for asbestos-containing materials, lead-based paint, and mold.

C. Significant Assumptions, Limitations and Exceptions

Unless noted, Equity assumes that the information obtained through the records review, site inspection, and interviews is correct. Equity does not warrant the accuracy of this information or warrant that any RECs that were not identified through the Phase I process do not exist on the Subject Property. RECs do not include De Minimis conditions that do not present a threat to human health or the environment, and that would not be subject to an enforcement action by government agencies.

D. Special Terms and Conditions

No Special Terms or Conditions apply to this project.

E. Reliance

This report is for the use and benefit of BronxCo LLC and any of their respective affiliates, agents, and advisors.

II. SITE DESCRIPTION

A. Location and Description

The Subject Property is identified as 438 Concord Avenue, Bronx, NY 10455 and 435 Wales Avenue, Bronx, NY 10455. The Subject Property is identified as Block 2577 / Lots 9 and 14 on the New York City Tax Map. Lot 14 is vested in BronxCo LLC and Lot 9 is vested in 100 West 33rd Street Corp. The Subject Property is two rectangular shaped lots between Concord Avenue and Wales Avenue. The Subject Property is located in the Mott Haven Neighborhood of The Bronx.

A USGS Site Location Map and Site Boundary Map are included as Figures 1 and 2.

B. Site and Vicinity Characteristics

The Subject Property is currently located in a M1-2 zoning district surrounded by mostly industrial and commercial uses. The Subject Property is located adjacent to General Baitoa to the north, Professional Auto Body to the east, Diallo Auto Repair to the west, and residences to the south. M1-2 zoning districts are manufacturing districts typically include light industrial uses. The manufacturing floor area ratio is 2.0 and the required accessory parking is 1 per 300 square feet.

C. Current Use of the Property

Lot 14 of the Subject Property is currently an autobody shop with two spray paint booths. Lot 9 is a paved fenced-in parking lot used to store vehicles.

D. Description of Structures, Improvements and Utilities

Currently, one building exists on Lot 14. The building is brick with wood framing.

Utilities at the property include the following:

1. Electricity

Electricity is provided to the Subject Property located at 435 Wales Avenue, Bronx, NY by ConEd (Consolidated Edison Inc.). Electricity is not currently provided to the Subject Property located at 438 Concord Avenue, Bronx, NY

2. Water

Potable water is supplied by the City of New York at 435 Wales Avenue, Bronx, NY. Potable water is not currently supplied to the Subject Property located at 438 Concord Avenue, Bronx, NY. No groundwater drinking wells were reported or identified as a result of this assessment.

3. Sewers

Sanitary wastewater is discharged to the City of New York sewer system at 435 Wales Avenue, Bronx, NY.

4. Heat

An oil fired boiler currently exists at 435 Wales Avenue, Bronx, NY. However, the heating system has not worked for an unknown number of years according to the tenant at the property, Mr. Luis Fernando. Heat is not currently provided to the Subject Property located at 438 Concord Avenue, Bronx, NY.

E. Current Uses of Adjoining Properties

The following land uses are present at properties adjoining the Subject Property:

- North – East 145th Street, General Baitoa Automotive Warehouse, vacant lot
- East – Wales Avenue, Professional Auto Body, commercial, and residential
- South – Residential
- West – Concord Avenue, Diallo Auto Repair, and vacant lot with active construction

III. USER PROVIDED INFORMATION

The ASTM Standard defines the “User” as the person on whose behalf the Phase I is being conducted. The ASTM Standard requires the User to provide site information for the Phase I. Equity was not provided with the following information:

- Environmental liens (i.e., legal, deed notice) or Activity and Use Limitations (i.e., engineering controls, etc.).
- Specialized knowledge or commonly known information regarding current or historical hazardous material use on the Subject Property or adjoining properties, which would be considered a REC.
- Indications that the fair market value of the Subject Property was reduced due to environmental concerns.

IV. RECORDS REVIEW

A. Standard Environmental Record Sources

EDR of Shelton, Connecticut, was contracted by Equity to prepare an environmental database survey for the Subject Property and surrounding areas. A copy of the EDR report, which

summarizes the environmental concerns presented by nearby sites, is attached as Appendix C. The listing of a site on any of these databases is, in itself, not indicative of an existing environmental concern. Distance, geology, and groundwater flow gradient are the factors that determine the importance of a listed site to the soil and groundwater quality on the Subject Property. Equity has relied on distance from the listed site and topographical gradient to judge whether that site has the potential to affect the Subject Property.

According to the EDR environmental database search, the Subject Property was identified on 2 databases (FINDS and SSTS). The following surrounding properties were identified in the federal and state databases within a one-mile search radius of the Subject Property and are identified as follow:

| Database | Subject Property | 0-1/8 Mile | 1/8 – 1/4 Mile | 1/4 – 1/2 Mile | 1/2 – 1 Mile |
|------------------|------------------|------------|----------------|----------------|--------------|
| RCRA-LQG | | 0 | 2 | NR | NR |
| RCRA-SQG | | 3 | 6 | NR | NR |
| NY SHWS | | 0 | 0 | 1 | 3 |
| NY SWF/LF | | 0 | 0 | 5 | NR |
| NY LTANKS | | 5 | 5 | 29 | NR |
| NY UST | | 2 | 11 | NR | NR |
| NY MOSF UST | | 0 | 0 | 1 | NR |
| NY MOSF | | 0 | 0 | 1 | NR |
| NY AST | | 14 | 21 | NR | NR |
| NY TANKS | | 1 | 0 | NR | NR |
| NY VCP | | 1 | 2 | 1 | NR |
| NY BROWNFIELDS | | 0 | 0 | 2 | NR |
| NY SWRCY | | 0 | 1 | 0 | NR |
| NY SPILLS | | 27 | NR | NR | NR |
| RCRA NonGen/NLR | | 20 | 38 | NR | NR |
| FINDS | 1 | 0 | NR | NR | NR |
| NY DRYCLEANERS | | 0 | 4 | NR | NR |
| NY E DESIGNATION | | 5 | NR | NR | NR |
| NY MANIFEST | | 31 | 51 | NR | NR |
| NJ MANIFEST | | 7 | 16 | NR | NR |
| EDR Hist Auto | | 3 | NR | NR | NR |
| EDR Hist Cleaner | | 1 | NR | NR | NR |
| SSTS | 2 | NR | NR | NR | NR |

The Subject Property was identified on the FINDS and SSTS (Section Seven Tracking Systems) database due to the facility on 435 Wales Avenue (Safeguard Chemical Corp) being an Insecticide, Fungicide, and Rodenticide facility. No other listings were associated with the Subject Property usage. The EDR Database identified 120 sites within 1/8 of a mile from the Subject Property. The

NY LTANKS database identified 5 sites; however, there are no open spill cases associated with the LTANK listings. The NY UST database identified 2 sites; however, there are no spills associated with the NY UST listings. The NY AST database identified 14 sites; however, there are no spills associated with the NY AST listings. NY TANKS database identified 1 site; however there are no spills associated with the NY TANKS listing. The NY SPILLS database identified 27 sites; however, after a review of the New York Department of Environmental Conservation (NYDEC) Spill Database all spills within 1/8 of a mile have been closed and are no longer a concern to the Subject Property. The EDR Hist Auto database identified 3 sites; Maddaloni John W (482 Tinton Avenue), R&L Citgo (459 Tinton Avenue), and Anpe Gas Service Station Inc (458 Southern Blvd). No spill cases are identified with the three listings; however the listings cannot be ruled out as a concern due to the nature of the sites. The EDR Hist Cleaner database identified 1 site, Edwards Dry Cleaners (497 Jackson avenue). No spill cases are identified with the three listings; however the listings cannot be ruled out as a concern due to the nature of the sites. Additional information regarding each of the individual properties identified in the databases listed above is provided in Appendix C.

B. Orphans Summary

The EDR Orphan Summary lists 17 properties that were included in certain federal or state environmental databases, but were reported by EDR to be unmapped due to insufficient address information. The listing of orphan sites within the database search was reviewed, cross referencing available address information with facility names. Upon review, it was determined that no orphan sites appear to be associated with the Subject Property or adjoining properties. The orphan sites provided by EDR are listed below:

- CE – E. 137th St. Station
- CE – E. 138th St. – Bronx Works (twice)
- Parking Lot
- Hutch Pkwy and Bruckner Expwy
- Bronxchester Ura Site 1A
- Brite Staff/Oak Point Properties
- Police Pistol Range
- I/A/O Wales Ave & East 145 St
- 214895; Navy St and Concord St
- East 145th Street and East River
- 180th St and Clinton Ave.
- St. Raymond’s Cross Bronx, Hutch
- Hunt’s Point/Hoe Ave
- Southern Blvd. and Longwood Ave
- Oak Point/Brite Star
- Serega Ave, Cross Bronx Expwy, Wes
- 214671; Jay St and Concord St

Additional information regarding the EDR Orphan Summary Report can be found in Appendix C.

C. City Environmental Quality Review “E” Designation

The “E” designations shown on the zoning maps function as indicators of the environmental review that must be conducted when the lots are developed in accordance with the regulations of the rezoned district. The City Planning Commission’s rezoning actions, including environmental designations, were made effective upon the City Council’s approval of the Zoning Map

Amendment. Based upon a review of the NYCDEP “E” Designation database on October 11, 2022, the Subject Property was not identified.

D. Physical Setting Source

The Subject Property is located in The Bronx and surrounded by primarily industrial and commercial uses. The ground surface at the site is predominantly level. Ground cover consists primarily of asphalt at 438 Concord Avenue, Bronx, NY and a brick building at 435 Wales Avenue, Bronx, NY. 438 Concord Avenue, Bronx, NY is accessed from the north via East 145 Street. 435 Wales Avenue is accessed from the north via East 145 Street and the East via Wales Avenue. Based on a review of the topographic map for the area, groundwater is inferred to flow to the southeast towards East River.

Based on the soil survey maps published by the USDA Soil Conservation Service (1994) and information provided in the EDR Report, the subsurface soils expected at the site include Urban Land, which is variable in texture and does not qualify as hydric soil. Urban land soils are those which have lost original characteristics due to human activity (construction, development, demolition, debris, etc.). The geologic age identification of the rock at the Subject Property is of the Paleozoic Era, Ordovician System, Middle Ordovician (Mohawkian) Series, (Code O2). No settling ponds, lagoons, surface impoundments, wetlands or natural catch basins were observed on the Subject Property during this investigation.

E. Historical Use Information on the Property

The historical sources reviewed indicate that the Subject Property has previously been undeveloped land, residential property, and a school bus parking area.

1. Sanborn Fire Insurance Maps

Equity reviewed 26 digital Sanborn Fire Insurance Maps from 1891 to 2007 provided by EDR, Inc. The Sanborn Fire Insurance Maps from 1928, 1968, and 1969 did not show the Subject Property and were not used for this section. Information derived from these maps is as follows:

| Year | Subject Property | Surrounding Area |
|------|---|--|
| 1891 | The Subject Property is developed with multiple 2-3 story buildings labeled “Primary School No. 44” | The Surrounding areas is multiple residential dwellings. |
| 1908 | The Subject Property is developed with two 2-story dwellings, a 4-story vacant building, and a 2-story building labeled “Vacant Ruin” | The Surrounding Area is multiple residential dwellings. |

| Year | Subject Property | Surrounding Area |
|--|---|--|
| 1935 and 1944 | The Subject Property on the western portion is developed with two 2-story dwellings, a 4-story dwelling, and three 1-story auto garages (personal garages) | The Surrounding Area to the East is Wales Avenue with garages, Dwellings, and Commercial spaces (Auto Wrecking, Machine Shop, Auto Service Station). The north is 145 th Street with Garages beyond. The south is developed with dwellings, and the west is Concord Avenue with dwellings and commercial facilities beyond. |
| 1946 | The Subject Property on the western portion is developed with a 4-story dwelling labeled "Apts", two 2-story dwellings, and three 1-story auto garages (personal garages) | Similar to previous years. |
| 1947 | The Subject Property on the western portion was divided from two lots to three lots and developed with a 4-story dwelling labeled "Apts", two 2-story dwellings, and two sheds. | Similar to previous year. |
| 1951, 1977, 1978, 1980, 1981, 1984, 1986, 1989, 1991, and 1992 | The Subject Property on the western portion is similar to the previous years. The Subject Property on the eastern portion is developed with a 1-story chemical warehouse labeled "Cutler-Hammer Inc." | The east is developed with dwellings, Auto repair facilities, and a wagon yard. The Northwest is developed with a Junior High School No. 155. |
| 1993, 1994, 1995, 1996, 1998, 2001, 2002, 2003, 2004, 2005, 2006, and 2007 | The Subject Property on the western portion is developed with two 2-story dwellings and vacant land. The Subject Property on the eastern portion is a 1-story chemical warehouse. | The Surrounding areas are developed with dwellings, commercial buildings, auto garages/repairs, and a Junior High School. |

Copies of the Sanborn Fire Insurance Maps are provided as Appendix D.

2. USGS Topographic Maps

Equity reviewed a total of 11 historical Topographic Maps from 1897 to 2019 provided by EDR, Inc. Information derived from these maps is as follows:

| Year | Subject Property |
|--|--|
| 1897, 1898, and 1900 | The Subject Property is developed. The area to the east of the Subject Property is Port Morris. There is a railroad to the east of the Subject Property. |
| 1947, 1956, 1966, 1979, 1997, 2013, 2016, and 2019 | The Subject Property is developed and the surrounding development has increased greatly. Port Morris to the east has been developed with fill material as there is developed land over a previous water body. There is a major roadway and railroad to the east of the Subject Property. |

Copies of the USGS Topographic Maps are provided as Appendix E.

3. Historic Aerial Photographs

Equity reviewed a total 15 of aerial photographs spanning from 1924 to 2017 provided by EDR, Inc. The Subject Property is depicted in the aerials in its current state from 1994 to 2017. Information derived from the aerial photographs is as follows:

| Year | Subject Property | Surrounding Area |
|----------------------------------|--|---|
| 1924 | The Subject Property is developed on the Southwestern portion with residential dwellings. | The Surrounding Areas are developed with multiple residential dwellings. |
| 1951, 1954, and 1961 | The Subject Property is developed with residential dwellings on the western portion. The eastern portion of the Subject Property is developed with a large warehouse similar to current usage. | The Surrounding Areas are developed with multiple residential and commercial buildings. |
| 1966, 1974, 1976, 1984, and 1991 | The Subject Property is developed with residential dwellings on the western portion. The eastern portion of the Subject Property is developed with a large warehouse similar to current usage. | The Surrounding Areas are developed with multiple residential and commercial buildings. The property to the northwest is developed with a building comparable to the current Junior High School building. |
| 1995, 2006, 2009, 2013, and 2017 | The Subject Property is developed with residential dwellings on the southwestern portion. | Similar to the previous years. |

Copies of the aerial photographs are provided as Appendix F.

4. City Directory

Equity reviewed local city directory listings provided by EDR, Inc. for the Subject Property and adjacent properties. Listings for the Subject Property include Moving and Shipping Corporation and residential dwellings between 1931 through 1976. The surrounding area is characterized by commercial, residential, and industrial listings. A few of the surrounding uses include IMW Distributrs Inc Bevrgs at 425 Concord Avenue; Los Conpadres Repair Shop, San Salvadore Auto Repr Shop Inc, Concord Ornamental Iron Works, and Tip Top Pickle Co at 439 Concord Avenue; Concord Carburetor, Concord Auto Body, Allied Auto Svce, E&H Auto Body & Fender Reprs, and Elevator Svce & Appliance Co at 439 Concord Avenue; Eden Transpnt Sysms Inc, Dynamic Operating Corp, Forest Maintenance Corp, Famous Cab Corp, Universal Carloading & Distr Co inc, and Overland Package Freight Svc Inc at 450 Concord Avenue; General Baitoa Equipment Company and General Baitoa Automotive at 745 East 145th Street. The City Directory report is included as Appendix G.

5. Regulatory File Review

Equity reviewed title information for the Subject Property contained in the New York City Zola database. Title to Lot 14 is vested in BronxCo LLC and Lot 9 is vested in 100 West 33rd Street. The Subject Property is identified as Block 2577/Lots 14 and 9.

According to the New York City DOB (Department of Buildings) website, Lot 14 has one complaint, seven DOB violations, nine jobs, and four actions. The complaint was related to non-conforming zoning, in which a residential building was doing auto repair. Six of the seven violations were dismissed. The one active violation is for the failure to file an annual boiler inspection report. The nine jobs were related to a spray and paint mixing room, installation of RPZ (reduced pressure zone) valves for sprinkler system, new certificate of occupancy, plan submitted to indicate existing use, and installation of DCDA (double check detector assembly) device. The four actions are related to new building construction, plumbing repair slip, and DOB violations.

According to the New York City DOB website, Lot 9 has four complaints, 16 DOB violations, one job, and three actions. The complaints were related to reckless demolition of the building, leaning retaining wall, cracked wall, and a vacant building with squatters. Nine of the 16 violations were dismissed. The seven active violations are related to boilers and construction. The one job is related to demolition of the building. The three actions were related to fire protection plans and miscellaneous listings.

Equity submitted a FOIL (Freedom of Information Law) request to the NYDEP (New York City Department of Environmental Protection), the NYDEC (New York State Department of Environmental Conservation), and the FDNY (New York Fire Department) on October 11, 2022. A response was received from the DEC on October 11, 2022. The DEC produced no responsive records. A response was a received from the DEP on October 21, 2022. The DEP produced no responsive records. A response from the FDNY was unavailable prior to the

completion of this report. In the event records of environmental concern are identified, this report will be amended and stakeholders will be notified.

Regulatory records are included in Appendix H.

6. Prior Environmental Assessments and Reports

Equity was not provided with any prior environmental assessments or reports.

F. Historical Use Information on Adjoining Properties

The following information summarizes the historical use of properties adjoining the Subject Property based on a review of the Sanborn Fire Insurance Maps and Historic Aerial Photographs.

- North – Auto repair facility
- East – Auto repair facility/commercial
- South – Auto repair facility
- West – Auto repair facility/commercial/residential

V. SITE RECONNAISSANCE

The Phase I Questionnaire completed for the Subject Property is provided in Appendix I.

A. Methodology and Limiting Conditions

John Vrabel/Project Manager Equity Environmental conducted the Phase I site inspection on October 14, 2022.

No limiting conditions such as weather or inaccessible areas were encountered during the completion of this assessment.

B. Onsite Operations/Manufacturing

Currently, 438 Concord Avenue, Bronx, NY is occupied by a fenced in vehicle storage lot with no buildings or structures present. 435 Wales Avenue is occupied by a single story auto body repair garage with two spray paint booths. There are functional filtration systems inside the spray paint booths at the Property that are attached to a main fan. Every 4-6 months the booths get cleaned and the filters are replaced.

Photographs of the Subject Property are provided in Appendix B.

C. Chemical and Petroleum Use and Storage (USTs, ASTs, and Containers)

Chemicals and petroleum products identified during the environmental site assessment at 435 Wales Avenue, Bronx, NY included multiple gasoline containers, two 55 gallon drums of motor oil, one 55 gallon drum of kerosene, numerous vehicle paints, hydraulic fluid used for nine hydraulically powered vehicle lifts, and multiple small containers of air compressor oil and

transmission fluid. Two ASTs used for motor oil were observed inside the garage. No USTs were identified during the site assessment.

One 2.5-gallon gasoline container was observed at 438 Concord Avenue, Bronx, NY. No USTs, ASTs, or other containers were observed at 438 Concord Avenue, Bronx, NY.

D. Solid and Hazardous Waste

Solid waste generated onsite is disposed of via the New York City Department of Sanitation trash removal services.

E. Releases or Spills

Staining was observed during the site reconnaissance at 435 Wales Avenue, Bronx, NY on the concrete floor in the northeast corner of the garage. The observed staining surrounded two large air compressors, two 55 gallon drums of motor oil, and two ASTs of motor oil.

Minor Staining spots were observed in the pavement at 438 Concord Avenue, Bronx, NY.

No pathways were observed near the stained areas that would allow a release to the environment. Therefore, the stained areas are not considered RECs.

F. Groundwater Wells

No potable, production, irrigation or monitoring wells were observed or determined through the assessment.

G. Surface Water, Stormwater Drainage and Wastewater Discharge

No storm water or surface water drainage was observed onsite. Sanitary wastewater is discharged to the City of New York sewer system at 435 Wales Avenue, Bronx, NY

H. Wetlands

Equity reviewed National Wetland Inventory maps included as a layer within the EDR Radius Map Report. No wetlands were identified within the Subject Property. The report is provided in Appendix C.

I. Polychlorinated Biphenyls (PCBs)

Nine hydraulically operated vehicle lifts were observed inside the garage at 435 Wales Avenue, Bronx, NY. No equipment likely to contain PCBs was observed during the site reconnaissance at 438 Concord Avenue, Bronx, NY.

J. Drains and Sumps

One long trench drain was observed inside the garage and a sump was observed in the boiler room boiler at 435 Wales Avenue, Bronx, NY. No drains or sumps were observed at 438 Concord

Avenue, Bronx, NY. Vehicles are washed in the area with the trench drain; it discharges to the city sewer system with no hazardous materials entering the drain.

K. Vapor Migration/Encroachment

The EDR Vapor Encroachment database identified three records on the Subject Property. One record is under the FINDS (Facility Index System) database and two records are under the SSTS (Section Seven Tracking Systems) database. These records are included at the Subject Property due to the facility on 435 Wales Avenue (Safeguard Chemical Corp) being an Insecticide, Fungicide, and Rodenticide facility. There are numerous potential VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to multiple NY Spills cases, four E-Designation sites, and one EDR Hist Auto listing. All NY Spills cases have either been closed or are not significant enough to have affected the Subject Property. Therefore, all spill cases are not considered VECs. Three of the four E-Designation sites are within 0.021 miles of the Subject Property. The E-Designation sites are located at 439 Concord Avenue, 431 Concord Avenue, and 441 Concord Avenue. 439 and 431 Concord Avenue have the following E-Designation description: "exhaust stack location limitations". The E-Designation site at 441 Concord Avenue lists descriptions relating to air quality (HVAC nitrogen oxides), exhaust stack limitations, and hazardous materials phase I and phase II testing protocol. Based on the E-Designation descriptions, these three sites are not considered VECs. The EDR Hist Auto listing site is 0.086 miles from the Subject Property. The EDR Hist Auto site is cross gradient of the Subject Property, therefore the EDR Hist Auto listing is not considered a VEC. Due to the records listed on the Subject Property, VECs cannot be ruled out. Details on the VECs can be found in Appendix C.

L. Other Environmental Considerations

1. Asbestos Containing Materials

The EPA banned several types of asbestos in the late 1970s, but its use continued in some building applications through the 1980s. No signs of asbestos were observed during the site reconnaissance. An asbestos survey was not performed as part of this study.

2. Drinking Water

Potable water is supplied by the City of New York. A drinking water assessment was not performed as part of this study.

3. Lead-Based Paint

In 1978, EPA banned the manufacture and use of lead-based paint and lead-based paint products. A lead-based paint assessment was not performed as part of this study.

4. Mold

Two areas of roof damage resulting in water leaks were observed inside the garage at 435 Wales Avenue, Bronx, NY. However, no significant visual or olfactory signs of potential mold were identified. No significant visual or olfactory signs of potential mold were identified at

438 Concord Avenue, Bronx, NY during the site reconnaissance. A mold assessment was not performed as part of this study.

M. Off-Site Concerns

There were no offsite concerns, other than the VECs identified in Section K.

VI. INTERVIEWS

As part of the Phase I of the property assessment, Equity interviewed Luis Fernando, the property tenant at 435 Wales Avenue, Bronx, NY. Mr. Fernando provided limited information regarding the Subject Property operations and history. No in person interviews were conducted in relation to 438 Concord Avenue, Bronx, NY.

VII. RECOGNIZED ENVIRONMENTAL CONDITIONS (RECS)

Equity completed the Phase I of the Subject Property in accordance with the scope and limitations of ASTM Practice 1527-21. Any exceptions to, or deletions from, this practice are noted in appropriate sections of this report. RECs are defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. A CREC is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of an NFA, no further action, letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). HRECs are RECs previously remediated to current unrestricted residential use applicable to regulatory standards. De Minimis Conditions are those that do not present a threat to human health or the environment, and would not be the subject of an enforcement action by a government agency. Data Gaps are a lack of, or inability to obtain information required by the practice that affects the ability of the environmental professional to identify RECs despite good faith efforts to gather the information.

A. Recognized Environmental Conditions (RECs)

No RECs were identified as a result of this assessment.

B. Controlled Recognized Environmental Conditions (CRECs)

No Controlled RECs were identified as a result of this assessment.

C. Historical Recognized Environmental Conditions (HRECs)

No Historic RECs were identified as a result of this assessment.

D. Vapor Encroachment Concerns (VECs)

The EDR Vapor Encroachment database identified three records on the Subject Property. One record is under the FINDS (Facility Index System) database and two records are under the SSTS (Section Seven Tracking Systems) database. These records are included at the Subject Property due to the facility on 435 Wales Avenue (Safeguard Chemical Corp) being an Insecticide, Fungicide, and Rodenticide facility. There are numerous potential VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to multiple NY Spills cases, four E-Designation sites, and one EDR Hist Auto listing. All NY Spills cases have either been closed or are not significant enough to have affected the Subject Property. Therefore, all spill cases are not considered VECs. Three of the four E-Designation sites are within 0.021 miles of the Subject Property. The E-Designation sites are located at 439 Concord Avenue, 431 Concord Avenue, and 441 Concord Avenue. 439 and 431 Concord Avenue have the following E-Designation description: "exhaust stack location limitations". The E-Designation site at 441 Concord Avenue lists descriptions relating to air quality (HVAC nitrogen oxides), exhaust stack limitations, and hazardous materials phase I and phase II testing protocol. Based on the E-Designation descriptions, these three sites are not considered VECs. The EDR Hist Auto listing site is 0.086 miles from the Subject Property. The EDR Hist Auto site is cross gradient of the Subject Property, therefore the EDR Hist Auto listing is not considered a VEC. Due to the records listed on the Subject Property, VECs cannot be ruled out. Details on the VECs can be found in Appendix C.

E. De Minimis Conditions

No De Minimis Conditions were identified as a result of this assessment.

F. Data Gaps

Equity did not identify any significant data gaps that would affect its ability to identify RECs associated with the Subject Property.

Conclusions

Equity's review of available information and observations of the Subject Property and surrounding properties indicates that no RECs, CRECs, HRECs, De Minimis Conditions, or Data Gaps were identified as a result of this assessment. However VECs could not be ruled out.

VIII. DEVIATIONS

Equity did not deviate from the scope of service outlined in Section I of this report.

IX. REFERENCES

The following references were used in the preparation of this report:

1. EDR Environmental Databases – October 11, 2022
2. Sanborn Fire Insurance Maps – October 11, 2022
3. Historical Topographic Maps – October 11, 2022
4. Aerial Photographs – October 11, 2022
5. City Directory – October 11, 2022
6. New York City Department of Buildings Website
7. New York City Zola Database

X. SIGNATURE(S) OF ENVIRONMENTAL PROFESSIONALS

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional, as defined in the USEPA All Appropriate Inquiry Standard, 40 CFR, Part 312.10. We have the specific qualifications based on education, training, and experiences to assess a property of the nature, history, and setting of the subject property. We have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR, Part 312.

Assessor :



John Vrabel
Project Manager

Assessor :



Christian DiGennaro
Junior Scientist

Assessor:



Kelly Florczak
Environmental Scientist

Environmental Professional:



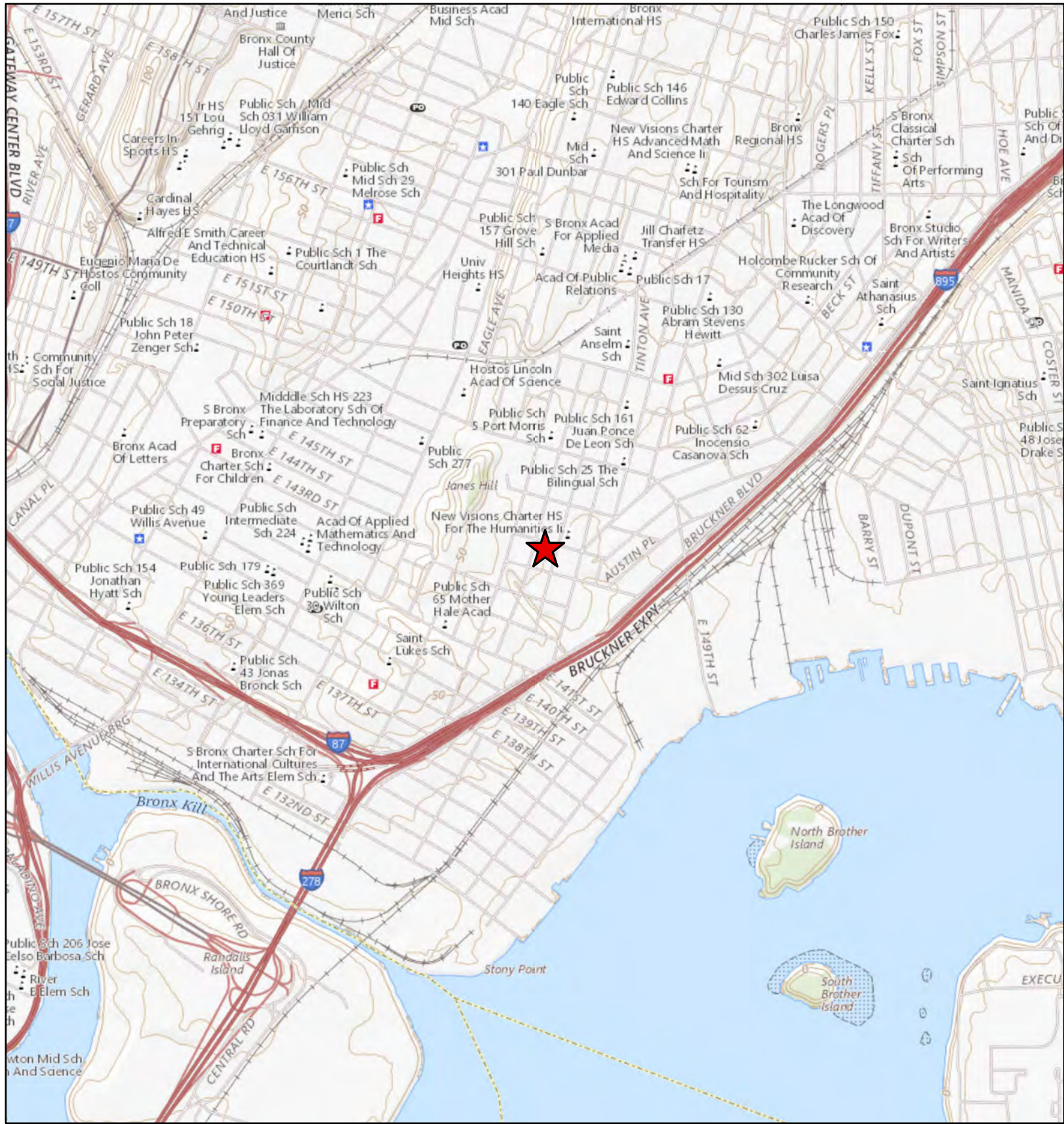
Bob Jackson
Managing Director


XI. QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

Qualifications of the Environmental Professionals are provided as Appendix J.


Appendix A

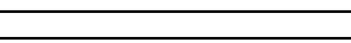
FIGURES



Legend
 438 Concord Avenue



| | | |
|---|------------|----------------|
| Figure 1 Phase I ESA USGS Site Location Map | | |
| 438 Concord Avenue Bronx, New York | | |
|  equity environmental engineering <small>500 International Drive, Suite 150, Mount Olive, NJ 07828 Office: (973) 527-7451 / Fax: (973) 858-0280</small> | | |
| DRAWN BY / DATE | REV / DATE | DRAWING NUMBER |
| GB/5.12.21 | | 2021030-01 |

0.5
 Miles



Legend

 438 Concord Avenue



100

US Feet

Figure 2 Phase I ESA Site Boundary Map

438 Concord Avenue
Bronx, New York



equity environmental engineering

500 International Drive, Suite 150, Mount Olive, NJ 07828
Office: (973) 527-7451 / Fax: (973) 858-0280

DRAWN BY / DATE

REV / DATE

DRAWING NUMBER

GB/5.12.21

2021030-02

APPENDIX B

SITE PHOTOGRAPHS



01 View of 435 Wales Avenue facing southwest.



02 View of a garage door at 435 Wales Ave facing south.



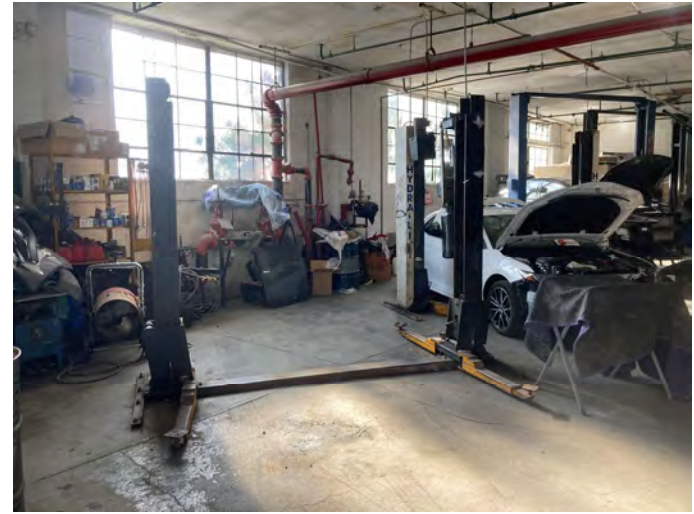
03 View of a garage door at 435 Wales Ave facing north.



04 Two large air compressors inside the 435 Wales Avenue garage with staining present on the concrete floor.



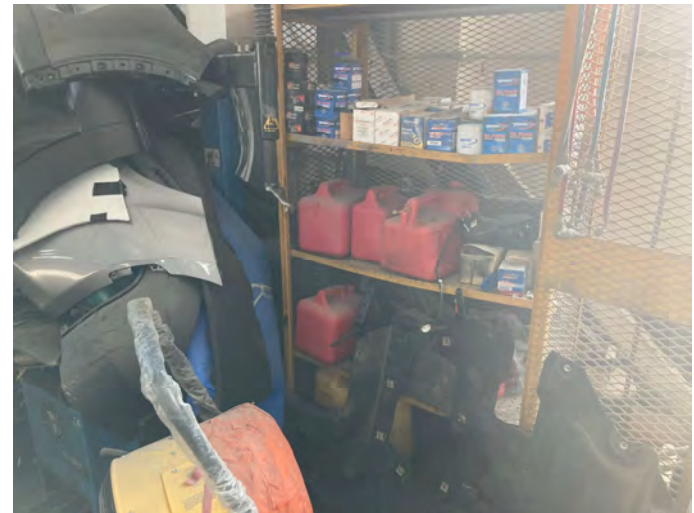
05 Two 55 gallon drums and two ASTs used for motor oil inside the 435 Wales Avenue garage with staining present on the concrete floor.



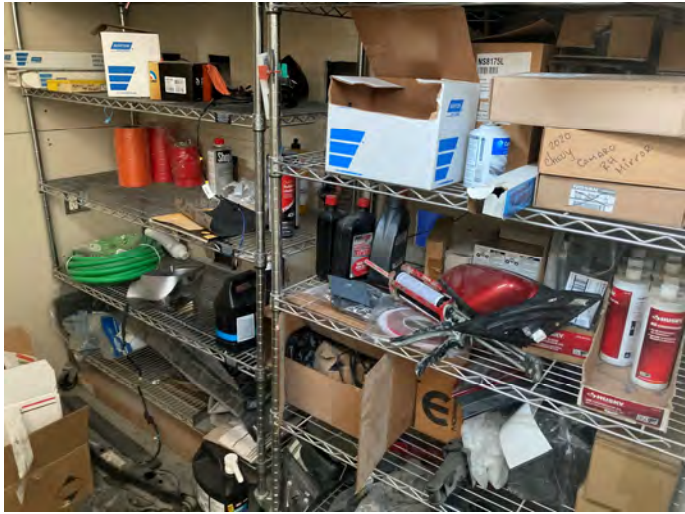
06 One of nine hydraulically operated vehicle lifts inside 435 Wales Avenue.



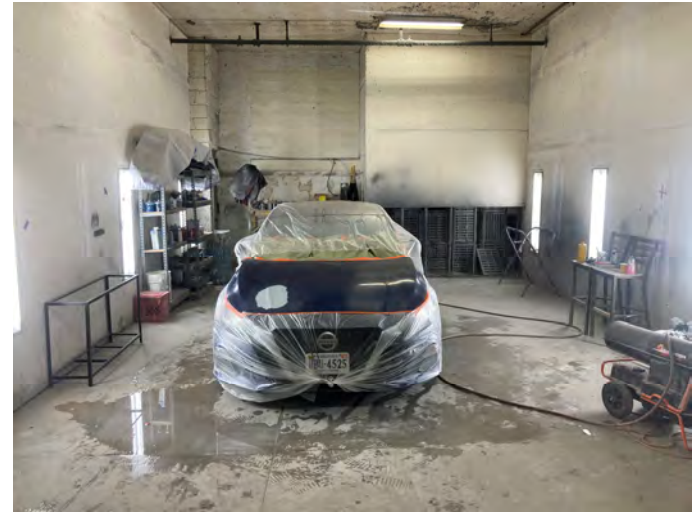
07 55 gallon drum of Kerosene inside 435 Wales Avenue.



08 Gasoline containers stored inside 435 Wales Avenue.



09 Transmission fluid and air compressor oil stored inside 435 Wales Avenue.



10 One of two paint booths and venting systems inside 435 Wales Avenue.



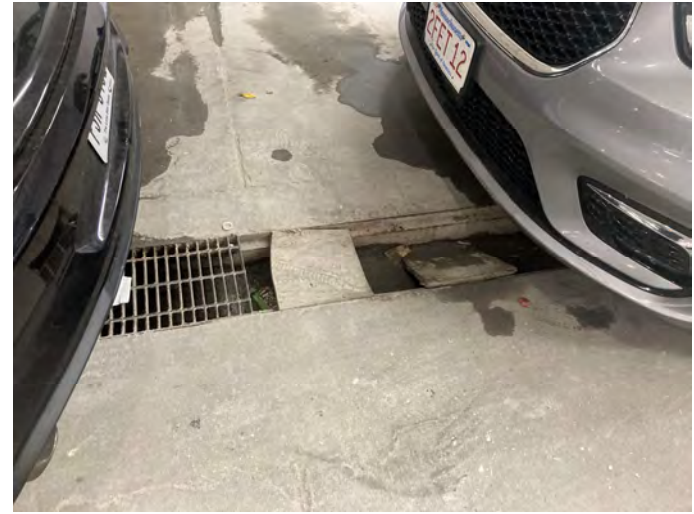
11 Hydraulic fluid container mounted on the side of a hydraulically operated vehicle lift inside 435 Wales Avenue.



12 Boiler and sump observed inside 435 Wales Avenue.



13 Vehicle paints stores inside 435 Wales Avenue.



14 Trench drain inside 435 Wales Avenue.



15 Ceiling and water damage inside 435 Wales Avenue.



16 Vehicles stored inside 435 Wales Avenue.



17 View of 438 Concord Avenue facing south.



18 Gasoline container inside the lot at 438 Concord Avenue.



19 Vehicles stored on the lot at 438 Concord Avenue.



20 Minor staining seen in the pavement at 438 Concord Avenue.

APPENDIX E

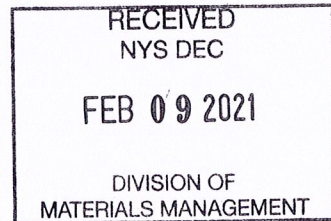
AIR QUALITY BACKUP



NCM USA BRONX, LLC

390 Concord Ave. Bronx, NY 10454
Tel: 212 719-2322 Fax: 718 585-2627

NYS Department of Environmental Conservation
Division of Environmental Remediation
Remedial Bureau A
Radiation Section, 12th Floor
625 Broadway
Albany, New York 12233-7255
Attn Tiffany Fischer



Date: February 4, 2021

Reference: Annual Emissions Report for Calendar Year 2020 (ref. Permit No. 2-6007-00869/00001)

Dear Ms. Fischer,

This letter is written in reference to the special condition of NCM's DEC Part 380 Permit which requires an annual report of all radionuclides released into the air be submitted to the Department.

During calendar 2020, 252.27 mCi of $^{11}\text{C}_2$ were released in calibration efforts for the PET exhaust stack monitoring system.

The PET stack monitoring system employs 2 radiation detectors (a NaI scintillator and a GM detector) placed in the exhaust stream. The GM detector can underestimate emissions totals due to its lack of sensitivity to very small releases, and the NaI detector can overestimate releases due to its high sensitivity to varying background radiation. However, in our normal operating range, both detectors appear to operate linearly and agree well in their computation of running totals. For analyzing individual peaks, NCM uses the GM probe for quantifying released activity that registers greater than 25 mCi. For all other releases, the NaI detector data is utilized. The emissions totals recorded by the monitoring system (for daily operations) are the totals for all positron emitting isotopes. Quantification of specific positron emitting isotopes in the effluent is done through comparing specific detection times with production times for C-11, N-13, and F-18.

For I-131, exhaust monitoring is performed by sample collection. The sample is collected by pulling air from the exhaust ductwork after filtration treatment has taken place through a charcoal sampling filter. This filter is then analyzed via NaI detection system.

Total emissions for calendar year 2020:

N-13: 411.5 mCi

F-18: 5.4 mCi



NCM USA BRONX, LLC

390 Concord Ave. Bronx, NY 10454
Tel: 212 719-2322 Fax: 718 585-2627

C-11: 252.3 mCi from Exhaust System Calibration

I-131: 0.0 mCi (There were no I-131 releases detected for the year)

The average annual concentrations for calendar year 2020, based on an average measured flow rate of 2,165 cfm (3.22×10^{13} ml/year) is:

N-13: 1.28×10^{-8} uCi/ml

F-18: 1.68×10^{-10} uCi/ml

C-11: 7.83×10^{-9} uCi/ml

I-131: 0.0 uCi/ml

Environmental Dosimeters:

Net 2020 Environmental Dosimetry Data for the roof space of NCM Bronx (mrem ambient dose eq.)

| Month | NORTH | SOUTH | EAST | WEST |
|-----------|-------|-------|------|------|
| January | 0.0 | 22.1 | 12.3 | 4.2 |
| February | 2.0 | 27.5 | 10.1 | 29.5 |
| March | -2.9 | 21.2 | 7.5 | 3.7 |
| April | -3.9 | 4.8 | 11.8 | -0.5 |
| May | -5.0 | 3.9 | 8.7 | 1.5 |
| June | -4.3 | 8.7 | 10.6 | 1.8 |
| July | -2.3 | 6.9 | 10.3 | 1.4 |
| August | -5.1 | 12.1 | 14.4 | 2.2 |
| September | -1.3 | 9.0 | 11.5 | 1.5 |
| October | -3.5 | 10.4 | 14.9 | 1.9 |
| November | -1.3 | 8.3 | 10.4 | 4.4 |
| December | -1.6 | 13.3 | 14.1 | 8.6 |

NOTES:

Projection for Calendar Year 2021: Based on year 2020 emissions and projected workload, NCM Bronx projects a 10% increase in F-18 and N-13 workload and no increase in C-11 workload. With these increases in 2020, NCM would still be well within current permit limits. No permit amendment requests for N-13, F-18, C-11, or I-131 are currently anticipated for 2021.



NCM USA BRONX, LLC

390 Concord Ave. Bronx, NY 10454
Tel: 212 719-2322 Fax: 718 585-2627

If you have any questions or require any further information, please do not hesitate to contact us.

Respectfully,

A handwritten signature in black ink, appearing to read 'Anthony Pecoraro'.

Anthony Pecoraro, R. Ph.
Radiation Safety Officer

A handwritten signature in blue ink, appearing to read 'Shankar Vallabjhusola'.

Shankar Vallabjhusola, Ph.D.
President



Emily Lloyd
 Commissioner

Michael Gilsean
 Assistant Commissioner
 Environmental Compliance

TRIENNIAL CERTIFICATE OF OPERATION

DISPLAY CERTIFICATE ON PREMISES NEAR EQUIPMENT

| | | | | | | | |
|--|----------|----------------|-------------|-----------------|--------|------|-----------|
| <input type="checkbox"/> PA <input checked="" type="checkbox"/> PB | 0122-08L | 07/30/14 | 07/30/14 | 09/15/17 | 1 | B | MT |
| Application | | Date Inspected | Date Issued | Expiration Date | E.P. # | E.R. | Issued By |

Professional Engineer:

| |
|--|
| |
| |
| |
| |

Owner:

| |
|---------------------------------|
| FIRST CLASS AUTO COLLISION CTR. |
| 436 WALES AVENUE |
| BRONX, NY 10455 |
| |

APPLICATION FOR RENEWAL OF THIS CERTIFICATE OF OPERATION MUST BE FILED AT THE DEPARTMENT OF ENVIRONMENTAL PROTECTION NO LATER THAN NINETY (90) DAYS PRIOR TO ITS EXPIRATION DATE.

| | | | | | | |
|----------------------|----------------|----------|--------------------------|----------|-----|-------|
| Premise Information: | 436 WALES AVE. | | - | | | |
| | Street Address | | Name of Premise (if any) | | | |
| | 1st | - | Bronx | 10455 | - | - |
| | Floor | Room No. | Borough | Zip Code | BIN | Block |
| | | | | | | Lot |

The holder of this Certificate is responsible for the use of the equipment in accordance with all applicable requirements and provisions of the New York City Air Pollution Control Code. The Commissioner may suspend or revoke this Certificate for willful or continued violation of the Code. Any purported or attempted transfer of a Certificate of Operation from one location to another or from one piece of equipment to another automatically revokes the Certificate. Section 24-135 NYC Air Pollution Code.

| | | |
|------------------------------|----------------|--------------|
| Description of Installation: | AUTO BODY SHOP | |
| | USED: | |
| | Hours / Day: | Days / Year: |
| | 8.0 | 250 |

| | |
|---------------------------|---|
| Description of Equipment: | A AUTO PAINT SPRAY AREA (12'x29') ONLY FOR TOUCH UP PAINT WORK ON AUTOMOBILE. |
| | PAINT SPRAY USAGE: 0.04GPH. |

| | |
|--------------------|--|
| Exhaust Equipment: | (1) EXHAUST FAN WITH 1/3HP MOTOR, 1725RPM, DELIVERING 3,000CFM @70F. |
|--------------------|--|

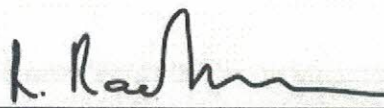
| | |
|--------------------|----------------------------|
| Control Equipment: | REPLACEABLE CUSTOM FILTER. |
|--------------------|----------------------------|

Should significant scientific evidence from a recognized institution should result in a decision by NYSDEC that lower ambient guideline concentrations must be established, it may be necessary to reduce emissions from this source(s) prior to the expiration of this Triennial Certificate of Operation.

SPECIAL CONDITIONS / REMARKS

| |
|---------------------------------------|
| FILTER MUST BE REPLACED WHEN CLOGGED. |
|---------------------------------------|

RECERTIFICATION


 R. Radhakrishnan, P.E.
 Director of Engineering / For the Commissioner

ORIGINAL KEEP IN FILE

Application for Certificate to Operate
An Existing Autobody Shop

| LOCATION | FACILITY | EMISSION POINT |
|----------|----------|----------------|
| | | 1 |

| 1. NAME OF OWNER/FIRM First Class Auto Collision Center | | 9. NAME OF AUTHORIZED AGENT Anthony Somefun | | 10. TELEPHONE 690-1176 | | 19. FACILITY NAME (IF DIFFERENT FROM OWNER/FIRM) | | | | | |
|---|--------|--|-------|--|----------|---|-----------|-------------------------------------|---------|------------------|--------|
| 2. NUMBER AND STREET ADDRESS 436 Wales Avenue | | 11. NUMBER AND STREET ADDRESS 650 Lenox Avenue | | 13. STATE NY | | 20. FACILITY LOCATION (NUMBER AND STREET ADDRESS) | | | | | |
| 3. CITY - TOWN - VILLAGE Bronx | | 12. CITY - TOWN - VILLAGE New York | | 14. ZIP 10037 | | 21. CITY - TOWN - VILLAGE 22. ZIP | | | | | |
| 4. STATE NY | | 5. ZIP 0455 | | 15. NUMBER OF OWNERS REPRESENTATIVE Anthony Somefun | | 36. HRS./DAY 8 | | | | | |
| 6. OWNER CLASSIFICATION A <input type="checkbox"/> COMMERCIAL | | 7. NAME OF OWNERS REPRESENTATIVE Henry Martinez | | 8. TEL NUMBER 212 | | 37. SOURCE CODE A1330 | | | | | |
| 8. OWNER CLASSIFICATION A <input type="checkbox"/> COMMERCIAL | | 43. CONTROL TYPE 99 | | 44. MANUFACTURER'S MAKE AND MODEL 585-5443 | | 38. DISPOSAL METHOD 159. UTM(N) | | | | | |
| 42. CONTROL ID 01 | | 45. DISPOSAL METHOD 9 | | 46. DISPOSAL METHOD 9 | | 39. DAYS/YR 250 | | | | | |
| CONTAMINANT | | USAGE | | UNIT | | ENV. RATING | | EMISSIONS | | CONTROL EFFIC'CY | |
| CAS NUMBER | | | | ACTUAL | HOW DET. | PERMISSIBLE | | ERP | ACTUAL | ACTUAL | ACTUAL |
| 55. (SOLVENT) | 56. 36 | 57. 33 | 58. 0 | 59. 0.05 | 60. 20 | 61. 6 | 62. 0.013 | 63. 0.013 | 64. 65. | 66. 23.4 | |
| 70. (SOLVENT) | 71. 36 | 72. 33 | 73. 0 | 74. 0.124 | 75. 1 | 76. 76 | 77. 0.124 | 78. 0.124 | 79. 80. | 81. 223.2 | |
| 79. (SOLVENT) | | 80. 36 | | 81. 33 | | 82. 0 | | 83. 0.124 | | 84. 223.2 | |
| THIS SYSTEM WILL BE OPERATED IN ACCORDANCE WITH STATED SPECIFICATIONS AND IN CONFORMANCE WITH ALL PROVISIONS OF EXISTING REGULATIONS | | | | | | | | | | | |
| 155. SIGNATURE OF AUTHORIZED REPRESENTATIVE OR AGENT | | | | 160. SIC NUMBER 7331 | | | | 161. DATE APPL. RECEIVED 3/11/08 | | | |
| 156. DATE APPL. RECEIVED | | | | 162. DATA APPL. REVIEWED | | | | 163. REVIEWED BY | | | |
| 164. DATE APPL. RECEIVED | | | | 165. DATA APPL. REVIEWED | | | | 166. REVIEWED BY | | | |
| 167. DATE APPL. RECEIVED | | | | 168. DATA APPL. REVIEWED | | | | 169. REVIEWED BY | | | |
| 170. DATE APPL. RECEIVED | | | | 171. DATA APPL. REVIEWED | | | | 172. REVIEWED BY | | | |
| 173. DATE APPL. RECEIVED | | | | 174. DATA APPL. REVIEWED | | | | 175. REVIEWED BY | | | |
| 176. DATE APPL. RECEIVED | | | | 177. DATA APPL. REVIEWED | | | | 178. REVIEWED BY | | | |
| 179. DATE APPL. RECEIVED | | | | 180. DATA APPL. REVIEWED | | | | 181. REVIEWED BY | | | |
| 182. DATE APPL. RECEIVED | | | | 183. DATA APPL. REVIEWED | | | | 184. REVIEWED BY | | | |
| 185. DATE APPL. RECEIVED | | | | 186. DATA APPL. REVIEWED | | | | 187. REVIEWED BY | | | |
| 188. DATE APPL. RECEIVED | | | | 189. DATA APPL. REVIEWED | | | | 190. REVIEWED BY | | | |
| 191. DATE APPL. RECEIVED | | | | 192. DATA APPL. REVIEWED | | | | 193. REVIEWED BY | | | |
| 194. DATE APPL. RECEIVED | | | | 195. DATA APPL. REVIEWED | | | | 196. REVIEWED BY | | | |
| 197. DATE APPL. RECEIVED | | | | 198. DATA APPL. REVIEWED | | | | 199. REVIEWED BY | | | |
| 200. DATE APPL. RECEIVED | | | | 201. DATA APPL. REVIEWED | | | | 202. REVIEWED BY | | | |

| | | | | | | | |
|------------------------------|--|---------------------------------|--|---------------|--|-------------------------------|--|
| 176. SPECIAL CONDITIONS 1 | | 177. SIGNATURE OF APPROVAL 2 | | 178. FEE 4 | | 179. DATE APPL. RECEIVED 6 | |
| 176. SPECIAL CONDITIONS 1 | | 177. SIGNATURE OF APPROVAL 2 | | 178. FEE 4 | | 179. DATE APPL. RECEIVED 6 | |
| 176. SPECIAL CONDITIONS 1 | | 177. SIGNATURE OF APPROVAL 2 | | 178. FEE 4 | | 179. DATE APPL. RECEIVED 6 | |
| 176. SPECIAL CONDITIONS 1 | | 177. SIGNATURE OF APPROVAL 2 | | 178. FEE 4 | | 179. DATE APPL. RECEIVED 6 | |
| 176. SPECIAL CONDITIONS 1 | | 177. SIGNATURE OF APPROVAL 2 | | 178. FEE 4 | | 179. DATE APPL. RECEIVED 6 | |
| 176. SPECIAL CONDITIONS 1 | | 177. SIGNATURE OF APPROVAL 2 | | 178. FEE 4 | | 179. DATE APPL. RECEIVED 6 | |
| 176. SPECIAL CONDITIONS 1 | | 177. SIGNATURE OF APPROVAL 2 | | 178. FEE 4 | | 179. DATE APPL. RECEIVED 6 | |
| 176. SPECIAL CONDITIONS 1 | | 177. SIGNATURE OF APPROVAL 2 | | 178. FEE 4 | | 179. DATE APPL. RECEIVED 6 | |
| 176. SPECIAL CONDITIONS 1 | | 177. SIGNATURE OF APPROVAL 2 | | 178. FEE 4 | | 179. DATE APPL. RECEIVED 6 | |
| 176. SPECIAL CONDITIONS 1 | | 177. SIGNATURE OF APPROVAL 2 | | 178. FEE 4 | | 179. DATE APPL. RECEIVED 6 | |

AGENCY USE ONLY

ORIGINAL-KEEP IN FILE

- W1 Enter the maximum gallons of coatings used in any one hour in columns (A) and (B).
(See note below)
- W2 Weight fraction factor
- W3 Multiply the values in line W1 by values in line W2. Enter the results in boxes (a) and (c)
- W4 Enter Control Factor from instructions for appl box 43
- W5 Multiply the value in box (a) by value in line W4. Enter the result in box (b).

| (A) Solids | (B) Solvents |
|---------------|-----------------|
| 0.02 | 0.02 |
| 0.65 | 6.20 |
| (a) 0.013 | (c) 0.124 |
| 1.0 | |
| (b) 0.013 | |

- W6 Enter gallons of coatings used per year from appl box 56 in both columns (A) and (B)
- W7 Weight fraction factor
- W8 Multiply the values in line W6 by values in line W7. Enter the results in boxes (d) and (f)
- W9 Enter Control Factor from instructions for appl box 43
- W10 Multiply the value in box (d) by value in line W9. Enter the result in box (e).

| (A) Solids | (B) Solvents |
|---------------|-----------------|
| 36 | 36 |
| 0.65 | 6.20 |
| (d) 23.4 | (f) 223.2 |
| | |
| (e) | |

Note: The gallons of coating used per hour is the sum of all coatings actually sprayed on a vehicle. This includes primer, base coats, topcoats, clear coats, thinner, reducer, surfacers and any other paint additives.

BLOCK:
LOT:
ZONE: M-2
MAP: CC

AREA OF WORK

EAST 141ST STREET

WALES AVENUE

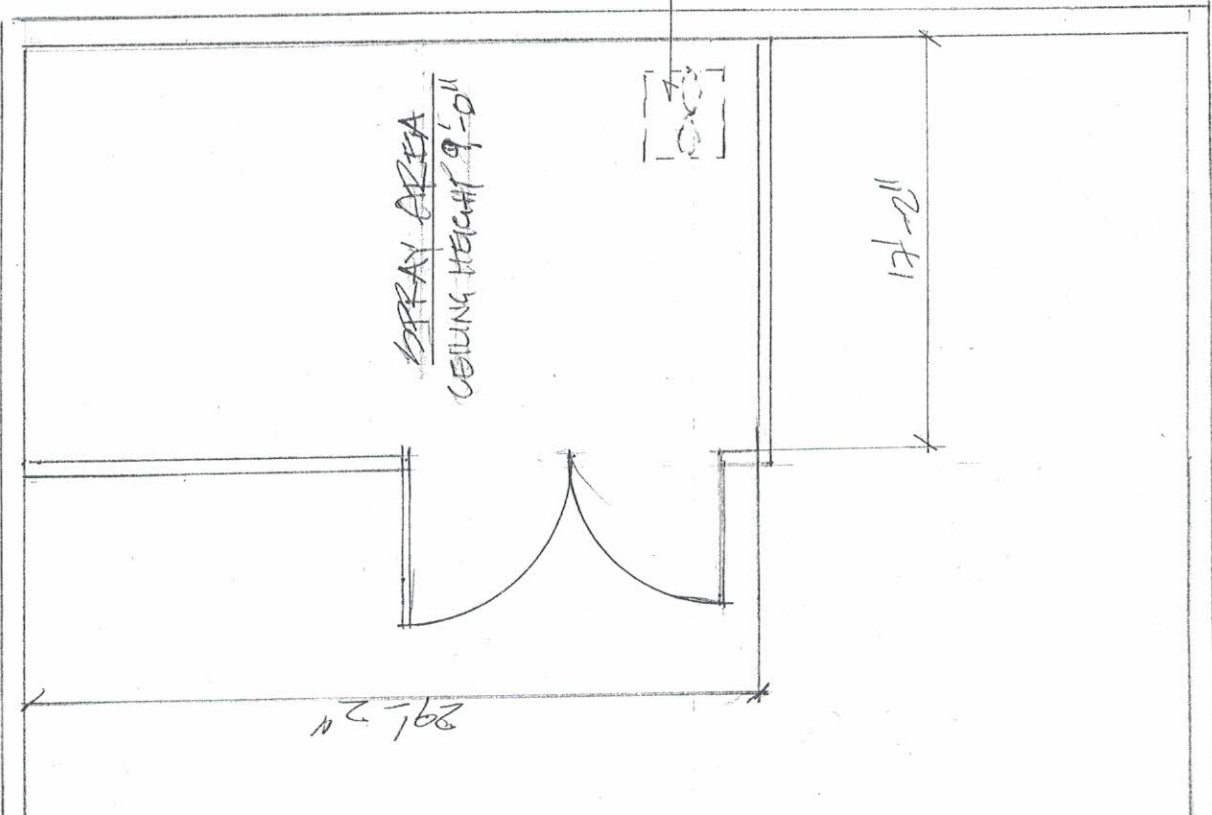
PLOT PLAN



9/17/10

EXHAUST FAN

3,000 CFM @ 0" SP. 1725 RPM,
1/3 HP, 115V, 60 Hz



FIRST CLASS AUTO COLLISION CENTER
DRAWN BY:
A.S.

CHECKED BY:
A.S.

436 WALES AVENUE
BRONX, NY 10455
ANTHONY SOMEFUN
600 LENOX AVENUE
NEW YORK, NY 10037

SCALE:
AS NOTED

DATE
9/17/10

DWG. NO.
1 DEJ

FLOOR PLAN



THE CITY OF NEW YORK
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Bureau of Environmental Compliance
 59-17 Junction Boulevard, 9th Floor, Flushing, New York 11373
 Records Control (718) 595-3855

Rev. 02/11

INDUSTRIAL PROCESSES FIELD INSPECTION REPORT

Date: 7/30/14

Installation: PB0122-05L

Company Name: First Class Auto Collision Center.

Premise Information:

436 WALES AVE.

1st

Street Address

Floor

Room No.

BX

Borough

10455

Zip Code

Name of Premise (if any)

BIN

Block

Lot

Inspection:

| | | | |
|-------------------------------|--------------------|-----------------------|--|
| Inspected by: | <u>M.T. - E093</u> | Plant Representative: | |
| Emission Point: | <u>1</u> | Receptor Distances: | |
| Equipment Description: | | Nuisance Possibility: | |
| <u>Auto Paint Spray Area.</u> | | | |

Agreement with filing

Yes

No

Sketch: _____

Reason for Inspection:

C.O.

T.C.O.

Complaint

Survey

Conditions Observed:

Spray Area was in Use. Painting of front bumper of cab. Using "DE Beer" Paint.

Observed Emissions:

Emissions Thru Exhaust Fan over Roof.

Comments:

Filter Exhaust fan is

FAX

FIRSTCLASSAUTOCOLLISIONCENTER
436-440 WALES AVE. ST
BRONX, NY 10455
347-862-6102 Fax:718-401-2490
Firstclassauto84@yahoo.com



To: Mo Torabi Engineering Unit
Fax number: 718-595-3846

From: FIRST CLASS AUTO COLLISION CENTER
Fax number:718-401-2490

Date:7/30/2014

Regarding:

Phone number for follow-up:
347-862-6102

**ATTENTION: To whom it may concern.
Valspar is the parent company Berobase
and De Beer automotive paint. De Beer
is a subdivision of Berobase which are
the automotive paint product we use at
First Class Auto Collision Center**

DE BEER
REFINISH



BEROBASE

5

Ready Made
Whisky Colour

Product Code

Net Content
1 US Pint
473 L

valspar

if it matters, we're on it.®

Material Safety Data Sheet

1. PRODUCT AND COMPANY IDENTIFICATION

Product Identification

Product ID: 9500.L03
Product Name: BERO BASE MIXING COLOR 500
Product Use: Paint product.
Print date: 12/Jan/2012
Revision Date: 12/May/2010

Company Identification

The Valspar Corporation
PO Box 1461
Minneapolis, MN 55440

Manufacturer's Phone: 1-612-851-7000

24-Hour Medical Emergency Phone: 1-888-345-5732

2. HAZARDS IDENTIFICATION

Primary Routes of Exposure:

Inhalation
Ingestion
Skin absorption

Eye Contact:

- Severe eye irritation
- Risk of serious damage to eyes.

Skin Contact:

- Causes skin irritation.
- May cause defatting of the skin.
- Dermatitis
- Harmful if absorbed through skin.
- Can be absorbed through skin.

Ingestion:

- Irritation of the mouth, throat, and stomach.
- Aspiration hazard if swallowed - can enter lungs and cause damage.

Inhalation:

- Causes respiratory tract irritation.
- Harmful by inhalation.
- May cause damage to nasal and respiratory passages.

Target Organ and Other Health Effects:

- Causes headache, drowsiness or other effects to the central nervous system.
- Kidney injury may occur.
- Blood disorders
- Hearing loss.
- Liver injury may occur.

This product contains ingredients that may contribute to the following potential chronic health effects:

- Notice: Reports have associated repeated and prolonged occupational overexposure to solvents with permanent brain and nervous system damage. Intentional misuse by deliberately concentrating and inhaling the contents may be harmful or fatal.

3. COMPOSITION / INFORMATION ON HAZARDOUS INGREDIENTS

| Ingredient Name CAS-No. | Approx. Weight % | Chemical Name |
|--|---------------------|---------------------------------|
| BUTYL ACETATE 123-86-4 | 25 - 30 | n-Butyl acetate |
| XYLENE 1330-20-7 | 15 - 20 | Xylenes (o-, m-, p- isomers) |
| ETHYLBENZENE 100-41-4 | 5 - 10 | Ethyl benzene |
| N-BUTYL ALCOHOL 71-36-3 | 1 - 5 | n-Butyl alcohol |
| PROPYLENEGLYCOL MONOMETHYL ETHER ACETATE 108-65-6 | 1 - 5 | 2-methoxy-1-methylethyl acetate |

If this section is blank there are no hazardous components per OSHA guidelines.

4. FIRST AID MEASURES

Eye Contact:

In case of contact, immediately flush eyes with plenty of water for at least 15 minutes. If easy to do, remove contact lenses. If medical assistance is not immediately available, flush an additional 15 minutes. Get medical attention immediately.

Skin Contact:

Remove contaminated clothing and shoes. Wash off immediately with plenty of water for at least 15 minutes. Get medical attention, if symptoms develop or persist.

Ingestion:

Rinse mouth with water. Give one or two glasses of water. Only induce vomiting at the instruction of medical personnel. Do NOT induce vomiting. Never give anything by mouth to an unconscious person. If vomiting occurs, keep head lower than hips to prevent aspiration. Get medical attention immediately.

Inhalation:

Move injured person into fresh air and keep person calm under observation. Get medical attention immediately. For breathing difficulties, oxygen may be necessary. If breathing stops, provide artificial respiration.

Medical conditions aggravated by exposure:

Any respiratory or skin condition.

5. FIRE FIGHTING MEASURES

| | |
|----------------------------------|---|
| Flash point (Fahrenheit): | 73 |
| Flash point (Celsius): | 23 |
| Lower explosive limit (%): | 1 |
| Upper explosive limit (%): | 11 |
| Autoignition temperature: | not determined |
| Sensitivity to impact: | no |
| Sensitivity to static discharge: | Subject to static discharge hazards. Please see bonding and grounding information in Section 7. See Section 10. |
| Hazardous combustion products: | |

Unusual fire and explosion hazards:

None known.

Extinguishing media:

Carbon dioxide, dry chemical, foam and/or water fog.

Fire fighting procedures:

Firefighters should be equipped with self-contained breathing apparatus and turn out gear. Keep containers and surroundings cool with water spray.

6. ACCIDENTAL RELEASE MEASURES**Action to be taken if material is released or spilled:**

Ventilate the area. Avoid breathing dust or vapor. Use self-containing breathing apparatus or airmask for large spills in a confined area. Wipe, scrape or soak up in an inert material and put in a container for disposal. See section 7, "Handling and Storage", for proper container and storage procedures. Remove all sources of ignition. Soak up with inert absorbent material. Use only non-sparking tools. Avoid contact with eyes.

7. HANDLING AND STORAGE**Precautions to be taken in handling and storage:**

Keep away from heat, sparks and open flame. - No smoking. Keep container closed when not in use. Do not store above 120 degrees F. (49 degrees C). Based on flash point and vapor pressure, suitable storage should be provided in accordance with OSHA regulation 1910.106, Ontario OH&S regulation 851 section 22. Empty containers may contain product residue, including flammable or explosive vapors. Do not cut, puncture or weld on or near container. All label warnings must be observed until the container has been commercially cleaned or reconditioned. If the product is used near or above the flashpoint, an ignition hazard may be present. Activities, uses, or operations which liberate vapor (such as mixing or free fall of liquids) may also present an ignition hazard. Please ensure containers and other interconnected equipment are properly bonded and grounded at all times.

8. PERSONAL PROTECTIVE EQUIPMENT AND EXPOSURE CONTROLS**Personal Protective Equipment****Eye and face protection:**

Wear chemical goggles with splash shields or face shield. Contact lenses should not be worn when working with chemicals because contact lenses may contribute to the severity of an eye injury in case of exposure.

Skin protection:

Product ID: 9500.L03

Appropriate chemical resistant gloves should be worn.

Other Personal Protection Data:

To prevent skin contact wear protective clothing covering all exposed areas. Ensure that eyewash stations and safety showers are close to the workstation location.

Respiratory protection:

If exposure cannot be controlled below applicable limits, use the appropriate NIOSH approved respirator such as an air purifying respirator with organic vapor cartridge and dust/mist filter. Consult the respirator manufacturer's literature to ensure that the respirator will provide adequate protection. Read and follow all respirator manufacturer's instructions.

↓

Ventilation

Use only in well-ventilated areas. Ensure adequate ventilation, especially in confined areas. Ovens used for curing should contain a fresh air purge to prevent vapours from accumulating and creating a possible explosive mixture. Where the product is used in a hazardous classified area, use explosion-proof electrical/ventilating/lighting/equipment.

Exposure Guidelines

OSHA Permissible Exposure Limits (PEL's)

| Ingredient Name CAS-No. | Approx. Weight % | TWA (final) | Ceilings limits (final) | Skin designations |
|----------------------------|---------------------|--|-------------------------|-------------------|
| BUTYL ACETATE 123-86-4 | 25 - 30 | 150 ppm TWA 710 mg/m ³ TWA | | |
| XYLENE 1330-20-7 | 15 - 20 | 100 ppm TWA 435 mg/m ³ TWA | | |
| ETHYLBENZENE 100-41-4 | 5 - 10 | 100 ppm TWA 435 mg/m ³ TWA | | |
| N-BUTYL ALCOHOL 71-36-3 | 1 - 5 | 100 ppm TWA 300 mg/m ³ TWA | | |

ACGIH Threshold Limit Value (TLV's)

| Ingredient Name CAS-No. | Approx. Weight % | TWA | STEL | Ceiling limits | Skin designations |
|----------------------------|---------------------|-------------|--------------|----------------|-------------------|
| BUTYL ACETATE 123-86-4 | 25 - 30 | 150 ppm TWA | 200 ppm STEL | | |
| XYLENE 1330-20-7 | 15 - 20 | 100 ppm TWA | 150 ppm STEL | | |
| ETHYLBENZENE 100-41-4 | 5 - 10 | 100 ppm TWA | 125 ppm STEL | | |
| N-BUTYL ALCOHOL 71-36-3 | 1 - 5 | 20 ppm TWA | | | |

9. PHYSICAL PROPERTIES

| | |
|--|-------------------------------|
| Odor: | Normal for this product type. |
| Physical State: | liquid |
| pH: | not determined |
| Vapor pressure: | 90.2255639 mmHg @ 77°F (25°C) |
| Vapor density (air = 1.0): | 4.6 |
| Boiling point: | not determined |
| Solubility in water: | Negligible (less than 0.1%) |
| Coefficient of water/oil distribution: | not determined |
| Density (lbs per US gallon): | 9.99 |
| Specific Gravity: | 1.199 |

9. PHYSICAL PROPERTIES

| | |
|---|----------------|
| Evaporation rate (butyl acetate = 1.0): | 1 |
| Flash point (Fahrenheit): | 73 |
| Flash point (Celsius): | 23 |
| Lower explosive limit (%): | 1 |
| Upper explosive limit (%): | 11 |
| Autoignition temperature: | not determined |

10. STABILITY AND REACTIVITY

| | |
|-----------------------------------|---|
| Stability: | Stable under normal conditions. Heat. Strong oxidizing agents None anticipated. Carbon monoxide and carbon dioxide. |
| Conditions to Avoid: | |
| Incompatibility: | |
| Hazardous Polymerization: | |
| Hazardous Decomposition Products: | |

Sensitivity to static discharge: Subject to static discharge hazards. Please see bonding and grounding information in Section 7.

11. TOXICOLOGICAL INFORMATION

| Ingredient Name CAS-No. | Approx. Weight % | NIOSH - Selected LD50s and LC50s |
|--|---------------------|---|
| BUTYL ACETATE 123-86-4 | 25 - 30 | = 10768 mg/kg Oral LD50 Rat = 390 ppm Inhalation LC50 Rat 4 h > 17600 mg/kg Dermal LD50 Rabbit |
| XYLENE 1330-20-7 | 15 - 20 | = 4300 mg/kg Oral LD50 Rat = 47635 mg/L Inhalation LC50 Rat 4 h = 5000 ppm Inhalation LC50 Rat 4 h > 1700 mg/kg Dermal LD50 Rabbit |
| ETHYLBENZENE 100-41-4 | 5 - 10 | = 15354 mg/kg Dermal LD50 Rabbit = 17.2 mg/L Inhalation LC50 Rat 4 h = 3500 mg/kg Oral LD50 Rat |
| N-BUTYL ALCOHOL 71-36-3 | 1 - 5 | = 3400 mg/kg Dermal LD50 Rabbit = 790 mg/kg Oral LD50 Rat = 8000 ppm Inhalation LC50 Rat 4 h > 17.7 mg/L Inhalation LC50 Rat 4 h |
| PROPYLENEGLYCOL MONOMETHYL ETHER ACETATE 108-65-6 | 1 - 5 | = 8532 mg/kg Oral LD50 Rat > 5000 mg/kg Dermal LD50 Rabbit |

Mutagens/Teratogens/Carcinogens:

Contains ethylbenzene, which has been determined by NTP to be an animal carcinogen with no known relevance to humans. IARC has classified ethylbenzene as possibly carcinogenic to humans (2b) on the basis of sufficient evidence of carcinogenicity in laboratory animals but inadequate evidence of cancer in humans.

| Ingredient Name CAS-No. | Approx. Weight % | California Prop 65 - Reproductive (Female) | California Prop 65 - Carcinogen |
|----------------------------|---------------------|---|--|
| ETHYLBENZENE 100-41-4 | 5 - 10 | | Listed. Initial date 6/11/04 - carcinogen |

| Ingredient Name CAS-No. | Approx. Weight % | IARC Group 1 - Human Evidence | IARC Group 2A - Limited Human Data | IARC Group 2B - Sufficient Animal Data Monograph 77 [2000] |
|----------------------------|---------------------|----------------------------------|---------------------------------------|--|
| ETHYLBENZENE 100-41-4 | 5 - 10 | | | |

| Ingredient Name CAS-No. | Approx. Weight % | NTP Known Carcinogens | NTP Suspect Carcinogens | NTP Evidence of Carcinogenicity |
|----------------------------|---------------------|--------------------------|----------------------------|--|
| XYLENE 1330-20-7 | 15 - 20 | | | male rat-no evidence; female rat-no evidence; male mice-no evidence; female mice-no evidence |
| ETHYLBENZENE 100-41-4 | 5 - 10 | | | male rat-clear evidence; female rat-some evidence; male mice- some evidence; female mice-some evidence |

| Ingredient Name CAS-No. | Approx. Weight % | OSHA - Hazard Communication Carcinogens | OSHA - Specifically Regulated Carcinogens | ACGIH Carcinogens |
|----------------------------|---------------------|---|--|--|
| ETHYLBENZENE 100-41-4 | 5 - 10 | Present | | A3 Confirmed Animal Carcinogen with Unknown Relevance to Humans |

12. ECOLOGICAL DATA

No information on ecology is available.

13. DISPOSAL CONSIDERATIONS

Disposal should be made in accordance with federal, state and local regulations.

14. TRANSPORTATION INFORMATION

U.S. Department of Transportation

UN ID Number (msds): UN1263
 Proper Shipping Name: PAINT
 Hazard Class: 3
 Packing Group: III

U.S Hazmat and/or International DG shipment exceptions

The supplier may apply one of the following exceptions: Combustible Liquid, Consumer Commodity, Limited Quantity, Viscous Liquid, Does Not Sustain Combustion, or others, as allowed under 49CFR Hazmat Regulations. Please consult 49CFR Subchapter C to ensure that subsequent shipments comply with these exceptions.

Reportable Quantity Description:

International Air Transport Association (IATA):

UN ID Number (msds): UN1263
 Proper Shipping Name: PAINT
 Hazard Class: 3
 Packing Group: III

International Maritime Organization (IMO):

IMO UN/ID Number (msds): UN1263
 Proper Shipping Name: PAINT
 Hazard Class: 3
 Packing Group: III

15. REGULATORY INFORMATION

U.S. FEDERAL REGULATIONS:

| Ingredient Name CAS-No. | Approx. Weight % | SARA 302 | SARA 313 | CERCLA RQ in lbs. |
|----------------------------|---------------------|----------|---|-------------------|
| BUTYL ACETATE 123-86-4 | 25 - 30 | | | 5000 |
| XYLENE 1330-20-7 | 15 - 20 | | form R reporting required for 1.0% de minimis concentration | 100 |
| ETHYLBENZENE 100-41-4 | 5 - 10 | | form R reporting required for 1.0% de minimis concentration | 1000 |
| N-BUTYL ALCOHOL 71-36-3 | 1 - 5 | | form R reporting required for 1.0% de minimis concentration | 5000 |

SARA 311/312 Hazard Class:

Acute: yes
 Chronic: yes
 Flammability: yes
 Reactivity: no
 Sudden Pressure: no

U.S. STATE REGULATIONS:

Right to Know:

The specific chemical identity of a component may be withheld as a trade secret under 34 Pennsylvania Code, Chapter 317.

Pennsylvania Right To Know:

| | | |
|--|-----------|----------|
| ETHYLBENZENE | 100-41-4 | |
| PROPYLENEGLYCOL MONOMETHYL ETHER ACETATE | | 108-65-6 |
| BUTYL ACETATE | 123-86-4 | |
| XYLENE | 1330-20-7 | |
| N-BUTYL ALCOHOL | 71-36-3 | |

Additional Non-Hazardous Materials

PROPRIETARY ADDITIVE Trade Secret

California Proposition 65:

WARNING! This product contains a chemical known in the State of California to cause cancer.

Rule 66 status of product

Not photochemically reactive.

INTERNATIONAL REGULATIONS - Chemical Inventories

US TSCA Inventory:

All components of this product are in compliance with U.S. TSCA Chemical Substance Inventory Requirements.

Canada Domestic Substances List:

All components of this product are listed on the Domestic Substances List.

16. OTHER INFORMATION

HMIS Codes

Product ID: 9500.L03

16. OTHER INFORMATION

Health: 2
Flammability: 3
Reactivity: 0
PPE: X - See Section 8 for Personal Protective Equipment (PPE).

Abbreviations:

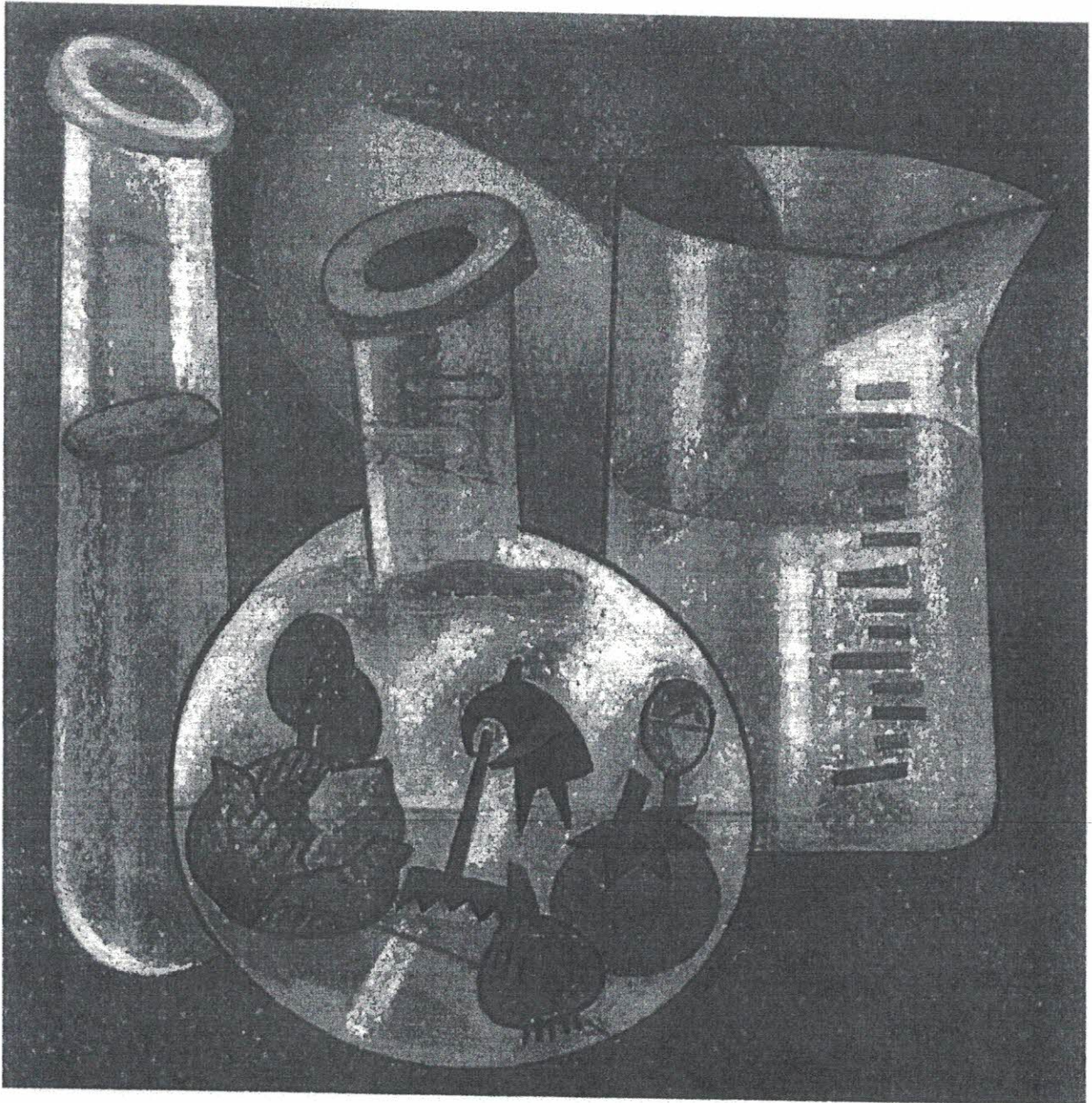
OSHA - Occupational Safety and Health Administration, IARC - International Agency for Research on Cancer, NIOSH - National Institute of Occupational Safety and Health, NTP - National Toxicology Program, ACGIH - American Conference of Governmental Industrial Hygienists, SCAQMD - South Coast Air Quality Management District, TSCA - Toxic Substances Control Act, IATA - International Air Transport Association, IMO - International Maritime Organization, DOT - Department of Transportation, NA - Not applicable, NOT ESTAB - Not established, N.A.V. - Not available, RQ - Reportable quantity, WT - Weight, MG/CU M - Milligrams per cubic meter, G/L - Grams per liter, MM - Millimeters, MPPCF - Millions of particles per cubic foot, PPM - parts per million, PPT - parts per thousand, TCC/PM - Tag closed cup / Pensky-Martens, PB - Lead, PEL - Permissible exposure level, TWA - Time Weighted Average, STEL - Short term exposure limit, C - Celsius, F - Fahrenheit.

Disclaimer:

The data on this sheet represent typical values. Since application variables are a major factor in product performance, this information should serve only as a general guide. Valspar assumes no obligation or liability for use of this information. UNLESS VALSPAR AGREES OTHERWISE IN WRITING, VALSPAR MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AND DISCLAIMS ALL IMPLIED WARRANTIES INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR FREEDOM FROM PATENT INFRINGEMENT. VALSPAR WILL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES. Your only remedy for any defect in this product is the replacement of the defective product, or a refund of its purchase price, at our option. This MSDS contains additional information required by the state of Pennsylvania.

Preparation Information:

Prepared By: Regulatory Affairs Department
Print date: 12/Jan/2012
Revision Date: 12/May/2010



MATERIAL SAFETY DATA SHEET
(MSDS)

M A T E R I A L S A F E T Y D A T A S H E E T

XTREME 4.4 VOC FAST ACTIVATOR

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PRODUCT NAME: XTREME 4.4 VOC FAST ACTIVATOR
5 STAR Part Number: FS-5186-QT

HMIS CODES: H F R P
2*3 0 G

===== SECTION I - MANUFACTURER IDENTIFICATION =====

MANUFACTURED FOR : ABI/Autobody Brands International
A division of IAMG/International Autobody Marketing Group
ADDRESS : 1505 North Hayden Road, Ste. 111
Scottsdale, AZ 85257
Web Site: www.autobodybrands.com
EMERGENCY PHONE : (800)424-9300 (24 hrs.) **DATE PRINTED** : 3/15/2012
INFORMATION PHONE : 1-87-REFINISH **PREPARER NAME:** MSDS Coordinator

===== SECTION II - HAZARDOUS INGREDIENTS/SARA III INFORMATION =====

| REPORTABLE COMPONENTS | CAS NUMBER | VAPOR PRESSURE mm Hg @ TEMP | | WEIGHT PERCENT |
|------------------------------------|------------|--------------------------------|------|-------------------|
| n-BUTYL ACETATE | 123-86-4 | 8.4 | 68 F | 38.4521 |
| ACGIH TLV TWA: 150 ppm | | | | |
| ACGIH TLV STEL: 200 ppm | | | | |
| OSHA VPEL TWA: 150 ppm | | | | |
| OSHA VPEL STEL: 200 ppm | | | | |
| hexamethylene diisocyanate polymer | 28182-81-2 | N/A | N/A | 25%-35% |
| isocyanate polymer | 53880-05-0 | | | 15%-25% |
| light aromatic petroleum solvent | 64742-95-6 | 4 | 68 F | 0%-10% |
| * pseudocumene | 95-63-6 | 1.58 | 68 F | 2.89 |
| ACGIH TLV: 25 ppm TWA | | | | |
| OSHA PEL: 25 ppm TWA | | | | |
| NIOSH: 25 ppm TWA | | | | |
| NIOSH: 125 mg/m3 TWA | | | | |
| XYLENES | 1330-20-7 | 5.10 | 68 F | .35 |
| ACGIH TWA 100 ppm | | | | |
| ACGIH STEL 150 ppm | | | | |
| OSHA TWA 100 ppm | | | | |
| OSHA STEL 150 ppm | | | | |
| {N120} hexamethylene diisocyanate | 822-06-0 | 0.0003 | 77 F | <1% |
| ACGIH TLV: 0.005 ppm TWA | | | | |
| ACGIH TLV: 0.34 mg/m3 TWA | | | | |
| NIOSH: 0.005 ppm TWA | | | | |
| NIOSH: 35 ug/m3 TWA | | | | |

* Indicates toxic chemical(s) subject to the reporting requirements of section 313 of Title III and of 40 CFR 372.
N/A

===== SECTION III - PHYSICAL/CHEMICAL CHARACTERISTICS =====

BOILING RANGE: 201.2 F - 334.4 F **SPECIFIC GRAVITY (H2O=1):** 1.01
VAPOR DENSITY: Heavier than air **EVAPORATION RATE:** Slower than ether
V.O.C. grams/liter: 469.82 **V.O.C. lbs./gal.:** 3.92
SOLUBILITY IN WATER: Insoluble **SOLIDS BY VOLUME:** 46.422
APPEARANCE AND ODOR: Clear liquid with organic solvent odor

===== SECTION IV - FIRE AND EXPLOSION HAZARD DATA =====

M A T E R I A L S A F E T Y D A T A S H E E T

XTREME 4.4 VOC FAST ACTIVATOR

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FLASH POINT: 78 F

METHOD USED: TAGCC

FLAMMABLE LIMITS IN AIR BY VOLUME- LOWER: 0.90

UPPER: 15.0

EXTINGUISHING MEDIA: Foam, Carbon Dioxide, Dry Chemical, Water Fog

SPECIAL FIREFIGHTING PROCEDURES

Full protective equipment, including self contained breathing apparatus, is recommended. Water from fog nozzles may be used to cool closed containers to prevent pressure build up.

UNUSUAL FIRE AND EXPLOSION HAZARDS

When heated above flashpoint, emits flammable vapors which, when mixed with air, can burn or become explosive. Fine mists or sprays may be flammable below the flash point.

===== **SECTION V - REACTIVITY DATA** =====

STABILITY: Stable

CONDITIONS TO AVOID

Avoid all sources of ignition

INCOMPATIBILITY (MATERIALS TO AVOID)

Water, strong acids, bases, alcohols, amines and oxidizing materials

HAZARDOUS DECOMPOSITION OR BYPRODUCTS

Carbon Dioxide, Carbon Monoxide and Isocyanate vapors.

HAZARDOUS POLYMERIZATION: Will not occur

===== **SECTION VI - HEALTH HAZARD DATA** =====

INHALATION HEALTH RISKS AND SYMPTOMS OF EXPOSURE

May cause nose and throat irritation. Repeated and prolonged exposure to organic solvents may lead to permanent brain and nervous system damage. Eye watering, headaches, nausea, dizziness, and loss of coordination are signs that solvent levels are too high. Exposure to isocyanates may cause sensitization. This effect may be permanent. Repeated exposure to isocyanates may result in a decrease in lung function that may be permanent.

Individuals with breathing problems or have had a prior reaction to isocyanates must not be exposed to this product. If affected by inhalation, remove to fresh air. If breathing difficulty persists, consult a physician.

SKIN AND EYE CONTACT HEALTH RISKS AND SYMPTOMS OF EXPOSURE

May cause irritation or burning of the eyes. Repeated and prolonged skin contact may cause skin irritation or dermatitis. In case of eye contact, immediately flush eyes with plenty of water for at least 15 minutes; call a physician. In case of skin contact, wash with soap and water. If irritation occurs, contact a physician.

INGESTION HEALTH RISKS AND SYMPTOMS OF EXPOSURE

Gastrointestinal distress. In the unlikely event of ingestion, call a physician immediately and have the names of all ingredients available.

HEALTH HAZARDS (ACUTE AND CHRONIC)

ACUTE- Dizziness, irritation of the respiratory tract, weakness, nausea, or possible narcosis or even asphyxiation. May be accompanied by coughing, labored breathing, tightness in chest, and asthma-like symptoms.

CHRONIC- Overexposure to isocyanates can lead to lung sensitization and allergic respiratory reaction. Effects may be

M A T E R I A L S A F E T Y D A T A S H E E T

XTREME 4.4 VOC FAST ACTIVATOR

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permanent. Allergic reaction may occur in sensitized individuals at below recommended exposure limit. Reports have linked organic solvents with brain and nervous system damage.

CARCINOGENICITY: NTP CARCINOGEN: No IARC MONOGRAPHS: No
To the best of our knowledge this material contains no known carcinogens

OSHA REGULATED: Yes

MEDICAL CONDITIONS GENERALLY AGGRAVATED BY EXPOSURE

Do not use this product if you have chronic lung or breathing problems, or if you have ever had a reaction to isocyanates.

EMERGENCY AND FIRST AID PROCEDURES

If ingestion, or any type of overexposure or symptoms of overexposure occur during the use of this product, contact a poison control center, emergency room or physician immediately; have material safety data sheet available.

===== SECTION VII - PRECAUTIONS FOR SAFE HANDLING AND USE =====

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED

Remove all sources of ignition (sparks, flames, and hot surfaces). Avoid breathing vapors. Ventilate area. Remove with an inert absorbent and non-sparking tools.

WASTE DISPOSAL METHOD

Dispose in accordance with state, federal and local regulations. Do not incinerate closed containers.

PRECAUTIONS TO BE TAKEN IN HANDLING AND STORING

Keep containers tightly closed in a cool, dry, well ventilated area away from all possible ignition sources. Store large quantities of material in buildings designed for the storage of flammable liquids.

OTHER PRECAUTIONS

Employees should be trained in safety measures that should be taken when using this product.

===== SECTION VIII - CONTROL MEASURES =====

RESPIRATORY PROTECTION

Avoid breathing vapors or spray mist. Wear a properly fitted respirator approved by NIOSH/MSHA (TC-23c) for use with paints during application and until all vapors are exhausted. In confined areas, or where continuous spray operations are typical, or proper respirator fit is not possible, wear a positive-pressure supplied air respirator (TC-19c). In all cases follow respirator manufactures directions for respirator use. Do not allow anyone without protection into the painting area.

VENTILATION

Provide sufficient ventilation to keep contaminates below applicable OSHA requirements.

PROTECTIVE GLOVES

Neoprene gloves impervious to organic solvents are recommended.

EYE PROTECTION

Use safety eyewear designed to protect against liquid splash.

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OTHER PROTECTIVE CLOTHING OR EQUIPMENT

Impervious coveralls are recommended.

WORK/HYGIENIC PRACTICES

Eye wash and safety showers in the work place are recommended. Wash hands before eating and smoking.

===== **SECTION IX - DISCLAIMER** =====

The information contained in this material safety data sheet is information from our suppliers and other sources. It is believed to be reliable. This data is not to be taken as a warranty or representation for which this company assumes legal responsibility.

M A T E R I A L S A F E T Y D A T A S H E E T

X-TREME 4.4 VOC KLEARCOAT

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PRODUCT NAME: X-TREME 4.4 VOC KLEARCOAT
5 STAR Part Number: FS-5185-G

HMIS CODES: H F R P
2*3 0 G

===== **SECTION I - MANUFACTURER IDENTIFICATION** =====

MANUFACTURED FOR : ABI/Autobody Brands International
A division of IAMG/International Autobody Marketing Group
ADDRESS : 1505 North Hayden Road, Ste. 111
Scottsdale, AZ 85257
Web Site: www.autobodybrands.com
EMERGENCY PHONE : (800)424-9300 (24 hrs.) **DATE PRINTED :** 3/15/2012
INFORMATION PHONE : 1-87-REFINISH **PREPARER NAME:** MSDS Coordinator

===== **SECTION II - HAZARDOUS INGREDIENTS/SARA III INFORMATION** =====

| REPORTABLE COMPONENTS | CAS NUMBER | VAPOR PRESSURE mm Hg @ TEMP | WEIGHT PERCENT |
|---|------------|--------------------------------|-------------------|
| acrylic polyol/polymer/resin | ***** | | 25%-35% |
| ACETONE | 67-64-1 | 185 68 F | 22.4484 |
| ACGIH TLV STEL: 750 ppm | | | |
| ACGIH TLV TWA: 500 ppm | | | |
| OSHA VPEL TWA: 750 ppm | | | |
| OSHA VPEL STEL: 1000 ppm | | | |
| methyl n-amyl ketone | 110-43-0 | 2.14 68 F | 16.0960 |
| ACGIH TLV: 50 ppm TWA | | | |
| ACGIH TLV: 233 mg/m3 TWA | | | |
| OSHA VPEL: 100 ppm TWA | | | |
| * XYLENES | 1330-20-7 | 5.10 68 F | 14.7501 |
| ACGIH TWA 100 ppm | | | |
| ACGIH STEL 150 ppm | | | |
| OSHA TWA 100 ppm | | | |
| OSHA STEL 150 ppm | | | |
| n-BUTYL ACETATE | 123-86-4 | 8.4 68 F | 9.69 |
| ACGIH TLV TWA: 150 ppm | | | |
| ACGIH TLV STEL: 200 ppm | | | |
| OSHA VPEL TWA: 150 ppm | | | |
| OSHA VPEL STEL: 200 ppm | | | |
| * ETHYL BENZENE | 100-41-4 | 7.10 68 F | 3.46 |
| 100 PPM TLV-TWA 100 PPM PEL-TWA | | | |
| 5510 mg/Kg RABBIT DERMAL-LD50 | | | |
| 125.0000 PPM 15 MINUTES TLV-STEL | | | |
| 125.0000 PPM 15 MINUTES PEL-STEL | | | |
| 3500 mg/Kg RAT ORAL-LD50 | | | |
| STYRENE MONOMER | 100-42-5 | 4.5 68 F | .2427 |
| OSHA PEL: 100 ppm | | | |
| ACGIH TLV: 20 ppm | | | |
| STEL: 40 ppm | | | |
| 2-(2-hydroxy-3,5-di-(tert)-amylphenyl)benzotriazole | 25973-55-1 | N/A | 0%-10% |

* Indicates toxic chemical(s) subject to the reporting requirements of section 313 of Title III and of 40 CFR 372.
N/A

===== **SECTION III - PHYSICAL/CHEMICAL CHARACTERISTICS** =====

M A T E R I A L S A F E T Y D A T A S H E E T

X-TREME 4.4 VOC KLEARCOAT

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BOILING RANGE: 133 F - 300 F
VAPOR DENSITY: Heavier than air
V.O.C. grams/liter: 546.03
SOLUBILITY IN WATER: Insoluble
APPEARANCE AND ODOR: Clear liquid with organic solvent odor

SPECIFIC GRAVITY (H2O=1): .91
EVAPORATION RATE: Slower than ether
V.O.C. lbs./gal.: 4.56
SOLIDS BY VOLUME: 26.332

===== **SECTION IV - FIRE AND EXPLOSION HAZARD DATA** =====

FLASH POINT: -4.0 F
FLAMMABLE LIMITS IN AIR BY VOLUME- LOWER: 1.0
EXTINGUISHING MEDIA: Foam, Carbon Dioxide, Dry Chemical, Water Fog

METHOD USED: TAGCC
UPPER: 15.0

SPECIAL FIREFIGHTING PROCEDURES

Full protective equipment, including self contained breathing apparatus, is recommended. Water from fog nozzles may be used to cool closed containers to prevent pressure build up.

UNUSUAL FIRE AND EXPLOSION HAZARDS

When heated above flashpoint, emits flammable vapors which, when mixed with air, can burn or become explosive. Fine mists or sprays may be flammable below the flash point.

===== **SECTION V - REACTIVITY DATA** =====

STABILITY: Stable
CONDITIONS TO AVOID
Avoid all sources of ignition

INCOMPATIBILITY (MATERIALS TO AVOID)
Strong oxidizing materials

HAZARDOUS DECOMPOSITION OR BYPRODUCTS
May produce hazardous fumes when heated to decomposition. Fumes may contain Carbon Monoxide and Carbon Dioxide.

HAZARDOUS POLYMERIZATION: Will not occur

===== **SECTION VI - HEALTH HAZARD DATA** =====

INHALATION HEALTH RISKS AND SYMPTOMS OF EXPOSURE
May cause nose and throat irritation. Repeated and prolonged exposure to organic solvents may lead to permanent brain and nervous system damage. Eye watering, headaches, nausea, dizziness, and loss of coordination are signs that solvent levels are too high.
Individuals with breathing problems must not be exposed to this product. If affected by inhalation, remove to fresh air. If breathing difficulty persists, consult a physician.

SKIN AND EYE CONTACT HEALTH RISKS AND SYMPTOMS OF EXPOSURE
May cause irritation or burning of the eyes. Repeated and prolonged skin contact may cause skin irritation or dermatitis. In case of eye contact, immediately flush eyes with plenty of water for at least 15 minutes; call a physician. In case of skin contact, wash with soap and water. If irritation occurs, contact a physician.

INGESTION HEALTH RISKS AND SYMPTOMS OF EXPOSURE
Gastrointestinal distress. In the unlikely event of ingestion, call a physician immediately and have the names of all

M A T E R I A L S A F E T Y D A T A S H E E T

X-TREME 4.4 VOC KLEARCOAT

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ingredients available.

HEALTH HAZARDS (ACUTE AND CHRONIC)

ACUTE- Dizziness, irritation of the respiratory tract, weakness, nausea, or possible narcosis or even asphyxiation. May be accompanied by coughing or labored breathing.

CHRONIC- Reports have linked organic solvents with brain and nervous system damage. Misuse of this product by deliberately concentrating and inhaling the contents may be harmful or fatal.

CARCINOGENICITY: NTP CARCINOGEN: No IARC MONOGRAPHS: Yes
PROPOSITION 65 STATEMENT: WARNING! This product contains a chemical or chemicals known to the state of California to cause cancer and/or birth defects or other reproductive harm.

OSHA REGULATED: Yes

MEDICAL CONDITIONS GENERALLY AGGRAVATED BY EXPOSURE

Do not use this product if you have chronic lung or breathing problems.

EMERGENCY AND FIRST AID PROCEDURES

If ingestion, or any type of overexposure or symptoms of overexposure occur during the use of this product, contact a poison control center, emergency room or physician immediately; have material safety data sheet available.

===== **SECTION VII - PRECAUTIONS FOR SAFE HANDLING AND USE** =====

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED

Remove all sources of ignition (sparks, flames, and hot surfaces). Avoid breathing vapors. Ventilate area. Remove with an inert absorbent and non-sparking tools.

WASTE DISPOSAL METHOD

Dispose in accordance with state, federal and local regulations. Do not incinerate closed containers.

PRECAUTIONS TO BE TAKEN IN HANDLING AND STORING

Keep containers tightly closed in a cool, dry, well ventilated area away from all possible ignition sources. Store large quantities of material in buildings designed for the storage of flammable liquids.

OTHER PRECAUTIONS

Employees should be trained in safety measures that should be taken when using this product.

===== **SECTION VIII - CONTROL MEASURES** =====

RESPIRATORY PROTECTION

Avoid breathing vapors or spray mist. Wear a properly fitted respirator approved by NIOSH/MSHA (TC-23c) for use with paints during application and until all vapors are exhausted. In confined areas, or where continuous spray operations are typical, or proper respirator fit is not possible, wear a positive-pressure supplied air respirator (TC-19c). In all cases follow respirator manufacturers directions for respirator use. Do not allow anyone without protection into the painting area.

VENTILATION

Provide sufficient ventilation to keep contaminants below applicable OSHA requirements.

MATERIAL SAFETY DATA SHEET

X-TREME 4.4 VOC KLEARCOAT

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PROTECTIVE GLOVES

Neoprene gloves impervious to organic solvents are recommended.

EYE PROTECTION

Use safety eyewear designed to protect against liquid splash.

OTHER PROTECTIVE CLOTHING OR EQUIPMENT

Impervious coveralls are recommended.

WORK/HYGIENIC PRACTICES

Eye wash and safety showers in the work place are recommended. Wash hands before eating and smoking.

===== **SECTION IX - DISCLAIMER** =====

The information contained in this material safety data sheet is information from our suppliers and other sources. It is believed to be reliable. This data is not to be taken as a warranty or representation for which this company assumes legal responsibility.

MATERIAL SAFETY DATA SHEET

Date Revised: 03/06/2013
Dura Build Gray

Page: 1
MSDS Number: 110001

SECTION 1. CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

Material Identity

Product Name: Dura Build Gray
Product Numbers: 102273 and 102274
Product Use: Acrylic Primer Surfacer

Company

ITW Evercoat
a Division of Illinois Tool Works Inc.
6600 Cornell Road
Cincinnati, Ohio USA
Phone: 513-489-7600

Emergency Telephone Numbers:

CHEMTREC: 1-800-424-9300
CANUTEC: 1-613-996-6666

Prepared By: Safety Department

SECTION 2. COMPOSITION / INFORMATION ON INGREDIENTS

| Ingredient(s) | CAS Number | EINECS Number | % (by weight) |
|-------------------|-------------|---------------|---------------|
| Talc | 14807-96-6 | 238-877-9 | 30 – 35 |
| Toluene | 108-88-3 | 203-625-9 | 25 – 30 |
| Acrylic Resin | Proprietary | Proprietary | 15 – 20 |
| Isobutyl Acetate | 110-19-0 | 203-745-1 | 5 – 10 |
| Titanium Dioxide | 13463-67-7 | 236-675-5 | 5 – 10 |
| Isopropyl Alcohol | 67-63-0 | 200-661-7 | 5 – 10 |
| Limestone | 471-34-1 | 207-439-9 | 1 – 5 |
| Xylene | 1330-20-7 | 215-535-7 | 1 – 5 |
| Carbon Black | 1333-86-4 | 215-609-9 | 0 – 2 |
| Ethyl Benzene | 100-41-4 | 202-849-4 | 0 – 2 |

OSHA Regulatory Status: This material is classified as hazardous under OSHA regulations.

SECTION 3. HAZARDS IDENTIFICATION

EMERGENCY OVERVIEW

WARNING! FLAMMABLE LIQUID AND VAPOR. VAPOR HARMFUL. CAUSES EYE, SKIN, NOSE AND THROAT IRRITATION.

Potential Health Effects

Acute Effects (Short Term):

Eye: Contact with liquid or vapor may result in irritation, redness, tearing, and blurred vision.

Skin: May cause mild skin irritation. Prolonged or repeated contact may dry the skin. Symptoms may include redness, burning, drying and cracking of skin, and skin burns.

MATERIAL SAFETY DATA SHEET

Date Revised: 03/06/2013
Dura Build Gray

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MSDS Number: 110001

Swallowing: Ingestion of this material may cause gastrointestinal irritation, nausea, diarrhea, and vomiting. Aspiration of this material into the lungs due to vomiting may produce chemical pneumonitis which can be fatal.

Inhalation: Excessive inhalation of vapors may cause nasal and respiratory irritation, acute nervous system depression, fatigue, weakness, nausea, headache, and dizziness. Symptoms usually occur at air concentrations higher than the recommended exposure limits (See Section 8).

Chronic Effects of Overexposure (Long Term):

- Toluene:** Possible birth defects hazard. Toluene may be harmful to the human fetus based on positive results with laboratory animals. Overexposure to Toluene has been suggested as a cause of the following effects in humans: cardiac sensitization, kidney damage. The substance may have effects on the central nervous system, resulting in decreased learning ability and psychological disorders.
- Xylene:** The substance may have effects on the central nervous system, resulting in decreased learning ability.

Cancer Information: The IARC has classified carbon black as a group 2B carcinogen (possibly carcinogenic to humans) based on experimental animal data. The IARC has classified ethyl benzene as a group 2B carcinogen (possibly carcinogenic to humans) based on the increase of kidney tumors in rats and an increase in lung and liver cancer in mice. This material may contain trace amounts of chemicals considered to be carcinogenic by OSHA (Benzene, IARC-Group 1)

Other Health Effects: NOTICE: Reports have associated repeated and prolonged occupational overexposure to solvents with permanent brain and nervous system damage. Intentional misuse by deliberately concentrating and inhaling the contents may be harmful or fatal.

Primary Route(s) of Entry: Inhalation, Skin contact, Eye contact, Ingestion, Skin absorption.

SECTION 4. FIRST AID MEASURES

- Eyes:** Flush eyes gently with water for at least 15 minutes. Seek immediate medical attention.
- Skin:** Remove contaminated clothing. Wash exposed area with soap and water. If symptoms persist, seek medical attention. Launder clothing before reuse.

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Dura Build Gray

MSDS Number: 110001

Swallowing:

Consult a physician or poison control center immediately. DO NOT INDUCE VOMITING. If individual is drowsy or unconscious, do not give anything by mouth; place individual on the left side with the head down. If possible, do not leave individual unattended.

Inhalation:

If symptoms develop, immediately move individual away from exposure and into fresh air. Seek immediate medical attention; keep person warm and quiet. If person is not breathing, begin artificial respiration. If breathing is difficult, oxygen may be beneficial if administered by trained personnel.

SECTION 5. FIRE FIGHTING MEASURES

Flash Point: 40.0 °F (4.4 °C)

Explosive Limit: Lower: 1.0% Upper: 12.7%

Autoignition Temperature: 790.0 °F (421.0 °C)

OSHA Flammability Class: Flammable Liquid – Class IB

Hazardous Products of Combustion: May form toxic and corrosive gases: carbon dioxide, carbon monoxide and various hydrocarbons.

Fire and Explosion Hazards: Vapors are heavier than air and may travel along the ground or may be moved by ventilation and ignited by pilot lights, other flames, sparks, heaters, smoking, electric motors, static discharge, or other ignition sources at locations distant from material handling point.

Extinguishing Media: Regular foam, carbon dioxide, dry chemical.

Fire Fighting Instructions: Water may be used to keep fire-exposed containers cool until fire is out. Wear a self-contained breathing apparatus NIOSH approved with a full facepiece operated in the positive pressure demand mode with appropriate turn-out gear and chemical resistant personal protective equipment.

NFPA Rating: Health - 2, Flammability - 3, Reactivity - 0

SECTION 6. ACCIDENTAL RELEASE MEASURES

In Case of Spill: Eliminate all sources of ignition such as flares, flames (including pilot lights), and electrical sparks. Ventilate the area. Wear proper protective equipment (Section 8). Avoid breathing vapors. Collect with an inert absorbant and dispose of properly.

MATERIAL SAFETY DATA SHEET

Date Revised: 03/06/2013
Dura Build Gray

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MSDS Number: 110001

SECTION 7. HANDLING AND STORAGE

Handling: All hazard precautions given in the data sheet must be observed. Avoid contact with eyes, skin and clothing. Wash thoroughly after handling. Use only with adequate ventilation. Do not breathe sanding dust, vapors or spray mist. Do not take internally. Close container after each use. **Keep out of reach of children.**

Storage: Store material in a cool, well-ventilated area. For maximum product quality, avoid prolonged storage at temperatures above 75°F (25°C). Do not use or store near heat, sparks, or open flame. Keep container tightly closed. Avoid contact with incompatible materials.

SECTION 8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Eye Protection: Chemical splash goggles in compliance with OSHA regulations are recommended.

Skin Protection: Protective gloves and proper clothing should be worn to prevent skin contact. Gloves should be made of neoprene or natural rubber. To prevent repeated or prolonged skin contact, wear impervious clothing and boots.

Respiratory Protection: Use a NIOSH approved respirator designed to remove particulate matter and organic solvent vapors.

Engineering Controls: Provide sufficient mechanical (general and/or local exhaust) ventilation to maintain exposure below acceptable limits. Explosion-proof ventilation system is acceptable.

Exposure Guidelines:

| <u>Hazardous Ingredients</u> | <u>CAS Number</u> | <u>OSHA PEL/TWA</u> | <u>ACGIH TLV</u> |
|------------------------------|-------------------|-----------------------|-----------------------|
| Carbon Black | 1333-86-4 | 3.5 mg/m ³ | 3.5 mg/m ³ |
| Isobutyl Acetate | 110-19-0 | 150 ppm | 150 ppm |
| Isopropyl Alcohol | 67-63-0 | 400 ppm | 400 ppm |
| Limestone | 471-34-1 | 15 mg/m ³ | 10 mg/m ³ |
| Talc | 14807-96-6 | 20 mppcf | 2 mg/m ³ |
| Titanium Dioxide | 13463-67-7 | 15 mg/m ³ | 10 mg/m ³ |
| Toluene | 108-88-3 | 200 ppm | 50 ppm |
| Ethyl Benzene | 100-41-4 | 100 ppm | 100 ppm |
| Xylene | 1330-20-7 | 100 ppm | 100 ppm |

Mppcf- millions of particles per cubic foot of air N/E-Not Established

MATERIAL SAFETY DATA SHEET

Date Revised: 03/06/2013

Page: 5

Dura Build Gray

MSDS Number: 110001

SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES

| | | | |
|---|---|--|-------------------------|
| Boiling Point: | 178 - 246 °F / 81 - 118 °C | Vapor Density: | Heavier than air. |
| Specific Gravity / Density: | 1.26/ 10.49 lbs/gal | Percent Volatiles by weight: | 40 - 45 % |
| Evaporation Rate: | Slower than ethyl ether. | Physical State: | Liquid |
| Melting Point: | -139 °F / -95 °C (toluene) | pH: | Neutral |
| Odor: | Sharp, aromatic odor. | Solubility: | Insoluble in water. |
| Vapor Pressure: | 33 mmHg @ 68 °F / 20 °C (isopropyl alcohol) | Appearance: | Gray Liquid |
| Octanol/Water Partition Coeff.: | Unknown | | |
| VOC (as packaged -less exempts and water): | 4.46 lbs/gal or 535 g/L | VOC (as applied*-less exempts and water): | 4.27 lbs/gal or 512 g/L |
| Percent Solids by weight – as packaged: | 57.5 % | Percent Solids by weight – as applied*: | 32.6 % |
| VHAP Content by weight – as packaged: | 32.5 % | VHAP Content by weight – as applied*: | 14.4 % |

*NOTE: VOC as applied per mixing directions 1:1.25 Ready to Spray Dilution with Universal VOC Reducer.

SECTION 10. STABILITY AND REACTIVITY

Hazardous Polymerization: Product will not undergo hazardous polymerization.

Hazardous Decomposition: May form: carbon dioxide, carbon monoxide, nitrogen oxides and various hydrocarbons.

Chemical Stability: Stable under normal handling conditions.

Incompatibility: Avoid contact in uncontrolled conditions with: strong oxidizing agents, acids, isocyanates, alkalis and halogens.

SECTION 11. TOXICOLOGICAL INFORMATION**Acute Toxicity Data:**

| Ingredient | CAS # | LD₅₀ Oral-Rat | LC₅₀ Inhalation-Rat |
|-------------------|--------------|---------------------------------|---------------------------------------|
| Toluene | 108-88-3 | 5,000 mg/kg | N/E |
| Isobutyl Acetate | 110-19-0 | 13,400 mg/kg | N/E |
| Isopropyl Alcohol | 67-63-0 | 5,045 mg/kg | N/E |

MATERIAL SAFETY DATA SHEET

Date Revised: 03/06/2013

Page: 6

Dura Build Gray

MSDS Number: 110001

| | | | |
|---------------|-----------|-------------|--------------|
| Xylene | 1330-20-7 | 4,300 mg/kg | 5,000 ppm/4H |
| Ethyl Benzene | 100-41-4 | 3,500 mg/kg | N/E |

Carcinogenicity: See Cancer Information, Section 3.

Mutagenicity: No significant evidence found.

Teratogenicity: Possible birth defects hazard. Toluene may be harmful to the human fetus based on positive results with laboratory animals.

SECTION 12. ECOLOGICAL INFORMATION

Ecotoxicity: This material should not be released to sewage, draining systems or any body of water exceeding concentrations of approved limits under applicable regulations and permits.

SECTION 13. DISPOSAL CONSIDERATION

RCRA Hazardous Waste: This material as supplied, if discarded, would be regulated as a hazardous waste under RCRA (40 CFR 261). Dispose of in accordance with applicable federal, state, and local regulations.

RCRA Hazard Class: This material would be regulated as EPA Hazardous Waste Number D001 based on the characteristic of ignitability.

SECTION 14. TRANSPORT INFORMATION

DOT Description: The DOT Classification for shipping is dependant on quantity, type of packaging or method of shipment.

SECTION 15. REGULATORY INFORMATION

US Federal Regulations

TSCA (Toxic Substances Control Act) Status

TSCA (USA) The intentional ingredients of this product are listed.

CERCLA RQ - 40 CFR 302.4(a)

| Component | RQ (lbs.) |
|------------------|-----------|
| Toluene | 1000 |
| Isobutyl Acetate | 5000 |
| Ethyl Benzene | 1000 |
| Xylene | 100 |

SARA Title III: Section 302- Extremely Hazardous Substances
None

SARA Title III: Section 313- Toxic Chemical List

MATERIAL SAFETY DATA SHEET

Date Revised: 03/06/2013

Page: 7

Dura Build Gray

MSDS Number: 110001

| <u>Component</u> | <u>CAS Number</u> | <u>Percentage</u> |
|-------------------|-------------------|-------------------|
| Toluene | 100-42-5 | 25 - 30 % |
| Isopropyl Alcohol | 67-63-0 | 5 - 10 % |
| Xylene | 1330-20-7 | 1 - 5 % |
| Ethyl Benzene | 100-41-4 | 0 - 2 % |

EPA Hazardous Air Pollutants (HAPS) 40 CFR 63

| <u>Component</u> | <u>CAS Number</u> | <u>Percentage</u> |
|------------------|-------------------|-------------------|
| Toluene | 100-42-5 | 29 % |
| Xylene | 1330-20-7 | 3 % |
| Ethyl Benzene | 100-41-4 | 0.5 % |

International Regulations

EINECS (Europe) The intentional ingredients of this product are listed.
DSL (Canada) The intentional ingredients of this product are listed.

WHMIS Classification

Health Hazard: D2A, D2B (Other Toxic Effects)

Physical Hazard: B2 (Flammable)

State and Local Regulations

California Proposition 65:

This product contains the following chemical(s) known to the state of California to cause cancer. CARBON BLACK, BENZENE

This product contains the following chemical(s) known to the state of California to cause birth defects or reproductive harm. TOLUENE, BENZENE

SECTION 16. OTHER INFORMATION

HMIS Rating: Health - 2*, Flammability - 3, Reactivity - 0
Key- 0=Least, 1=Slight, 2=Moderate, 3=Serious, 4=Extreme, *=Chronic Effects

Other Precautions for Use: If product is to be sanded, the OSHA PEL/TLV of 10 mg/m³ for nuisance dust should be observed.

Additional Information may be obtained by calling the Evercoat MSDS Hotline at 1-800-729-7600.

NOTICE: The information accumulated herein is believed to be correct as of the date issued from sources, which are believed to be accurate and reliable. Since it is not possible to anticipate all circumstances of use, recipients are advised to confirm, in advance of need, that the information is current, applicable and suitable to their circumstances.

INDUSTRIAL PROCESSES SECTION

Field Inspection Report

Date: 3/23/09
PA#: 397-05R
EN#: _____

Company Name: KENDI IRON WORKS
Address: 236 JOHNSON AVE Flr#: _____ Boro: _____
Inspected By: A. ODUBA Plant Rep.: MR ZAPDOR PRES.
Equipment Description: FOUR (4) STATION WELDING IRON

Agreement with Filing? Yes No _____ Sketch: _____

Conditions Observed: Exhaust working properly

Emission Point: 1 Receptor Distances: _____ Nuisance/Possibility: _____

Observed Emissions: No Emissions observed

Comments: OK For T.C.D.

2/10/92
sid



THE CITY OF NEW YORK
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Bureau of Environmental Compliance
 59-17 Junction Boulevard, 9th Floor, Flushing, New York 11373-5108
 Records Control (718) 595-3855

DM 4-22-09

Robert C. Avaltroni,
 Deputy Commissioner

DISPLAY CERTIFICATE ON PREMISES NEAR EQUIPMENT
"NOT VALID WITHOUT OFFICIAL SEAL"

| | |
|------------------|-----------|
| Application PA#: | PB039705R |
| Date Inspected: | 03-23-09 |
| Date Issued: | |
| Expiration Date: | 04-18-12 |

| | |
|--------|---|
| E.P.#: | 1 |
| E.R.: | B |

| |
|-----|
| P E |
| |
| |
| |

| |
|----------------------|
| OWNER |
| KENDY IRON WORKS INC |
| 236 JOHNSON AVENUE |
| BROOKLYN N.Y. 11206 |

DEP Premise Address: 236 JOHNSON AVENUE Flr.#: 1 Boro: BROOKLYN
 TRIENNIAL CERTIFICATE OF OPERATION

The holder of this Certificate is responsible for the use of the equipment in accordance with all applicable requirements and provisions of the New York City Air Pollution Control Code. The Commissioner may suspend or revoke this Certificate for willful or continued violation of the Code. Any purported or attempted transfer of...a Certificate of Operation...from one location to another or from one piece of equipment to another automatically revokes the Certificate. Sec. 24-135 NYC Air Pollution Code.

Description of Installation: IRON WORKS

Used: 8 Hrs/Day 250 Days/Year

Description of Equipment: THREE (3) WELDING STATIONS

Exhaust System: ONE FAN, 3HP MOTOR, 1725RPM 4000CFM AT 70' F (THRU DUCT EXHAUST SYSTEM ABOVE THE TABLES

Control Device: NONE

RECERTIFICATION

A. V. Duda
 Raphael Hodge, P.E.,
 Director of Engineering
 For the Commissioner

Application for Renewal of this Certificate of Operation must be filed at the Department of Environmental Protection no later than ninety (90) days prior to its Expiration Date

Should significant scientific evidence from a recognized institution should result in a decision by NYSDEC that lower ambient guideline concentrations must be established, it may be necessary to reduce emissions from this source (s) prior to the expiration of this Triennial Certificate of Operation

Original Application Date 09/19/05

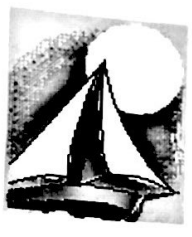
Facility: KENDI IRON WORKS
 FacilityNo: Y20412
 236 JOHNSON STRET
 BROOKLYN NY 11206
 Application Type: REGISTRATION
 Trans Type: CER
 Status: Active

Owner: KENDI IRON WORKS
 PE/RA: ANTHONY SOMEFUN, P.E.
 Rep Name: ZIV ZADOCK
 Installer:
 Maintainer:

| | Issue Dates | Expire Dates | Cancel Date |
|-------------|-------------|--------------|-------------|
| Work Permit | 09/30/05 | 03/30/06 | |
| Cert/Reg | | | |

Folder Location: File Room
 Superseded by:
 Supersedes:
 10/04/05

Next Screen ...



Save Edit
 Cancel Edit
 Close

APPLICATION TO RENEW OPERATING CERTIFICATE

DEP AIR PERMITTING

2006 APR 20 P 5:55

| | |
|---------------|-----------|
| DATE: | 4/18/06 |
| INSTALLATION: | PB039705K |
| FEE ENCLOSED: | \$ 250. |

PLEASE TYPE OR PRINT ALL INFORMATION. RETURN ORIGINAL OF THIS FORM TO EXPEDITE PROCESSING. MAKE CHECK OR MONEY ORDER PAYABLE TO: DEPARTMENT OF ENVIRONMENTAL PROTECTION

Premise Address: 236 JOHNSON AVE., BROOKLYN 11206-2809
BORO ZIP CODE

Name, address and telephone number of superintendent, contractor or other authorized agent who can be contacted to schedule inspection, provide access and operate equipment to demonstrate compliance.

Name: ZADOK ZVI Tel: 718 821-2722
(AUTHORIZED AGENT / SUPERINTENDENT)

Address: _____ Apt. _____

I request RENEWAL of the OPERATING CERTIFICATE for the equipment which is the subject of the above referenced installation number and which has been inspected by the Owner / Owner's Agent and IS READY for inspection by the Bureau of Environmental Compliance.

I am aware that if there is exposed friable asbestos in a damaged or deteriorated condition in the room/area where the equipment is located the inspection will not be completed and a NOTICE OF DISAPPROVAL will be issued.

I hereby affirm under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief and that the equipment will be operated in accordance with the requirements of the N.Y.C. Air Pollution Control Code and acknowledge that any alteration of the equipment will be done in accordance with the N.Y.C. Air Pollution Control Code and appropriate requirements of other agencies. I recognize that false statements are punishable as a misdemeanor pursuant to Section 24 - 190 of the N.Y.C. Air Pollution Control Code and Section 210 -45 of the Penal Law.

[Signature] PRESIDENT 4/18/06
OWNER / REPRESENTATIVE'S SIGNATURE TITLE DATE

ZADOK ZVI 718-821-2722
OWNER'S NAME OWNER'S TELEPHONE

484475
OWNER'S ADDRESS

Fee \$ 250
B.E.C. Clerk [Signature]

P.E. /R.A. SEAL & SIGNATURE



ORIGINAL - KEEP IN FILE

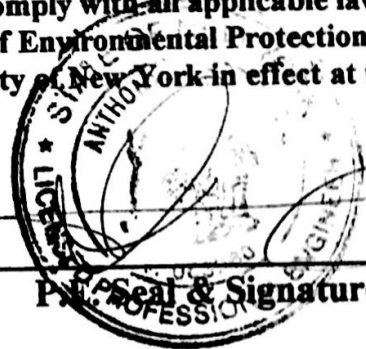
Date: _____
RB0397-05R
(Installation Number)

(EN Number)

Re: Kendi Iron Works, 236 Johnsop Ave. Street, Brooklyn, NY 11206
(Premise Address) (Boro)

PROFESSIONAL CERTIFICATION

Being duly mindful of my responsibilities as a Licensed Professional Engineer in the State of New York and acting as Designated Agent for the applicant, I hereby certify that the application, plans and all supplementary documents submitted in connection with this filing are complete and fully comply with all applicable laws, codes, rules, regulations and directives of the Department of Environmental Protection, Bureau of Air, Noise & Hazardous Materials of the City of New York in effect at the time filed.



Fee \$ 280 Receipt No. 478255
B.E.C. Clerk *[Signature]*

Professional Seal & Signature



Empty rectangular box for stamp or notes.

Company Name of Installer: _____ LEGALIZATION

Company Address: _____

Town or Boro _____ State: _____ Zip: _____

Installer's Name: _____ Title: _____

Installer's Signature: _____

INDUSTRIAL PROCESSES DIVISION ENVIRONMENTAL RATING REPORT SUMMARY OF POINTS OF EMISSION

ORIGINAL - KEEP IN FILE

EN NO. _____

Premise Identification No.

| | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

1. **Company Name** Kendi Iron Works
2. **Premise Address** 236 Johnson ^{Ave.} Street, Brooklyn, NY **Zip** 11206
3. **Mailing Address** Same as above **Zip** _____
- Telephone No.** (718) 821-2722
4. **Name of Person Preparing Report** Anthony Somefun
5. **Address** 650 Lenox Avenue, New York, NY **Zip** 10037
6. **Telephone No.** (212)690-1176

| | | |
|----------------|------------|--------------|
| 7. SEC. | LOT | BLOCK |
| | | |

| 8. Emission Point No. | 9. Operation Producing Emission | 10. Environmental Rating | |
|-----------------------|---------------------------------|--------------------------|-----------------|
| | | Proposed | Assigned By BAR |
| I0001 | Metal Fabrication | <u>B</u> | <u>C</u> |

This Report is: New Revision Addendum

11. **Signature** [Signature] **Title** _____ **Agent** _____ **Date** 9/22/200

ORIGINAL - KEEP IN FILE

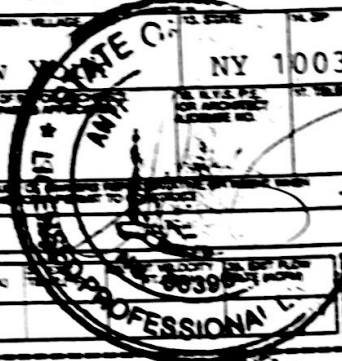
NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

COPIES
WHITE - ORIGINAL
GREEN - DIVISION OF AIR
WHITE - REGIONAL OFFICE
WHITE - FIELD OFFICE
YELLOW - APPROVAL



PROCESS, EXHAUST OR VENTILATION SYSTEM
APPLICATION FOR PERMIT TO CONSTRUCT OR CERTIFICATE TO OPERATE

1. NAME OF OWNER: Kendi Iron Works
2. NAME OF AUTHORIZED AGENT: Anthony Somefun
3. TELEPHONE: 212 690-1376
4. FACILITY NAME IF DIFFERENT FROM OWNER'S NAME: 1776
5. NUMBER AND STREET ADDRESS: 236 Johnson Street
6. NUMBER AND STREET ADDRESS: 650 Lenox Avenue
7. CITY - TOWN - VILLAGE: Brooklyn NY 11206
8. CITY - TOWN - VILLAGE: New York NY 10037
9. BUILDING NAME OR NUMBER: First
10. FLOOR NAME OR NUMBER: First
11. START UP DATE: 10/05
12. DRAWING NUMBER OF PLANS SUBMITTED: 1 of 1
13. SOURCE TO CONSTRUCT: NEW SOURCE EXISTING SOURCE
14. SOURCE TO OPERATE: NEW SOURCE EXISTING SOURCE
15. NAME & TITLE OF OWNER REPRESENTATIVE: Ziv Zadock, President
16. TELEPHONE: 718 821-2722
17. SIGNATURE OF AGENT: [Signature]



18. EMISSIONS POINT NO.: ID 001
19. SOURCE CODE: 1410
20. HRS / DAY: 8
21. DAYS / YR: 250
22. OPERATED BY SEASON: Spring, Summer, Fall, Winter

23. PROCESS OR USE: Fabrication and welding of metals

| EMISSION CONTROL EQUIPMENT NO. | CONTROL TYPE | MANUFACTURER'S NAME AND MODEL NUMBER | DISPOSAL METHOD | DATE INSTALLED MONTH / YEAR | USEFUL LIFE |
|--------------------------------|--------------|--------------------------------------|-----------------|-----------------------------|-------------|
| | | | | | |

24. CALCULATIONS

| CONTAMINANT | NAME | CAS NUMBER | INPUT OR PRODUCTION | UNIT | EPA CODE | EMISSIONS | | | | % CONTROL EFFICACY | HOURLY EMISSIONS (LBS/HR) | | ANNUAL EMISSIONS (LBS/YR) | | | |
|-------------------|------|------------|---------------------|------|----------|-----------|------|-----|-------------|--------------------|---------------------------|-------------|---------------------------|-------------|--------|-------------|
| | | | | | | ACTUAL | UNIT | ROW | PERMISSIBLE | | ACTUAL | PERMISSIBLE | ACTUAL | PERMISSIBLE | ACTUAL | PERMISSIBLE |
| Total Particulate | | NY149 00 | 0 | lb | C | 0.002 | 1 | 9 | 0 | 0.002 | 0.002 | 4 | 0 | 0.002 | | |

25. SOLID FUEL: TYPE, TONS / YR
26. LIQUID FUEL: TYPE, THOUSANDS OF GALLONS/YR
27. GAS: TYPE, THOUSANDS OF CUYR
28. APPLICABLE RULE: 212

29. STATEMENT OF CONSTRUCTION: I, the undersigned, certify that the process, exhaust or ventilation system has been constructed and will be operated in accordance with stated specifications and in accordance with all provisions of existing regulations.

30. LOCATION CODE, 31. FACILITY ID. NO., 32. U.T.M. (E), 33. U.T.M. (N), 34. SIC NUMBER, 35. DATE APPL. RECEIVED: 09/26/05, 36. DATE APPL. REVIEWED: 09/30/05, 37. REVIEWED BY: M. Tzab

38. PERMIT TO CONSTRUCT: DATE ISSUED: 09/30/05, EXPIRATION DATE: 08/30/05, SIGNATURE OF APPROVAL: M. Tzab

39. CERTIFICATE TO OPERATE: 40. INSPECTED BY, 41. DATE

ADD CHANGE DELETE
 READ INSTRUCTIONS CONTAINED IN FORMS 76-11-12 BEFORE ANSWERING ANY QUESTION

PROCESS, EXHAUST OR VENTILATION SYSTEM
 APPLICATION FOR PERMIT TO CONSTRUCT OR CERTIFICATE TO OPERATE

WHITE - REGIONAL OFFICE
 WHITE - FIELD REP.
 YELLOW - APPLICANT

1. NAME OF OWNER / FIRM: Kendi Iron Works
 2. NUMBER AND STREET ADDRESS: 236 Johnson Ave -
 3. CITY - TOWN - VILLAGE: Brooklyn NY 11206
 4. STATE: NY
 5. ZIP: 11206
 6. OWNER CLASSIFICATION: COMMERCIAL UTILITY MUNICIPAL RESIDENTIAL INDUSTRIAL FEDERAL EDUC. INST. OTHER

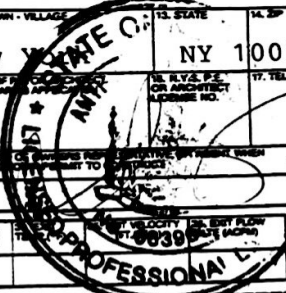
7. NAME & TITLE OF OWNERS REPRESENTATIVE: Ziv Zadock, President
 8. TELEPHONE: 821-2722

9. NAME OF AUTHORIZED AGENT: Anthony Somefun
 10. TELEPHONE: 212 690-1476
 11. NUMBER AND STREET ADDRESS: 650 Lenox Avenue
 12. CITY - TOWN - VILLAGE: New York NY 10037
 13. STATE: NY
 14. ZIP: 10037

15. NAME OF FIRM OR ARCHITECT: [Redacted]
 16. N.Y.C. P.E. OR ARCHITECT LICENSE NO.: [Redacted]
 17. TELEPHONE: [Redacted]

18. START UP DATE: 10/05
 19. DRAWING NUMBER OF PLANS SUBMITTED: 1 of 1

20. PERMIT TO CONSTRUCT: NEW SOURCE EXISTING SOURCE
 21. CERTIFICATE TO OPERATE: NEW SOURCE EXISTING SOURCE



| | | | | | | | | | | |
|------------------------------|----------------------------|-----------------------------------|------------------------|---------------------------|--------------------------|---------------------------|-----------------------|------------------|--------------------|---|
| 22. EMISSION POINT ID: 1b001 | 23. GROUND ELEVATION (FT): | 24. HEIGHT ABOVE STRUCTURES (FT): | 25. STACK HEIGHT (FT): | 26. INSIDE DIAMETER (IN): | 27. WIND VELOCITY (MPH): | 28. DRY FLOW RATE (ACFM): | 29. SOURCE CODE: 1410 | 30. HRS / DAY: 8 | 31. DAYS / YR: 250 | 32. % OPERATION BY SEASON: Winter 25, Spring 25, Summer 25, Fall 25 |
|------------------------------|----------------------------|-----------------------------------|------------------------|---------------------------|--------------------------|---------------------------|-----------------------|------------------|--------------------|---|

33. DESIGN PROCESS OR UNIT: Fabrication and welding of metals

| EMISSION CONTROL EQUIPMENT ID. | CONTROL TYPE | MANUFACTURER'S NAME AND MODEL NUMBER | DISPOSAL METHOD | DATE INSTALLED MONTH / YEAR | USEFUL LIFE |
|--------------------------------|--------------|--------------------------------------|-----------------|-----------------------------|-------------|
| 42 | 43 | 44 | 45 | 46 | 47 |
| 48 | 49 | 50 | 51 | 52 | 53 |

34. CALCULATIONS

| CONTAMINANT NAME | CAS NUMBER | INPUT OR PRODUCTION | UNIT | EM/ HOUR | EMISSIONS | | % PERMISSIBLE | CONTROL EFFICACY | HOURLY EMISSIONS (LBS/HR) | | ANNUAL EMISSIONS (LBS/YR) | | |
|-----------------------|------------|---------------------|-------|----------|-----------|-------|---------------|------------------|---------------------------|-------------|---------------------------|-------------|-----------|
| | | | | | ACTUAL | UNIT | | | ACTUAL | PERMISSIBLE | ACTUAL | PERMISSIBLE | |
| 54. Total Particulate | 55. NY149 | 56. 00 | 57. 0 | 58. C | 59. 0.002 | 60. 1 | 61. 9 | 62. 0 | 63. 0.002 | 64. 0.002 | 65. 4 | 66. 0 | 67. 0.002 |

| | | | | | | | |
|--------------------------|---------|---|---------|---------------------------|------------|--------------------------|---------------------|
| 68. SOLID FUEL TONS / YR | 69. % S | 70. LIQUID FUEL THOUSANDS OF GALLONS/YR | 71. % S | 72. GAS THOUSANDS OF CFYR | 73. STUICF | 74. APPLICABLE RULE: 212 | 75. APPLICABLE RULE |
|--------------------------|---------|---|---------|---------------------------|------------|--------------------------|---------------------|

155. SIGNATURE OF AUTHORIZED REPRESENTATIVE OR AGENT: [Signature]

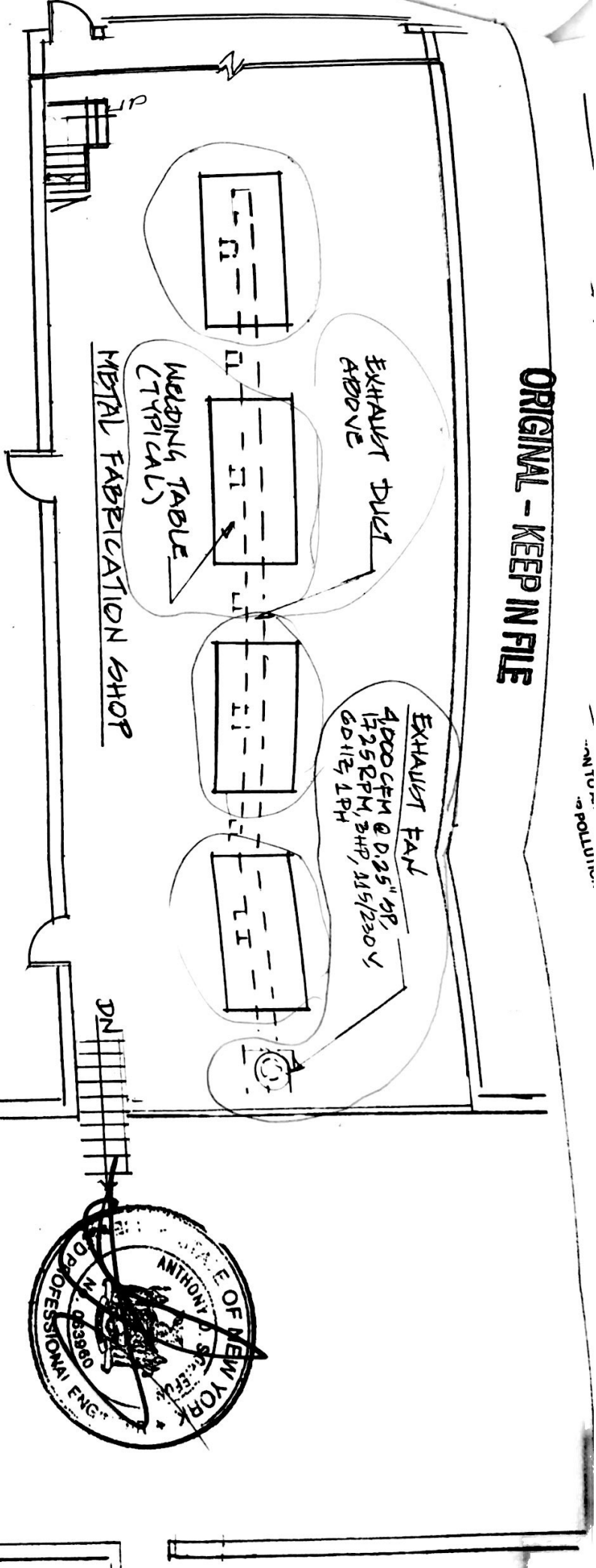
156. LOCATION CODE: 157. FACILITY ID. NO.: 158. U.T.M. (E): 159. U.T.M. (N): 160. SIC NUMBER: 17999
 161. DATE APPL. RECEIVED: 09/26/05
 162. DATE APPL. REVIEWED: 09/30/05
 163. REVIEWED BY: M. T. [Signature]

PERMIT TO CONSTRUCT
 164. DATE ISSUED: 09/30/05
 165. EXPIRATION DATE: 09/30/05
 166. SIGNATURE OF APPROVAL: M. T. [Signature]
 167. FEE

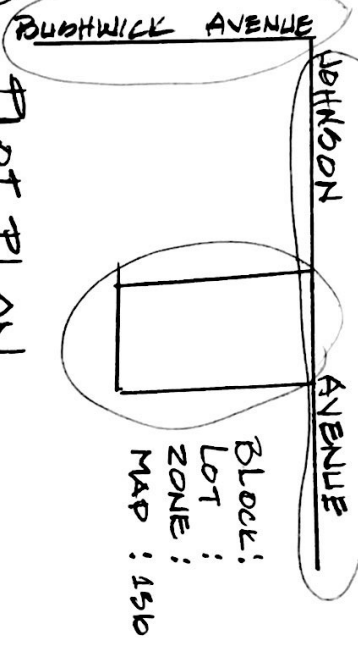
CERTIFICATE TO OPERATE
 168. DATE ISSUED: / /
 169. EXPIRATION DATE: / /
 170. SIGNATURE OF APPROVAL: / /
 171. FEE

174. SPECIAL CONDITIONS:
 1. PB0397-05R
 2. M.T.-E093

ORIGINAL - KEEP IN FILE



FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



BLOCK:
LOT:
ZONE:
MAP: 15B

PLOT PLAN
N76

APPROVED for construction in accordance with
Application, Amendment(s) and Work Permit No.
PR03397-058
M. T. [Signature] 09/30/05
Date
Engineer

PAINT DIPPING
TANK (TYPICAL)



| | |
|---|---------------------------------|
| LENDI FEON ROBERS 236 JOHNSON STREET BROOKLYN, NY 11206 | DRAWN BY: A.S. |
| ANTHONY SOMERLIN 656 LENOX AVENUE NEW YORK, NY 10037 | CHECKED BY: A.S. |
| | SCALE: AS NOTED |
| | DATE: 9-22-2005 DWG. NO. 10F |



THE CITY OF NEW YORK DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
 59-17 Junction Boulevard, 9th Floor, Corona, New York 11368-5107
 Records Control (718) 595 - 3855

Robert C. Avallone
 Robert C. Avallone,
 Deputy Commissioner

DISPLAY CERTIFICATE ON PREMISES NEAR EQUIPMENT
"NOT VALID WITHOUT OFFICIAL SEAL"

| | |
|------------------|------------|
| Application PA#: | PB0399-05R |
| Date Inspected: | 04/18/06 |
| Date Issued: | 04/18/06 |
| Expiration Date: | 04/18/09 |

| | |
|-------|---|
| E.P.# | 1 |
| E.R.: | C |

P.E.
 Anthony Somefun, P.E.
 650 Kenox Ave.
 N.Y., N.Y. 10037

OWNER
 Kendi IRON WORKS
 236 Johnson Ave.
 Bklyn, N.Y. 11206

DEP Premise Address: 236 Johnson Ave. Flr.#: 1 Boro: Bklyn.

CERTIFICATE OF OPERATION

DESCRIPTION OF INSTALLATION: IRON WORKS

USED: 8 HRS/DAY 250 DAYS/YEAR

DESCRIPTION OF EQUIPMENT: (4) stations of welding and IRON Fabrication in IRON WORKS shop.

EXHAUST EQUIPMENT: (1) FAN, 3 H.P. motor, 1725 RPM, 4,000 CFM at 70 F. Thru Duct exhaust system above the tables.

CONTROL DEVICE: None.

ANY PURPORTED OR ATTEMPTED TRANSFER OF...AN OPERATING CERTIFICATE ...FROM ONE LOCATION TO ANOTHER OR FROM ONE PIECE OF EQUIPMENT TO ANOTHER AUTOMATICALLY REVOKES...THE CERTIFICATE. SEC. 24-135 NEW YORK CITY AIR POLLUTION CONTROL CODE.

R.A. Hodge

R.A. Hodge, P.E.,
 Deputy Director

Installer
Legalization

APPLICATION FOR RENEWAL OF THIS CERTIFICATE OF OPERATION MUST BE FILED AT THE DEPARTMENT OF ENVIRONMENTAL PROTECTION NO LATER THAN NINETY (90) DAYS PRIOR TO ITS EXPIRATION DATE.

SHOULD SIGNIFICANT NEW SCIENTIFIC EVIDENCE FROM A RECOGNIZED INSTITUTION RESULT IN A DECISION BY DEC THAT LOWER AMBIENT GUIDELINE CONCENTRATIONS MUST BE ESTABLISHED, IT MAY BE NECESSARY TO REDUCE EMISSIONS FROM THIS SOURCE PRIOR TO THE EXPIRATION OF THIS CERTIFICATE TO OPERATE.

10206

March, 2009

TRIENNIAL REGISTRATION EXPIRATION NOTICE

DEP Form 100
2009 MAR 12 A 1:56

KENDI IRON WORKS, INC.
236 JOHNSON STREET AVE
BROOKLYN, NY 11206
2819

RE:
EQUIPMENT:
FUEL TYPE:
KW RATING:

280
99703
E.C. Clerk *[Signature]*

EXPIRATION DATE: 4/18/2009
INSTALLATION #: PB039705R
EQUIPMENT LOCATED AT: 236 JOHNSON STREET AVE.

COMPLETE AND SIGN THIS RENEWAL APPLICATION FORM AND RETURN IT TO:

NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION
59-17 JUNCTION BOULEVARD
RECORDS CONTROL, 9TH FLOOR
FLUSHING, NY 11373-5108.

INCLUDE YOUR CHECK OR MONEY ORDER PAYABLE TO NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION. RENEW 90 DAYS PRIOR TO EXPIRATION DATE.

PLEASE PROVIDE NAME, ADDRESS AND TELEPHONE NUMBER OF SUPERINTENDENT, CONTRACTOR OR OTHER AUTHORIZED AGENT WHO CAN BE CONTACTED TO SCHEDULE AN INSPECTION, PROVIDE ACCESS AND OPERATE EQUIPMENT TO DEMONSTRATE COMPLIANCE.

| | | | |
|-------------------------------------|--|--------------------------|-----------|
| <u>ZADOK ZVI</u> | | <u>646-345-5270 Cell</u> | |
| SUPERINTENDENT / CONTRACTOR / AGENT | | TELEPHONE NUMBER | |
| <u>236 Johnson Ave</u> | | <u>BROOKLYN</u> | <u>NY</u> |
| STREET ADDRESS | | CITY | STATE |
| <u>718-756-8006</u> | APT. NO. | <u>11206-2819</u> | ZIP |
| FAX NUMBER | E-MAIL ADDRESS <u>ZADOKZVI@gmail.com</u> | | |

I REQUEST RENEWAL OF THE REGISTRATION FOR THE EQUIPMENT WHICH IS THE SUBJECT OF THE ABOVE REFERENCED INSTALLATION NUMBER AND WHICH HAS BEEN INSPECTED BY THE OWNER/OWNER'S AGENT AND IS READY FOR INSPECTION BY THE BUREAU OF ENVIRONMENTAL COMPLIANCE.

I AM AWARE THAT IF THERE IS EXPOSED FRIABLE ASBESTOS IN A DAMAGED OR DETERIORATED CONDITION IN THE ROOM/AREA WHERE THE EQUIPMENT IS LOCATED, THE INSPECTION WILL NOT BE COMPLETED AND A NOTICE OF DISAPPROVAL WILL BE ISSUED.

I HEREBY AFFIRM UNDER PENALTY OF PERJURY THAT THE INFORMATION PROVIDED ON THIS FORM IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE EQUIPMENT WILL BE OPERATED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NYC AIR POLLUTION CONTROL CODE AND ACKNOWLEDGE THAT ANY ALTERATION OF THE EQUIPMENT WILL BE DONE IN ACCORDANCE WITH THE NYC AIR POLLUTION CONTROL CODE AND APPROPRIATE REQUIREMENTS OF OTHER AGENCIES. I RECOGNIZE THAT FALSE STATEMENTS ARE PUNISHABLE AS A MISDEMEANOR PURSUANT TO SECTION 24-190 OF THE NYC AIR POLLUTION CONTROL CODE AND SECTION 210-45 OF THE PENAL LAW.

PLEASE MAKE ANY CORRECTIONS TO THE OWNER'S NAME AND ADDRESS IF NECESSARY.

DEP COMPUTER ESTIMATED FEE IS: \$280.00
FINAL DEP FEE DETERMINATION WILL BE MADE BY DEP. FEES ARE NON-TRANSFERABLE.

[Signature] PRESIDENT 03/09/09
OWNER/REPRESENTATIVE'S SIGNATURE TITLE DATE

IF ALREADY RENEWED, PLEASE DISREGARD THIS LETTER



THE CITY OF NEW YORK DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
59-17 Junction Boulevard, 9th Floor, Corona, New York 11368-5107
Records Control (718) 595 - 3855

11206

Robert C. Avaltrons,
Deputy Commissioner

INDUSTRIAL PROCESSES SECTION
FIELD INSPECTION REPORT

| | |
|-----------|---------|
| DATE: | 4/18/06 |
| PA / PB # | 397-05R |

1. COMPANY NAME: Kendi Iron Works
 2. ADDRESS: 236 Johnson Ave BORO BK FLR 1
 3. INSPECTED BY: M.T. PLANT REP: _____
 4. EMISSION POINT: #1 RECEPTOR DISTANCES: _____ NUISANCE/POSSIBILITY: _____

5. EQUIPMENT DESCRIPTION: Welding IRON Fabrication
 6. AGREEMENT WITH FILING: YES NO SKETCH: _____

7. REASON FOR INSPECTION: C.O. T.C.O. COMPLAINT SURVEY

8. CONDITIONS OBSERVED: Installation was Working Properly

9. OBSERVED EMISSIONS: _____

10. COMMENTS: O.K. For C.O.
M.T.
04/18/06

AT ~~Bushwick~~ Av.

Robert C. Avaltroni
 Deputy Commissioner

DISPLAY CERTIFICATE ON PREMISES NEAR EQUIPMENT
"NOT VALID WITHOUT OFFICIAL SEAL"

| | |
|--------------------|----------|
| APPLICATION # / PB | 0397-05R |
| DATE ISSUED | 09/30/05 |
| DATE MAILED | |
| EXPIRATION DATE | 03/30/06 |

| | |
|-----|---|
| EP# | 1 |
| ER | C |

ENGINEER
 Anthony Somofun, P.E.
 650 Lenox Ave.
 New York, N.Y. 10037

OWNER
 Kendi IRON WORKS
 236 Johnson Ave.
 BKLYN, N.Y. 11206

PREMISE ADDRESS 236 Johnson Ave. (1st FL.) BORO BKLYN.
NOTICE OF APPLICATION / PLANS APPROVAL
WORK PERMIT

- WE ARE PLEASED TO ADVISE YOU THAT YOUR APPLICATION FOR LEGALIZATION OF THE EXISTING INSTALLATION HAS BEEN APPROVED. ONE SET OF THE APPROVED PLANS IS RETURNED HEREWITH TO THE FILER OF THE RECORD. NOTE BOTTOM PARAGRAPH.
- WE ARE PLEASED TO ADVISE YOU THAT YOUR APPLICATION FOR A WORK PERMIT FOR THE NEW INSTALLATION / ALTERATION HAS BEEN APPROVED. ONE SET OF THE APPROVED PLANS IS RETURNED HEREWITH TO THE FILER OF THE RECORD. NOTE BOTTOM PARAGRAPH.

DESCRIPTION OF INSTALLATION IRON WORKS
 Used 8 Hrs/Day 250 Days/Year
 DESCRIPTION EQUIPMENT (4) Stations of Welding and IRON Fabrication in IRON WORKS SHOP.
 AUXILIARY EQUIPMENT (1) FAN, 3 HP MOTOR, 1725 RPM 4,000 CFM at 70 F (Thru Duct Exhaust System above the Tables).
 CONTROL EQUIPMENT NONE

This permit is issued pursuant to a Certification by the professional engineer of record, acting as designated agent for the equipment owner, that the documents submitted in connection with this application are completed and fully comply with all applicable laws, codes, rules, regulations, and orders of the Department of Environmental Protection of the City of New York in effect at the time filed.

The owner shall cause or permit the use or operation of equipment or apparatus for which an installation or alteration permit is required, without first obtaining an Operating Certificate. Any purported or attempted transfer of this permit automatically revokes the permit, pursuant to the New York Pollution Control Code.

When a Certificate of Operation, a written request for an inspection must be made to this Division on Form# AR365. This must be done within 30 days after completion of a new or altered installation.

Legalization


 Raphael A. Hodge, P.E.
 Director of Engineering
 For the Commissioner
 M.T. - E04

Original Application Date 09/19/05

KENDI IRON WORKS FacilityNo Y20412

Owner: KENDI IRON WORKS

236 JOHNSON STRET

PE/RA: ANTHONY SOMEFUN, P.E.

BROOKLYN NY 11206

Rep Name: ZIV ZADOCK

Installer

Maintainer

Application Type REGISTRATION

Trans Type CER

Status Active

| Work Permit | Issue Dates | Expire Dates | Cancel Date |
|-------------|-------------|--------------|-------------|
| | 09/30/05 | 03/30/06 | |

| Cert/Reg | Issue Dates | Expire Dates | Cancel Date |
|----------|-------------|--------------|-------------|
| | | | |

Folder Location Superseded by: Supersedes:

File Room 10/04/05

Next Screen

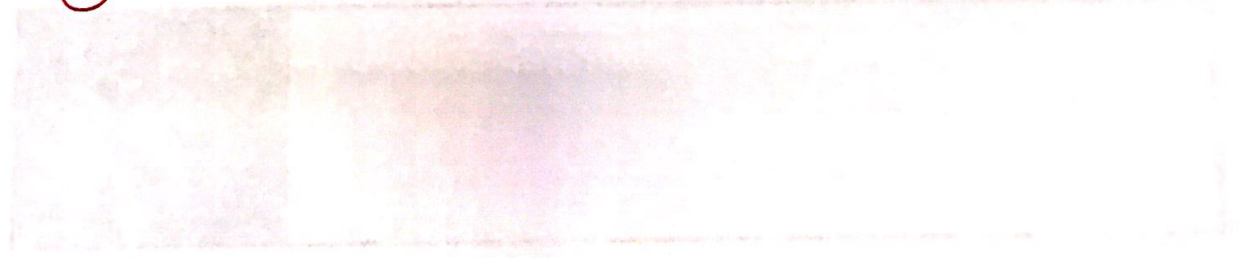
Save Edits

Cancel Edits

Close



O.K.



Company Name of Installer: _____

Company Address: _____

Town or City _____ State: _____ Zip: _____

Installer's Name _____ Title: _____

Installer's Signature: _____

INSPECTION SET

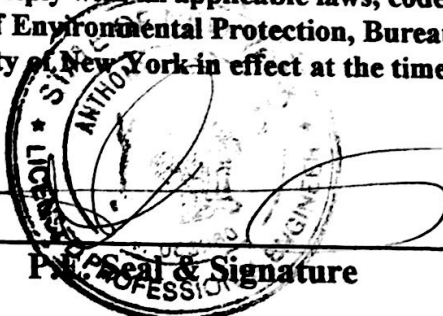
Date: _____
PB0397-05R
(Installation Number)

(EN Number)

Re: Kendi Iron Works, 236 Johnsop Ave. Street, Brooklyn, NY 11206
(Premise Address) (Boro)

PROFESSIONAL CERTIFICATION

Being duly mindful of my responsibilities as a Licensed Professional Engineer in the State of New York and acting as Designated Agent for the applicant, I hereby certify that the application, plans and all supplementary documents submitted in connection with this filing are complete and fully comply with all applicable laws, codes, rules, regulations and directives of the Department of Environmental Protection, Bureau of Air, Noise & Hazardous Materials of the City of New York in effect at the time filed.



FOR DEP USE ONLY

| | |
|--|--|
| | |
|--|--|

Company Name of Installer: _____ LEGALIZATION

Company Address: _____

Town or Boro _____ State: _____ Zip: _____

Installer's Name: _____ Title: _____

Installer's Signature: _____

**INDUSTRIAL PROCESSES DIVISION INSPECTION SECTION SET
ENVIRONMENTAL RATING REPORT
SUMMARY OF POINTS OF EMISSION**

EN NO. _____

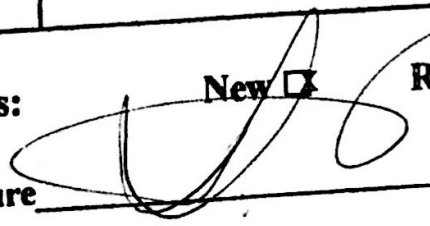
Premise Identification No.

| | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

1. Company Name Kendi Iron Works
2. Premise Address 236 Johnson Street, Brooklyn, NY Zip 11206
Ave.
3. Mailing Address Same as above Zip _____
- Telephone No. (718) 821-2722
4. Name of Person Preparing Report Anthony Somefun
5. Address 650 Lenox Avenue, New York, NY Zip 10037
6. Telephone No. (212) 690-1176

| 8. Emission Point No. | 9. Operation Producing Emission | 7. SEC. | LOT | BLOCK |
|-----------------------|---------------------------------|---|----------|-------|
| I0001 | Metal Fabrication | | | |
| | | 10. Environmental Rating Proposed Assigned By | | |
| | | B | C BAR | |

This Report is: New Revision Addendum

11. Signature  Title _____ Agent _____ Date 9/22/2005

1. NAME OF OWNER / FIRM: **Kendi Iron Works**
 2. NUMBER AND STREET ADDRESS: **236 Johnson Street**
 3. CITY - TOWN - VILLAGE: **Brooklyn** C. STATE: **NY** E. ZIP: **11206**
 4. OWNER CLASSIFICATION: A. COMMERCIAL C. UTILITY F. MUNICIPAL L. RESIDENTIAL B. INDUSTRIAL D. FEDERAL G. EDUC. INST. J. OTHER
 7. NAME & TITLE OF OWNER REPRESENTATIVE: **Ziv Zadock**
 8. TELEPHONE: **718 821-2722**
 9. NUMBER AND STREET ADDRESS: **650 Lenox Avenue**
 10. CITY - TOWN - VILLAGE: **New York** N.Y. STATE: **NY** E. ZIP: **10037**
 11. NAME OF ARCHITECT OR ENGINEER: **Anthony Somefun** 212 690-1111
 12. CITY - TOWN - VILLAGE: **New York** N.Y. STATE: **NY** E. ZIP: **10037**
 13. NAME OF PROFESSIONAL ENGINEER OR ARCHITECT: **Anthony Somefun**
 14. LICENSE NO.: **1416**
 15. START UP DATE: **10/05**
 16. DRAWING NUMBER OF PLANS SUBMITTED: **1 of 1**
 17. PERMIT TO CONSTRUCT: A. NEW SOURCE B. MODIFICATION
 18. CERTIFICATE TO OPERATE: A. NEW SOURCE C. EXISTING SOURCE B. MODIFICATION
 19. SOURCE CODE: **8**
 20. HRS / DAY: **250**
 21. DAYS / YR: **25**
 22. % OPERATION BY SEASON: Winter **25** Spring **25** Summer **25** Fall **25**



23. DESCRIBE PROCESS OR UNIT: **Fabrication and welding of metals**

| EMISSION CONTROL EQUIPMENT ID. | CONTROL TYPE | MANUFACTURER'S NAME AND MODEL NUMBER | DISPOSAL METHOD | DATE INSTALLED MONTH / YEAR | USEFUL LIFE |
|--------------------------------|--------------|--------------------------------------|-----------------|-----------------------------|-------------|
| 42. | 43. | 44. | 45. | 46. | 47. |
| 48. | 49. | 50. | 51. | 52. | 53. |

24. CALCULATIONS

| CONTAMINANT NAME | CAS NUMBER | INPUT OR PRODUCTION UNIT | EPA RATING | EMISSIONS | | | | | | | | | % CONTROL EFFICACY | HOURLY EMISSIONS (LBS/HR) | | ANNUAL EMISSIONS (LBS/YR) | | | | | | | | | |
|-----------------------|------------|--------------------------|------------|-----------|------|----------|-------------|------|------|--------|------|--------|--------------------|---------------------------|-------------|---------------------------|------|-------|------|------|------|------|------|------|------|
| | | | | ACTUAL | UNIT | HOW DET. | PERMISSIBLE | 93. | 94. | ACTUAL | 95. | ACTUAL | | 10 ¹ | PERMISSIBLE | | | | | | | | | | |
| 64. Total Particulate | 54. NY149 | 00 | 0 | 57. | 58. | 0.002 | 60. | 1 | 61. | 9 | 62. | 0.002 | 63. | 0 | 64. | 0.002 | 65. | 0.002 | 66. | 4 | 67. | 0 | 68. | 4.2 | |
| 69. | 70. | - | - | 71. | 72. | 73. | 74. | 75. | 76. | 77. | 78. | 79. | 80. | 81. | 82. | 83. | 84. | 85. | 86. | 87. | 88. | 89. | 90. | 91. | 92. |
| 94. | 95. | - | - | 96. | 97. | 98. | 99. | 100. | 101. | 102. | 103. | 104. | 105. | 106. | 107. | 108. | 109. | 110. | 111. | 112. | 113. | 114. | 115. | 116. | |
| 120. | 121. | - | - | 122. | 123. | 124. | 125. | 126. | 127. | 128. | 129. | 130. | 131. | 132. | 133. | 134. | 135. | 136. | 137. | 138. | 139. | 140. | 141. | 142. | 143. |

| SOLID FUEL THOUS / YR | | | | LIQUID FUEL THOUSANDS OF GALLONS/YR | | | | GAS THOUSANDS OF CUYR | | | | STUCC | APPLICABLE RULE | APPLICABLE RULE | |
|-----------------------|------|------|------|-------------------------------------|------|------|------|-----------------------|------|------|------|-------|-----------------|-----------------|------|
| 144. | 145. | 146. | 147. | 148. | 149. | 150. | 151. | 152. | 153. | 154. | 155. | 156. | 157. | 158. | 159. |

159. SIGNATURE OF AUTHORIZED REPRESENTATIVE OR AGENT: **ZIV**

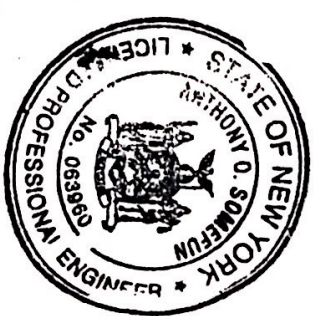
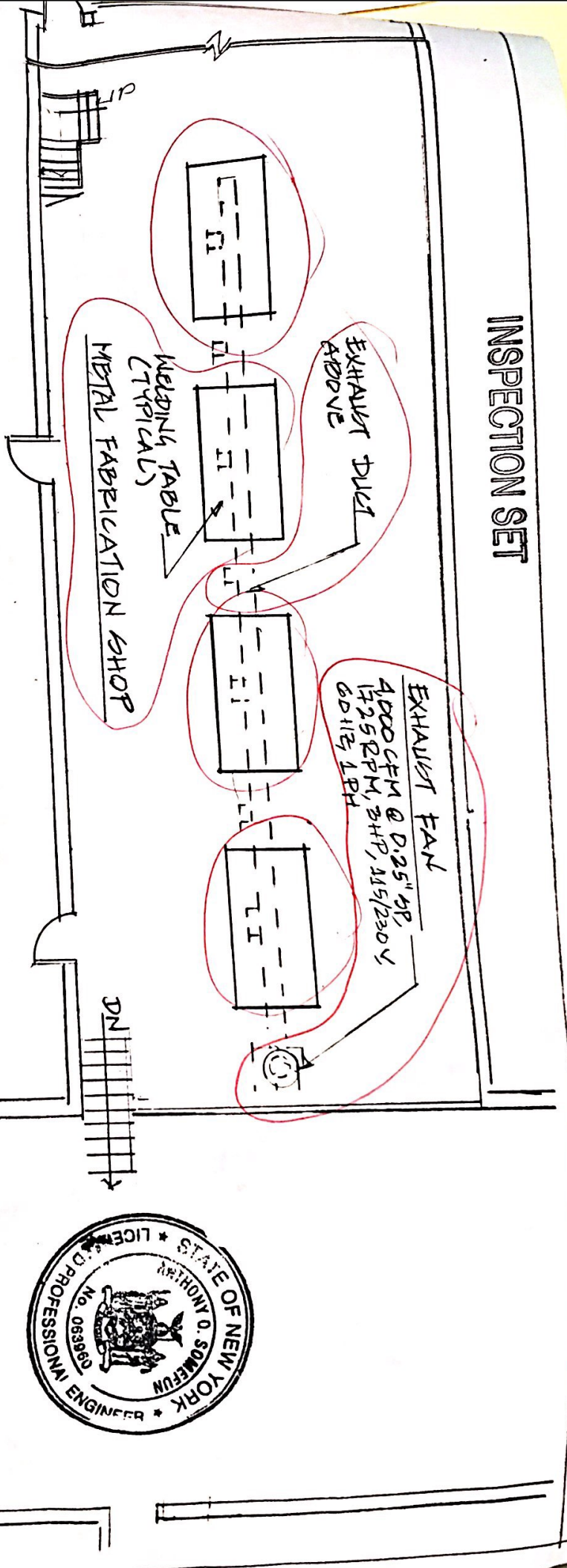
160. LOCATION CODE: **76-19-3**
 161. DATE APPL. RECEIVED: **10/05**
 162. DATE APPL. REVIEWED: **10/05**
 163. REVIEWED BY: **ZIV**

PERMIT TO CONSTRUCT
 164. DATE ISSUED: **10/05**
 165. EXPIRATION DATE: **10/05**
 166. SIGNATURE OF APPROVAL: **ZIV**
 167. FEE: **0**

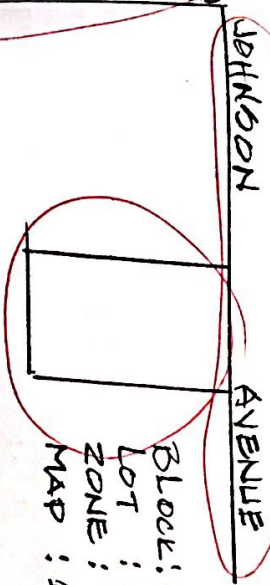
CERTIFICATE TO OPERATE
 168. DATE ISSUED: **10/05**
 169. EXPIRATION DATE: **10/05**
 170. SIGNATURE OF APPROVAL: **ZIV**
 171. FEE: **0**

172. SPECIAL CONDITIONS:
 1. INSPECTED BY: _____ DATE: _____
 2. INSPECTION DISCLOSED DIFFERENCES AS BUILT VS. PERMIT. CHANGES INDICATED ON FORM.
 3. ISSUE CERTIFICATE TO OPERATE FOR SOURCE AS BUILT.
 4. APPLICATION FOR C.D. DENIED _____ DATE: _____ INITIALS: _____

INSPECTION SET



FIRST FLOOR PLAN
 SCALE: 1/8" = 1'-0"



BLOCK:
 LOT:
 ZONE:
 MAP: 15b

APPROVED for construction in accordance with Application, Amendment(s) and Work Permit No.
 PR 0397-05R
 M. Treadwell, 09/30/05
 Engineer Date

PLT PLAN
 N70

| | |
|--|---------------------|
| RENDI REON WORKS 736 JOHNSON STREET BROOKLYN, NY 11206 | DRAWN BY: A.S. |
| ANTHONY SOMERLIN 650 LENOX AVENUE NEW YORK, NY 10037 | CHECKED BY: A.S. |
| SCALE: AS NOTED | DATE: 9-22-2009 |
| DWG. NO. 10-F-1 | DATE: 10-F-1 |



AMC Engineering PLLC

18-36 42nd Street
 Astoria, NY 11105
 516.417.8588
 Fax 516 706-3214

Emissions for Alex's Autobody Spraybooth Application

| | CAS | Paint | Clear Coat | | Reducer | Thinner | Emissions | |
|---|------------|-----------------------------------|---------------------------------------|-------------------------------|--------------------------------|---|-----------|---------|
| | | DMD619 Blue Shade Violet | DCA468 Hi- Performance Clear | DC4000 Velocity Premium | DRR1150 Reactive Reducer | DTL876 Acrylic Lacquer Thinner | (lb/yr) | (lb/hr) |
| Density | lb/gal | 8.1 | 7.84 | 7.84 | 6.68 | 6.68 | | |
| Volatility | w/w | 53 | 65.78 | 60.32 | 96.45 | 100 | | |
| % Water | w/w | 0 | 0 | 0 | 0 | 0 | | |
| % Solids | w/w | 47 | 39.68 | 39.68 | 3.55 | 0 | | |
| % VOC* | w/w | 60 | 95 | 67.1 | 165 | 115.5 | | |
| Toluene | 108-88-3 | 5 | 50 | | 20 | 12 | 144 | 0.053 |
| Xylenes | 1330-20-7 | | | 31 | | 7.4 | 42 | 0.015 |
| Ethylbenzene | 100-41-4 | | | 5.6 | | 1.3 | 7 | 0.003 |
| Acetone | 67-64-1 | | | 10 | 50 | 45 | 192 | 0.071 |
| n-butyl acetate | 123-86-4 | 50 | | | 5 | | 410 | 0.152 |
| Ligroine | 8032-32-4 | 5 | | | | | 41 | 0.015 |
| Butanone | 78-93-3 | | 20 | | 50 | | 69 | 0.026 |
| Ethyl 3-ethoxypropionate | 763-69-9 | | 10 | | 5 | | 14 | 0.005 |
| Benzy l butyl phthalate | 85-68-7 | | 10 | | | | 9 | 0.003 |
| 2-(2H-benzotriazol-2-yl)-4,6-ditertpentylphenol | 25973-55-1 | | 5 | | | | 5 | 0.002 |
| 4-Methylpentan-2-one | 108-10-1 | | | 7.8 | | | 5 | 0.002 |
| 2-Methoxy-1-methylethyl acetate | 108-65-6 | | | 10 | 5 | 10 | 41 | 0.015 |
| Heptan-2-one | 110-43-0 | | | 2.7 | | | 2 | 0.001 |
| Solvent naphtha | 64742-89-8 | | | | 10 | | 10 | 0.004 |
| Methylcyclohexane | 108-87-2 | | | | 10 | 4.8 | 24 | 0.009 |
| Heptane | 142-82-5 | | | | 10 | 20 | 70 | 0.026 |
| Isobutyl acetate | 110-19-0 | | | | | 10 | 30 | 0.011 |
| Isopropyl alcohol | 67-63-0 | | | | | 5 | 15 | 0.006 |
| Calculated VOCs | lb VOC/gal | 4.86 | 7.45 | 5.26 | 11.02 | 7.72 | | |
| Annual usage | gal/yr | 100 | 12 | 8 | 15 | 45 | | |
| Maximum yearly VOC emission** | lb VOC/yr | 486 | 89 | 42 | 165 | 347 | 1130 | |
| Maximum hourly VOC emission | lb VOC/hr | 0.18 | 0.033102222 | 0.015587081 | 0.061233333 | 0.12859 | | 0.419 |

* All VOC weight percentages were reported in a range. The highest value was taken to determine a "worst case".

**MSDS lists the weight percent of each component individually and then the average volatile percentage separately. When using the maximum percentage listed for each component, the total volatility (overall weight percentage) is higher than the reported average value. For this calculation, the reported total emission for each component is the highest possible emission, assuming it is present in its highest possible concentration. The reported total emission is calculated from the volatility indicated in the manufacturer's literature.



Vincent Sapienza, P.E.
 Acting Commissioner

INDUSTRIAL PROCESS EQUIPMENT APPLICATION

| | |
|-----------------|----------|
| APPLICATION ID: | PW001217 |
| UPDATED DATE: | 2/4/2017 |
| REQUEST ID: | 199017 |

PART I: FACILITY INFORMATION

PREMISE INFORMATION
(Location where the process is to take place)

| | | | | | | | |
|---|--|---|-----------|-----------|---------------------------------|--------------|--|
| 1A. Facility Name (if any) | | | | | | 1B. Facility | |
| Alex's Autobody | | | | | | New | |
| 1C. Facility Location (House Number and Street Address) | 1D. Floor / Suite no. (if any) | 1E. Borough | 1F. State | 1G. Block | 1H. Lot | 1I. Zip Code | 1J. Building Identification Number (BIN) |
| 2250 McDonald Ave | | Brooklyn | NY | 07103 | 0032 | 11223 | 191424 |
| 1K. Equipment Location: | 1L: Is this equipment a replacement for equipment presently certified? | 1M: If YES, provide the installation number of the equipment it is replacing: | | | 1N: Is this a legalized source? | | |
| 1st floor | | | | | Yes | | |
| 1O. Facility Classification: A. COMMERCIAL | | | | | | | |

OWNER INFORMATION

| | | | | | | | |
|--------------------|-----------|---|---------------------------|--|--------------------------------|---------|--|
| 2A. Owner's Name: | | 2B. Owner's Address (House Number and Street Address) | | | 2C. Floor / Suite No. (if any) | | |
| Alex's Autobody | | 2250 McDonald Ave | | | | | |
| 2D. Borough / City | 2E. State | 2F. Zip Code | 2G. Owner's Email Address | | 2H. Telephone | 2I. Fax | |
| Brooklyn | NY | 11223 | alexautobd@aol.com | | 718-738-6388 | | |

P.E. AND INSTALLER INFORMATION

| | | | | |
|-------------------------|----------------------------------|-----------------------------|---------------|--------------|
| 3A. Name of P.E. or R.A | 3B. NYS License Number | 3C. P.E. Email Address | 3D. Telephone | 3E. Fax |
| Ariel Czemerinski | 076508 | Ariel@AMC-Engineering.com | 516-417-8588 | |
| 3F. Company Name | 3G. P.E. Address | 3H. City or Borough | 3I. State | 3J. Zip Code |
| AMC Engineering PLLC | 18-36 42nd Street | Astoria | NY | 11105 |
| 3K. Name of Installer | 3L. NYC Installer License Number | 3M. Installer Email Address | 3N. Telephone | 3O. Fax |
| John Chiafair | | johnchiafair@gmail.com | 631-841-3200 | |
| 3P. Company Name | 3Q. Installer Address | 3R. City or Borough | 3S. State | 3T. Zip Code |
| Centerline Spray Booths | 195 Sunrise Highway, Unit C | Amityville | NY | 11701 |

FEE EXEMPTION

(If applying for fee exemption, attach Department of Finance document along with this form.)

| | | | |
|----------------------------|-----------------|----------------|-----------------------|
| 4A. Is Tax Exempt Property | 4B. Agency Name | 4C. Fee Waiver | 4D. Fee Waiver Reason |
| No | | No | |

SUPPLEMENTAL INFORMATION

5A. What type of business is being conducted at this equipment location?
 Autobody Spraybooth

| | |
|---|---|
| 5B. What emission sources are present at this facility? Facility contains spray booth and prep stations. The paint and lacquers are a VOC emission source. | 5C. Building Type: Mixed Use (Other Occupants) |
|---|---|

5D. If mixed-use, describe the other types of tenants:
 EXERCISE / GYM / DANCE STUDIO

STACK PARAMETERS

| | | | | | | | |
|---|----------------------------|----------------------------------|-----------------------------------|---------------------------|---|----------------------------|----------------------------|
| 6A. Emission Point ID: | 6B. Ground Elevation (ft): | 6C. Height Above Structure (ft): | 6D. Stack Height (ft): | 6E. Inside Diameter (in): | 6F. Exit Velocity (ft/sec): | 6G. Exit Flow Rate (ACFM): | 6H. Exit Temperature (°F): |
| 1 | 0 | 12 | 20 | 40 | 25.5 | 13500 | 75 |
| 6I. Fan Manufacturer: | | | 6J. Fan Model Number: | 6K. Number of Units: | 6L. Total ACFM / Unit: | 6M. Fan Diameter (in): | 6N. Fan Motor (HP / RPM) |
| USI Italia | | | Model Master 80 (USBH04562C01) | 1 | 13500 | 28 | 15 |
| 6O. Area of process space (ft2): | | | 6Ob. Height of process space (ft) | | 6P. Are multiple pieces of equipment exhausted to this stack? | | |
| 342.2 | | | | | No | | |
| 6Q. If Yes, list all pieces of equipment: | | | | | | | |

EMISSION CONTROL

| | | |
|---|---|---|
| 7A. Does this equipment have an emission control? | 7B. Is the control part of the equipment? | 7C. Type(s) of pollutant(s) controlled: |
| Yes | Yes | VOC, PM |
| 7D. Emission Controls(s): | 7E. Description of Control Device(s): | |
| Filter | Fiberglass Filters. | |

| 7F. CONTAMINANT | | 7G. EMISSIONS | | | | | |
|---|------------|-----------------|-------|---------------------------|-----------------------------|-----------------|----------------|
| NAME | CAS NUMBER | EMISSION FACTOR | | HOURLY EMISSIONS (lbs/hr) | ANNUAL EMISSIONS (lbs/year) | PERCENT REMOVAL | HOW DETERMINED |
| | | AMT | UNITS | | | | |
| Toluene | 108-88-3 | | | 0.053 | 144 | | Mass Balance |
| Xylenes | 1330-20-7 | | | 0.015 | 42 | | Mass Balance |
| Ethylbenzene | 100-41-4 | | | 0.003 | 7 | | Mass Balance |
| Acetone | 67-64-1 | | | 0.071 | 192 | | Mass Balance |
| n-Butyl Acetate | 123-86-4 | | | 0.152 | 410 | | Mass Balance |
| Ligroine | 8032-32-4 | | | 0.015 | 41 | | Mass Balance |
| Butanone | 78-93-3 | | | 0.026 | 69 | | Mass Balance |
| Ethyl 3-ethoxypropionate | 763-69-9 | | | 0.005 | 14 | | Mass Balance |
| Benzyl butyl phthalate | 85-68-7 | | | 0.003 | 9 | | Mass Balance |
| 2-(2H-benzotriazol-2-yl)-4,6-ditertpentylphenol | 25873-55-1 | | | 0.002 | 5 | | Mass Balance |
| 4-methylpentan-2-one | 108-10-1 | | | 0.002 | 5 | | Mass Balance |
| 2-methoxy-1-methylethyl acetate | 108-65-6 | | | 0.015 | 41 | | Mass Balance |
| Heptan-2-one | 110-43-0 | | | 0.001 | 2 | | Mass Balance |
| Solvent Naptha | 64742-89-8 | | | 0.004 | 10 | | Mass Balance |
| Methylcyclohexane | 108-87-2 | | | 0.009 | 24 | | Mass Balance |
| Heptane | 142-82-5 | | | 0.026 | 70 | | Mass Balance |
| Isobutyl Acetate | 110-19-0 | | | 0.011 | 30 | | Mass Balance |

| | | | | | |
|-------------------|---------|--|-------|----|--------------|
| Isopropyl Alcohol | 67-63-0 | | 0.006 | 15 | Mass Balance |
|-------------------|---------|--|-------|----|--------------|

7H. Detailed Calculations (Est. max hourly and max annually):

Max Annual Emissions: 1130 lb/year
 Max Hourly: 0.419 lb/hour

These values represent the worst case. Please see attached sheet for detailed calculations, including manufacturer information. The calculations include footnotes regarding overestimation of volatiles.

| | |
|-----------------------------------|---|
| a. Proposed Environmental Rating: | B |
|-----------------------------------|---|

HEATER INFORMATION
If the process is equipped with a heater, please provide the following information.

| | | | |
|----------------------------|------------------------------------|--------------------------------|----------------------|
| Q8A. Is there a heater? | 8A. Is the heater a separate unit? | 8B. Input (BTU/hr): | 8C. Output (BTU/hr): |
| Yes | Yes | 1500000 | 1250000 |
| 8D. Firing Rate (CFH/GPH): | 8E. Manufacturer: | 8F. Model Number: | 8G. Fuel Type: |
| 1250 | USI Italia | Model Master 80 (USBH04562C01) | Natural Gas |

ADDITIONAL PERMITTED EQUIPMENT IN FACILITY

| 9A. INSTALLATION NO. | 9B. DESCRIPTION | 9C. CERTIFICATION OF OPERATION EXPIRATION DATE |
|----------------------|-----------------|--|
| | | |

PART III: SPRAY BOOTH / SPRAY AREA
Provide the following information only if you are operating a spray booth or spray area at your facility.

EQUIPMENT INFORMATION

| | | | |
|----------------------|---------------------------|--------------------------------|---------------------------|
| 12A. Equipment Type: | 12B. Manufacturer | 12C. Model Number | 12D. Date of Installation |
| SPRAY BOOTH | USI Italia | Model Master 80 (USBH04562C01) | 1/16/2017 |
| 12E. Type: | 12F. Opening Height (ft.) | 12G. Opening Width (ft.) | 12H. Floor Area (ft2) |
| DOWNDRAFT | 9.2 | 11 | 342.2 |

OPERATIONAL INFORMATION

| | | | |
|-------------------------|---|------------------------------|---------------------------|
| 13A. Hours / Day | 13B. Days / Year | 13C. Waterwash Pump (HP) | 13D. Water Flowrate (GPM) |
| 8 | 275 | 3 | 25 |
| 13E. Article(s) Sprayed | 13F. Method of Application | 13G. Gun Cleaning Method | |
| AUTOMOBILE | AIR ATOMIZATION, HVLP(HIGH VOLUME LOW PRESSURE) | ENCLOSED GUN CLEANING SYSTEM | |

USAGE INFORMATION

| 14A. Type of Material | 14B. Product Name and Product Number | 14C. Material VOC (lbs VOC/gal material) | 14D. Maximum Hourly Usage (gph) | 14E. Annual Usage (gph) |
|-----------------------|--------------------------------------|--|---------------------------------|-------------------------|
| Paint | Deltron, DMD619, Blue Shade Violet | 4.86 | 0.18 | 100 |
| Clear Coat | Deltron, DCA468, Performance Clear | 7.45 | 0.033 | 12 |
| Clear Coat | Deltron, DC4000, Velocity Premium | 5.26 | 0.016 | 8 |
| Reducer | Deltron, DRR1150, Reactive Reducer | 11.02 | 0.06 | 15 |
| Thinner | Deltron, DTL876, Lacquer Thinner | 7.72 | 0.129 | 45 |



Vincent Sapienza, P.E.
Acting Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
59-17 Junction Blvd. 9th Floor, Flushing, NY 11373
Records Control (718) 595-3855

Michael Gilsean
Assistant Commissioner
Environmental Compliance

INDUSTRIAL WORK PERMIT

FACILITY ADDRESS: Alex's Autobody, 2250 McDonald Ave, Brooklyn, NY 11223

Installation #: **PW001217**

Owner Information: Alex's Autobody, 2250 McDonald Ave, Brooklyn, NY 11223

Issued: **2/6/2017**

Expiration: **2/6/2018**

Request ID: **199017**

Legalization: Yes

Environmental Rating: B

Emission Point: 1

Hours/day: 8

Days/year: 275

Number of units: 1

ACFM/Unit: 13500

Contaminant Controlled: VOC, PM

Controls: Filter

Description: Fiberglass Filters.

Installation Type: Spray Booth / Spray Area

Equipment Type: SPRAY BOOTH

USI Italia Model Master 80 (USBH04562C01)

Type: DOWNDRAFT

Article(s) Sprayed: AUTOMOBILE

Opening Height (ft): 9.2

Opening Width (ft): 11

Floor Area (ft²): 342.2

Description of Process:

Facility contains spray booth and prep stations. The paint and lacquers are a VOC emission source.

Special Conditions:

NA

The holder of this work permit is responsible for the use of the equipment in accordance with all the applicable requirements and provisions of the New York City Air Pollution Code. Violations of the Air Pollution Control Code can result in the imposition of penalties by the Environmental Control Board. This Certificate must be posted in the vicinity of the designated equipment. It may not be transferred to any other equipment.

Equipment may only be operated for testing purposes, not exceeding THIRTY (30) days, without first obtaining a Certificate of Operation from the Bureau of Environmental Compliance.

DISPLAY PERMIT ON PREMISES NEAR EQUIPMENT



PW001217

R. Radhakrishnan, P.E.,
Director of Engineering/For the Commissioner

5 STAR XTREME AUTOBODY PRODUCTS
TECHNICAL DATA INFORMATION
DATED: JUNE 2013

PRODUCT NUMBER DESCRIPTION
#5185 – ORIGINAL KLEARKOTE 4.4 VOC

PRODUCT DESCRIPTION

5185 is a medium solids two component polyurethane clearcoat with a sprayable VOC of 4.4 lbs/gal. Formulated to offer Refinishers ease of application, great flow and leveling, superior gloss and excellent distinctness of image in a productive 2K polyurethane clearcoat.

PRODUCTS

#5185-1 Original Klearkote, Gallon
#5185-4 Original Klearkote, Quart

*#5186 Original Hardener, Fast 4.4 VOC Quart
*#5187 Original Hardener, Medium 4.4 VOC Quart
*#5188 Original Hardener, Slow 4.4 VOC Quart
* Also available in half pints

CAUTION ACCELERATOR NOT RECOMMENDED

SURFACE PREPARATION

Apply Undercoats and Basecoat per manufacturer's instruction. Over OEM or completely cured previously painted substrates scuff with a grey scuff pad or 600 grit then wipe clean with #5902 Final Wipe Surface Cleaner. Allow basecoat adequate flash time (follow manufacturer's recommendation) Follow basecoat manufacturer's recommendation for recoat intervals.

MIXING DIRECTIONS

Mix 4 parts 5185 base with 1 part 5186, 5187, or 5188 by volume. Activator selection should be based on the size of the part to be painted and the temperature of both the air and part at time of painting.

APPLICATION

| | |
|-------------------------|---|
| Number of Coats: 2-3 | Application Density: full wet coats |
| Overlap: 50% | Flash: Follow recommendations in "Dry Time" section |
| Film Thickness Range: | Dry 1 mil – 6 mils |
| | Wet 3 mils – 6 mils |
| Application Conditions: | Minimum Temp 50°F (Substrate Temp.) |
| | Max Temp 100°F (Substrate Temp.) |
| | Ambient Humidity Less than 80% preferred |

POT LIFE

When properly covered at 77°F, 5185 will maintain a sprayable viscosity for at least from 3-5 hours depending on activator selection.

ADDITIVES

ACCELERATOR: N/A

FISHEYE: N/A

FLEX ADDITIVE: Not required

Note: Do not spray when surface temperature is below 50°F.

SUBSTRATES

Commercially available basecoats with a VOC of less than 6.6 lbs/gal.
Properly prepared previously painted surfaces.

CLEAN-UP & STORAGE

Clean spray equipment immediately after use with gun wash solvent.

GUN SETUPS:

CONVENTIONAL

Gravity Feed 1.3 – 1.5 mm tip

Siphon Feed 1.6 – 1.8 mm tip

HVLP 1.3 mm – 1.5 mm

AIR PRESSURES

| | | |
|--------------------|-----------|-----------|
| Conventional @ Gun | PANEL | OVERALL |
| Gravity Feed | 35-40 psi | 45 psi |
| Siphon Feed | 35-45 psi | 45-50 psi |
| HVLP @ Cap | 6-8 psi | 9-10 psi |

FLASH/DRY TIMES

| | | | |
|------------------------------------|---------------------------------|---------------------------------|---------------------------------|
| | 5186 @ or above 77°F | 5187 @ or above 85°F | 5188 @ or above 95°F |
| Flash Between Coats | 5-10 min | 5-10 min | 10-15 min |
| Dust Free | 10-15 min | 15 min | 15-20 min |
| Sand/Polish | 8-10 hours | 10-12 hours | 12-14 hours |
| Force Dry (Convection Heat) | <u>5186</u> | <u>5187</u> | <u>5188</u> |
| Purge time before applying heat | 20 min | 20 min | 20 min |
| Force Dry Time | 20 min@ 165°F | 20 min@ 165°F | 20 min@ 165°F |
| Sand and Buff | After Cool Down | | |

TECHNICAL DATA

Density: 7.64 lbs/gal (unactivated)

Solids

By Weight: 36.2%

By Volume: 29.0%

VOC (Volatile Organic Content): 4.56 lbs/gal

Viscosity: 17-19 seconds Zahn #2

Flash Point: -4°F

Theoretical Coverage: 465 sq ft per gal @ 1 mil thickness

FIRST AID:

In case of eye contact, immediately flush eyes with plenty of water for at least 15 minutes and get medical attention. For skin: Wash thoroughly with water. If difficulty in breathing is experienced, get medical attention immediately. If swallowed, do not induce vomiting, get medical attention immediately. See Material Safety Data Sheet.

SAFETY INFORMATION - FOR INDUSTRY USE ONLY

Danger: Vapor and spray mist harmful. Overspray may cause lung damage. May cause allergic skin and respiratory reaction, effects may be permanent. Flammable liquid and vapor. Harmful if inhaled. May affect the brain or nervous system causing dizziness, headache, or nausea. May cause eye, skin, nose, and throat irritation. Contents: See product label for contents and CAS #'s. The contents of this package must be blended with other components before the product can be used. Any mixture of components will have hazards of all components. Before opening the packages, read all warning labels. Follow all precautions. The material is designed for application only by professional trained personnel using proper equipment under controlled conditions, and is not intended for sale to the general public.

KEEP OUT OF REACH OF CHILDREN.

ABI/Autobody Brands International a division of IAMG/International Autobody Marketing Group - Scottsdale, AZ - www.autobodybrands.com



[Register with CATS](#)
[Login into CATS](#)



NYC DEP CATS Information

| | | | |
|---|--|--|--|
| PREMISES: 828 EAST 144 STREET BRONX BIN: 097197 BLOCK: 02599 LOT: 0035 | | | |
| Owner: TRI-STATE INDUSTRIES | Application #: PB006702 | Type: CERTIFICATE TO OPERATE - INDUSTRIAL | Expiration Date: 5/17/2005 |
| Business Type: ENGINEGENERATORS | Request Type: Industrial Request Renewal CO | Status: EXPIRED | Submitted Date: NA Decision Date: 3/21/2002 |
| Boiler Make / Model: NA | Fuel Type 1: NONE | Fuel Type 2: NA | Heat Input (Million BTU/Hr.): NA |
| Burner Make / Model: NA | Number of Identical Units: 1 | | |
| | AKA : 360 SOUTHERN BOULEVARD BRONX 390 SOUTHERN BOULEVARD BRONX | | |



THE CITY OF NEW YORK DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Environmental Compliance

59-17 Junction Boulevard, 9th Floor, Corona, New York 11368-5107

Christopher O. Ward, Commissioner

Robert C. Avaltroni, Deputy Commissioner

Records Control (718) 595 - 3855

DISPLAY CERTIFICATE ON PREMISES NEAR EQUIPMENT "NOT VALID WITHOUT OFFICIAL SEAL"

Table with 2 columns: Field (Application PA#, Date Inspected, Date Issued, Expiration Date) and Value (0067-02H, 09/01/05, 09/01/05, 05/17/08)

Table with 2 columns: Field (E.P.#, E.R.) and Value (1, C)

P.E. section with three empty rows for signature and name.

OWNER section with address: Lucky Polyethylene, MFG. CO. INC., 828 E. 144th Street, BX, N.Y. 10454

DEP Premise Address: 828 E. 144th St. Flr.#: 1 Boro: BRONX TRIENNIAL CERTIFICATE OF OPERATION

The holder of this Certificate is responsible for the use of the equipment in accordance with all applicable requirements and provisions of the New York City Air Pollution Control Code. The Commissioner may suspend or revoke this Certificate for willful or continued violation of the Code. Any purported or attempted transfer of...a Certificate of Operation...from one location to another or from one piece of equipment to another automatically revokes the Certificate. Sec. 24-135 NYC Air Pollution Code.

Description of Installation: Generator

Used: 20 Hrs/Day 306.5 Days/Year

Description of Equipment: (1) Taylor DS 500 M Diesel Generator, Bi-Fuel Operation, Rated at 450 KW. Limited to 3.033 HRS OF Full Load Operation.

Exhaust System: To Exhaust 1,100 CFM @ 905 F.

Control Device: None.

RECERTIFICATION

Raphael Hodge, P.E., Director of Engineering For the Commissioner

Application for Renewal of this Certificate of Operation must be filed at the Department of Environmental Protection no later than ninety (90) days prior to its Expiration Date

Should significant scientific evidence from a recognized institution should result in a decision by NYSDEC that lower ambient guideline concentrations must be established, it may be necessary to reduce emissions from this source (s) prior to the expiration of this Triennial Certificate of Operation

M.T. - E093

10451



THE CITY OF NEW YORK DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
59-17 Junction Boulevard, 9th Floor, Corona, New York 11368-5107
Records Control (718) 595 - 3855

Christopher O. Ward,
Commissioner

Robert C. Avaltroni,
Deputy Commissioner

INDUSTRIAL PROCESSES SECTION
FIELD INSPECTION REPORT

| | |
|---------|----------|
| DATE: | 9/01/05 |
| PA/PB # | 0067-02H |

Lucky Polyethylene Mfg. Co., Inc.

- 1. COMPANY NAME: ART View Packaging Co.
- 2. ADDRESS: 828 E. 144 St. BORO BX FLR 1st
- 3. INSPECTED BY: M.T. PLANT REP: _____
- 4. EMISSION POINT: #1 RECEPTOR DISTANCES: _____ NUISANCE/POSSIBILITY: _____
- 5. EQUIPMENT DESCRIPTION: Bi-Fueled Generator

6. AGREEMENT WITH FILING? YES NO SKETCH: _____

7. REASON FOR INSPECTION: C.O. T.C.O. COMPLAINT SURVEY

8. CONDITIONS OBSERVED: Equipment Was in Operation

9. OBSERVED EMISSIONS: None Over The Stack.

10. COMMENTS: _____
O.K. For TCO.
M.T.
09/01/05



PROCESS, EXHAUST OR VENTILATION SYSTEMS INSPECTION SET
APPLICATION FOR PERMIT TO CONSTRUCT OR CERTIFICATE TO OPERATE
 INSPECTION NUMBER

| | | | | | |
|---|--|--|--|--|--|
| NAME OF OWNER / FIRM Hi-State Industries | | 9. NAME OF AUTHORIZED AGENT Joseph Botta | | 10. TELEPHONE 718 951-0208 | |
| NUMBER AND STREET ADDRESS 160 Southern Boulevard | | 11. NUMBER AND STREET ADDRESS 4809 Avenue N, Suite 222 | | 19. FACILITY NAME (IF DIFFERENT FROM OWNER/FIRM) 828 East 144th Street | |
| CITY - TOWN - VILLAGE Bronx NY | | 12. CITY - TOWN - VILLAGE Brooklyn NY | | 20. FACILITY LOCATION (NUMBER AND STREET ADDRESS) Bronx, New York | |
| OWNER CLASSIFICATION <input type="checkbox"/> COMMERCIAL C <input type="checkbox"/> UTILITY F <input type="checkbox"/> MUNICIPAL I <input type="checkbox"/> RESIDENTIAL J <input checked="" type="checkbox"/> INDUSTRIAL D <input type="checkbox"/> FEDERAL G <input type="checkbox"/> EDUC. INST. L <input type="checkbox"/> OTHER | | 13. STATE NY | | 14. ZIP 10451 | |
| NAME & TITLE OF OWNERS REPRESENTATIVE Jeno Friedman | | 15. NAME OF P.E. OR ARCHITECT PREPARING APPLICATION Joseph Botta | | 16. N.Y.S. P.E. OR ARCHITECT LICENSE NO. 062615 | |
| 8. TELEPHONE 292-1700 | | 17. SIGNATURE OF OWNERS REPRESENTATIVE OR AGENT WHEN APPLYING FOR A PERMIT TO CONSTRUCT <i>Joseph Botta</i> | | 17. TELEPHONE 718 951-0208 | |
| EMISSION POINT NO. 01 | | 30. GROUND ELEVATION (FT) 12 | | 31. HEIGHT ABOVE STRUCTURES (FT) 10 | |
| | | 32. STACK HEIGHT (FT) 18 | | 33. INSIDE DIMENSIONS (IN) 7 | |
| | | 34. EXIT TEMP. (°F) 905 | | 35. EXIT VELOCITY (FT/SEC) 69 | |
| | | 36. EXIT FLOW RATE (ACFM) 1,100 | | 37. PERMIT TO CONSTRUCT DATE 20 | |
| | | 38. HRS/DAY 20 | | 39. DAYS/YR 306.5 | |
| | | 40. % OPERATION BY SEASON Winter 25 Spring 25 Summer 25 Fall 25 | | | |
| DESCRIBE PROCESS OR UNIT | | MANUFACTURER'S NAME AND MODEL NUMBER | | DISPOSAL METHOD | |
| 1. 3 | | 4 | | 45 | |
| 2. 6 | | 5 | | 46 | |
| 3. 7 | | 6 | | 47 | |
| 4. 8 | | 9 | | 48 | |
| 5. 9 | | 10 | | 49 | |
| 6. 10 | | 11 | | 50 | |
| 7. 11 | | 12 | | 51 | |
| 8. 12 | | 13 | | 52 | |
| 9. 13 | | 14 | | 53 | |

See Attached Calculation sheets for 100% Diesel and Bi-fuel Operation. Emissions based upon total of both operations.

Item 65 - Bifuel Emission Rate
Item 66 - Sum of Diesel and Bifuel Emission

INSULATION NUMBER

| CONTAMINANT | | GAS NUMBER | | MINI | ENV | ACTUAL | UNIT | TR | PERMISSIBLE | DATE | WARRANT | ACTUAL | ANNUAL | PERMISSIBLE |
|---------------------|-----|-------------|-----|------|--------|--------|------|-------------|-------------|------|-------------------|--------|-------------------|-------------|
| NAME | | | | ON | RATING | | TYPE | PERMISSIBLE | DATE | | EMISSIONS & BS/MI | | EMISSIONS & BS/MI | |
| 54 Nitrogen Oxides | 30 | NY210-00-0 | Kwh | 71 | 8.03 | 1 | 3 | 62 | 18.59 | 1/4 | 18.59 | 8.03 | 24,956 | 80 |
| 55 Carbon Monoxide | 70 | 006-30-08-0 | Kwh | 12 | 15.93 | 1 | 3 | 77 | 14.02 | 1/4 | 14.02 | 8.93 | 18,128 | 80 |
| 1 Total Non Meth HC | 60 | 68476-44-8- | Kwh | 1 | 0.002 | 1 | 3 | 107 | 1.49 | 1/4 | 1.49 | 0.002 | 48.06 | 80 |
| 49 Particulates | 100 | NY075-00-0 | Kwh | 1 | 0.13 | 1 | 3 | 122 | 1.33 | 1/4 | 1.33 | 0.13 | 441 | 80 |
| 48 Sulfur Dioxide | 100 | 7446-09-5 | Kwh | 1 | 1.24 | 1 | 3 | 122 | 1.24 | 1/4 | 1.24 | 1.24 | 3788 | 80 |

Upon completion of construction type the statement below and forward to the appropriate local representative
THE PROCESS, EXHAUST OR VENTILATION SYSTEM HAS BEEN CONSTRUCTED AND WILL BE OPERATED IN ACCORDANCE WITH STATED
SPECIFICATIONS AND IN CONFORMANCE WITH ALL PROVISIONS OF EXISTING REGULATIONS

50 SIGNATURE OF AUTHORIZED REPRESENTATIVE OF AGENT: *David B. Bette*

51 DATE: 3-19-02

| LOCATION CODE | FACILITY ID. NO. | UTM (E) | UTM (N) | SIC NUMBER | DATE APPL RECEIVED | DATE APPL REVIEWED | REQUIRE BY |
|---------------|------------------|---------|---------|------------|--------------------|--------------------|------------|
| | | | | 4911 | 1/1 | 03/26/02 | 0-9 |

PERMIT TO CONSTRUCT

44 DATE ISSUED: / /

45 EXPIRATION DATE: / /

46 SIGNATURE OF APPROVAL: _____

47 FEE: _____

48

1 DEVIATION FROM APPROVED APPLICATION SHALL VOID THIS PERMIT.
2 THIS IS NOT A CERTIFICATE TO OPERATE
3 TESTS AND/OR ADDITIONAL EMISSION CONTROL EQUIPMENT MAY BE REQUIRED PRIOR TO THE ISSUANCE OF A CERTIFICATE TO OPERATE

RECOMMENDED ACTION RE: C.O.

49 DATE ISSUED: / /

50 EXPIRATION DATE: / /

51 SIGNATURE OF APPROVAL: _____

52 FEE: _____

53

1 INSPECTED BY: _____ DATE: _____
2 INSPECTION DISCLOSED DIFFERENCES AS BUILT VS PERMIT, CHANGES INDICATED ON FORM
3 ISSUE CERTIFICATE TO OPERATE FOR SOURCE AS BUILT
4 APPLICATION FOR C.O. DENIED _____ DATE: _____ INITIALS: _____

SPECIAL CONDITIONS:

PB 67-02H

| NO. | DESCRIPTION | DATE | INITIALS |
|-----|-------------|------|----------|
| 1 | | | |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |
| 6 | | | |
| 7 | | | |

INSPECTION SET

APPROVED for construction in accordance with Application, Amendment(s) and Work Permit No.

PB 67-02H

A.G.
Engineer

03/26/02
Date



N

GENERATOR DAR FILING
828 EAST 144TH STREET
BRONX, NEW YORK 10451
FILER: JOSEPH BOTTA, P.E., P.C.
4809 AVENUE N, SUITE 222
BROOKLYN, NEW YORK 11234
(718) 951-0208

GROUND EL = 12' EAST 144TH STREET

PARKING AREA

EP 001
EP 002

EXISTING BRICK BUILDING
15' HIGH

BLOCK 2599 LOT 35
ZONE MI-3 MAP PAGE 6C

ROOF - 15' HIGH

SOUTHERN BOULEVARD

APPENDIX F

NOISE BACKUP

Certificate of Conformity and Calibration

Instrument Model:- CEL-633C
Serial Number 4278006
Firmware revision V006-05

Microphone Type:- CEL-251
Serial Number 4372

Preamplifier Type:- CEL-495
Serial Number 005389

Instrument Class/Type:- 1



Applicable standards:-

IEC 61672: 2002 / EN 60651 (Electroacoustics - Sound Level Meters)
 IEC 60651 1979 (Sound Level Meters), ANSI S1.4: 1983 (Specifications For Sound Level Meters)

Note:- The test sequences performed in this report are in accordance with the current Sound level meter Standard - IEC61672. The combination of tests performed are considered to confirm the products electro-acoustic performance to all applicable standards including superceeded Sound Level Meter Standards - IEC60651 and IEC60804.

Test Conditions:- 21 °C
 41 %RH
 1002 mBar

Test Engineer:- Paul Blackwell
Date of Issue:- July 28, 2021

Declaration of conformity:-

This test certificate confirms that the instrument specified above has been successfully tested to comply with the manufacturer's published specifications. Tests are performed using equipment traceable to national standards in accordance with Casella's ISO 9001:2015 quality procedures. This product is certified as being compliant to the requirements of the CE Directive.

Test Summary:-

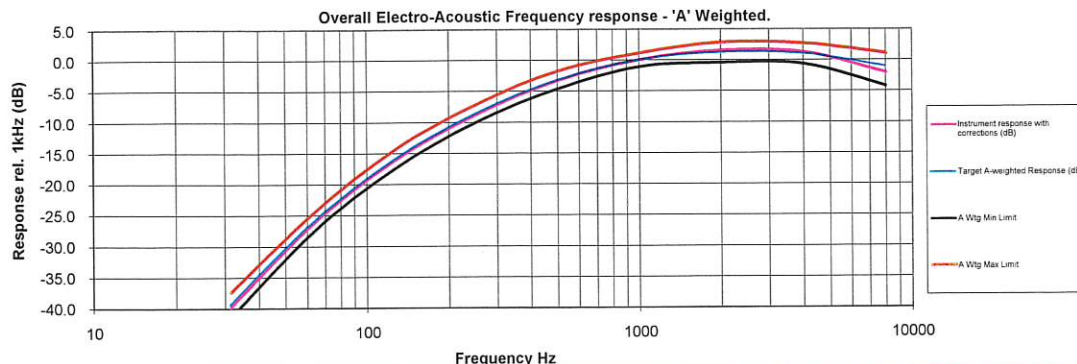
Self Generated Noise Test
 Electrical Signal Test Of Frequency Weightings
 Frequency & Time Weightings At 1 kHz
 Level Linearity On The Reference Level Range
 Toneburst Response Test
 C-peak Sound Levels
 Overload Indication
 Acoustic Tests

All Tests Pass
 All Tests Pass
 All Tests Pass
 All Tests Pass
 All Tests Pass
 All Tests Pass
 All Tests Pass

Combined Electro-Acoustic Frequency Response - A Weighted

Combined Electro-Acoustic Frequency Response - A Weighted (IEC 61672-3:2006)

The following A-Weighted frequency response graph shows this instruments overall frequency response based upon the application of multi-frequency pressure field calibrations. The microphones Pressure to Free field correction coefficients are applied to pressure response. Reference level taken at 1kHz.



Casella UK
 Regent House, Wolseley Road,
 Kempston, Bedford
 MK42 7JY
 United Kingdom
 Tel: +44 (0) 1234 844100
 Fax: +44(0) 1234 841490
 E-mail: info@casellasolutions.com

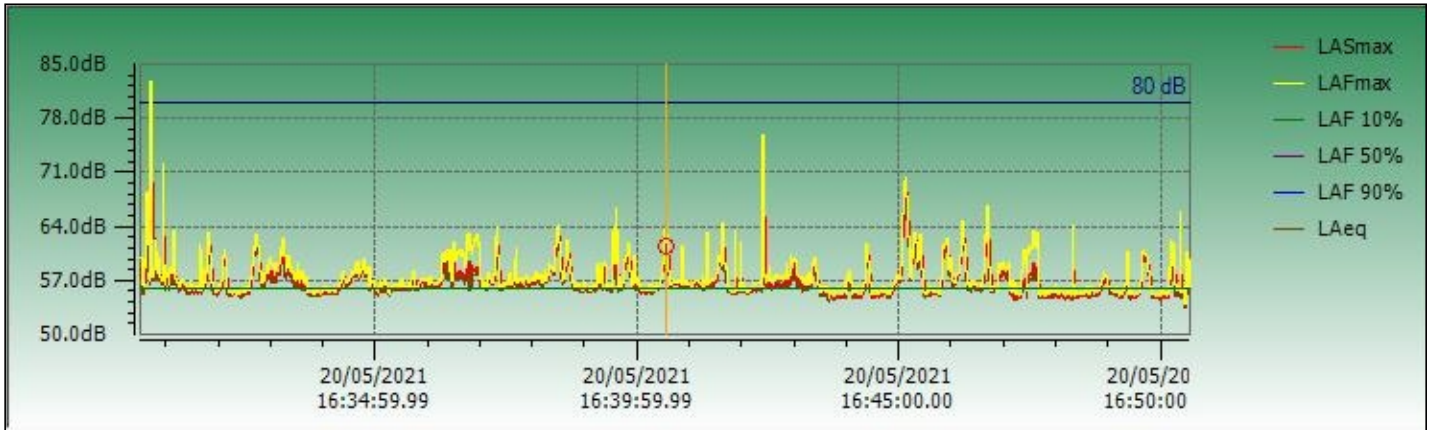
Casella US
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 E-mail: info-us@casellasolutions.com

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 Ideal Industries India Pvt.Ltd
 229-230, Spazedge, Tower -B Sohna Road,
 Sector-47, Gurgaon-122001, Haryana (India)
 Tel: +91 124 4495100
 E-mail: casella.sales@ideal-industries.in

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 Room 305, Building 1, No. 1295, Chuanqiao
 Road, Pudong District, Shanghai, China
 Telephone: +86-21-31263188
 Email: info@casellasolutions.cn

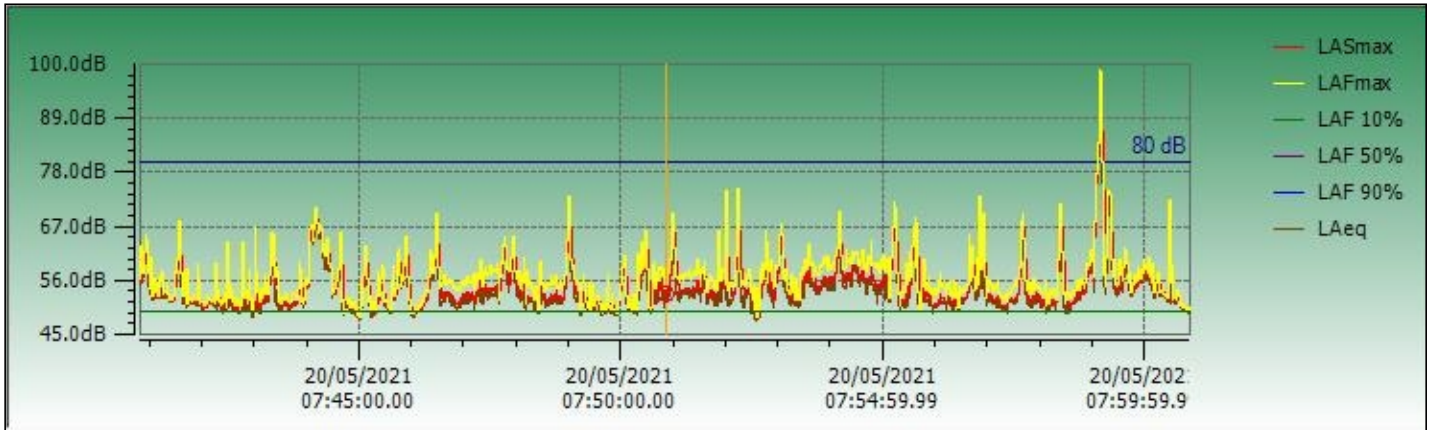
Report On CEL-63X

| | | | | |
|-------------------------|----------------------|---------------------------|----------------------|--------|
| Instrument Model | CEL-633C | | | |
| Serial Number | 4278006 | LAS 10% | 59 dB | Result |
| LASmax | 76.2 dB | LAS 50% | 56 dB | |
| LASmin | 53.9 dB | LAS 90% | 55 dB | |
| Start Date & Time | 5/20/2021 4:30:30 PM | Calibration (Before) Date | 5/20/2021 4:30:23 PM | |
| Duration | 00:20:03 HH:MM:SS | Calibration (After) Date | 5/20/2021 4:50:48 PM | |
| LAeq | 57.5 dB | Calibration Drift | 0.2 dB | |
| End Date & Time | 5/20/2021 4:50:33 PM | Battery Low | No | |
| Notes | | | | |



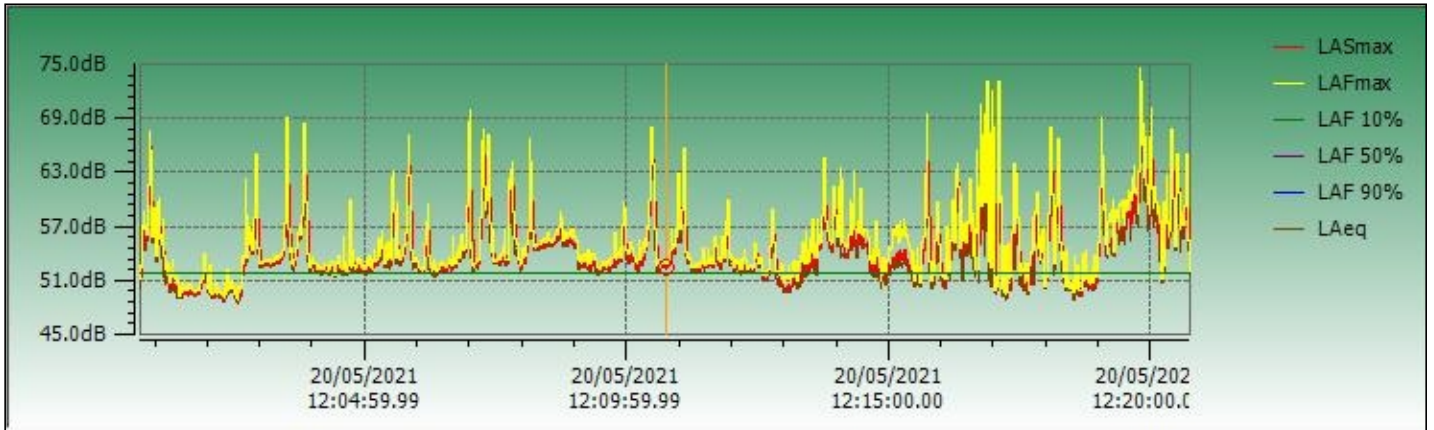
Report On CEL-63X

| | | | | |
|-------------------------|----------------------|---------------------------|----------------------|--------|
| Instrument Model | CEL-633C | | | |
| Serial Number | 4278006 | LAS 10% | 60.5 dB | Result |
| LASmax | 92.4 dB | LAS 50% | 53 dB | |
| LASmin | 48.1 dB | LAS 90% | 50.5 dB | |
| Start Date & Time | 5/20/2021 7:40:49 AM | Calibration (Before) Date | 5/20/2021 7:40:19 AM | |
| Duration | 00:20:03 HH:MM:SS | Calibration (After) Date | 5/20/2021 8:01:03 AM | |
| LAeq | 64.7 dB | Calibration Drift | 0.1 dB | |
| End Date & Time | 5/20/2021 8:00:52 AM | Battery Low | No | |
| Notes | | | | |



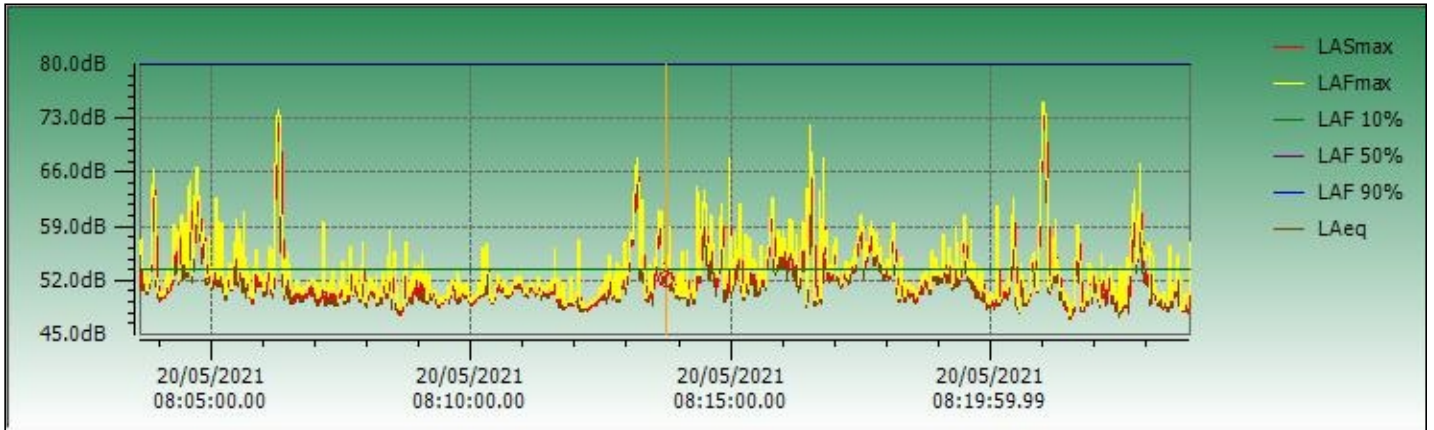
Report On CEL-63X

| | | | | |
|-------------------------|-----------------------|---------------------------|-----------------------|--------|
| Instrument Model | CEL-633C | | | |
| Serial Number | 4278006 | LAS 10% | 58.5 dB | Result |
| LASmax | 71.1 dB | LAS 50% | 53 dB | |
| LASmin | 48.4 dB | LAS 90% | 50.5 dB | |
| Start Date & Time | 5/20/2021 12:00:43 PM | Calibration (Before) Date | 5/20/2021 12:00:35 PM | |
| Duration | 00:20:02 HH:MM:SS | Calibration (After) Date | 5/20/2021 12:21:06 PM | |
| LAeq | 56 dB | Calibration Drift | -0.4 dB | |
| End Date & Time | 5/20/2021 12:20:45 PM | Battery Low | No | |
| Notes | | | | |



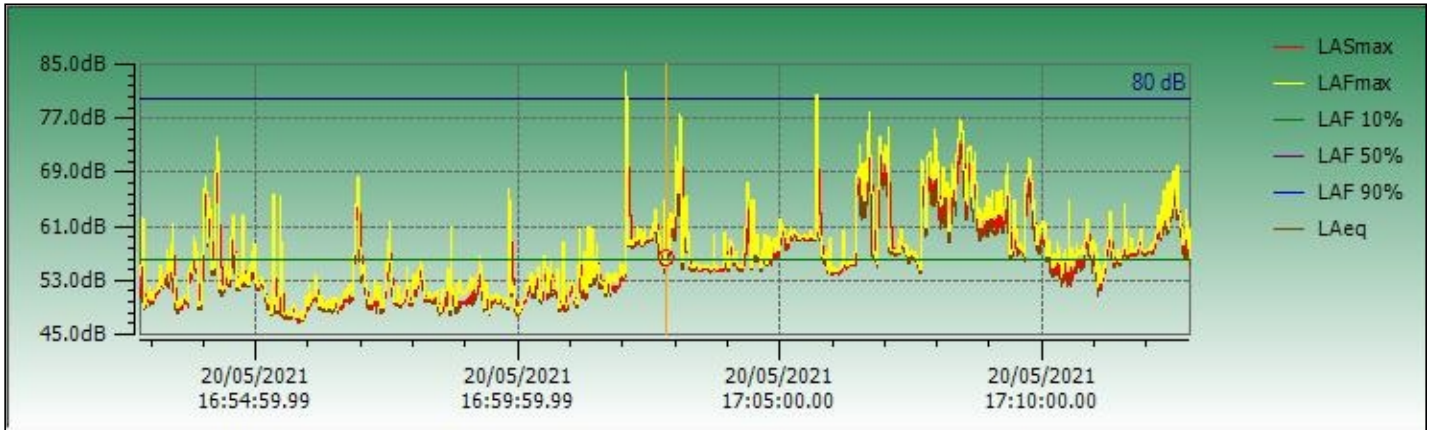
Report On CEL-63X

| | | | | |
|-------------------------|----------------------|---------------------------|----------------------|--------|
| Instrument Model | CEL-633C | | | |
| Serial Number | 4278006 | LAS 10% | 56 dB | Result |
| LASmax | 72.9 dB | LAS 50% | 51 dB | |
| LASmin | 47.4 dB | LAS 90% | 49 dB | |
| Start Date & Time | 5/20/2021 8:03:37 AM | Calibration (Before) Date | 5/20/2021 8:01:10 AM | |
| Duration | 00:20:13 HH:MM:SS | Calibration (After) Date | 5/20/2021 8:24:10 AM | |
| LAeq | 54.9 dB | Calibration Drift | -0.2 dB | |
| End Date & Time | 5/20/2021 8:23:50 AM | Battery Low | No | |
| Notes | | | | |



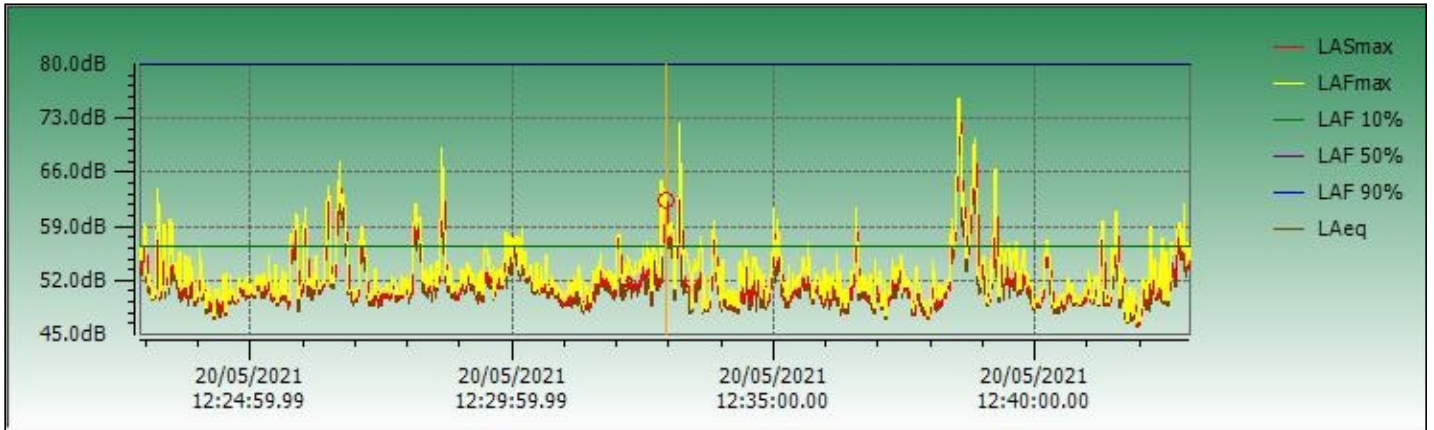
Report On CEL-63X

| | | | | |
|-------------------------|----------------------|---------------------------|----------------------|--------|
| Instrument Model | CEL-633C | | | |
| Serial Number | 4278006 | LAS 10% | 63.5 dB | Result |
| LASmax | 78.4 dB | LAS 50% | 55 dB | |
| LASmin | 47 dB | LAS 90% | 49 dB | |
| Start Date & Time | 5/20/2021 4:52:47 PM | Calibration (Before) Date | 5/20/2021 4:50:56 PM | |
| Duration | 00:20:02 HH:MM:SS | Calibration (After) Date | 5/20/2021 5:13:05 PM | |
| LAeq | 60 dB | Calibration Drift | 0.5 dB | |
| End Date & Time | 5/20/2021 5:12:49 PM | Battery Low | No | |
| Notes | | | | |



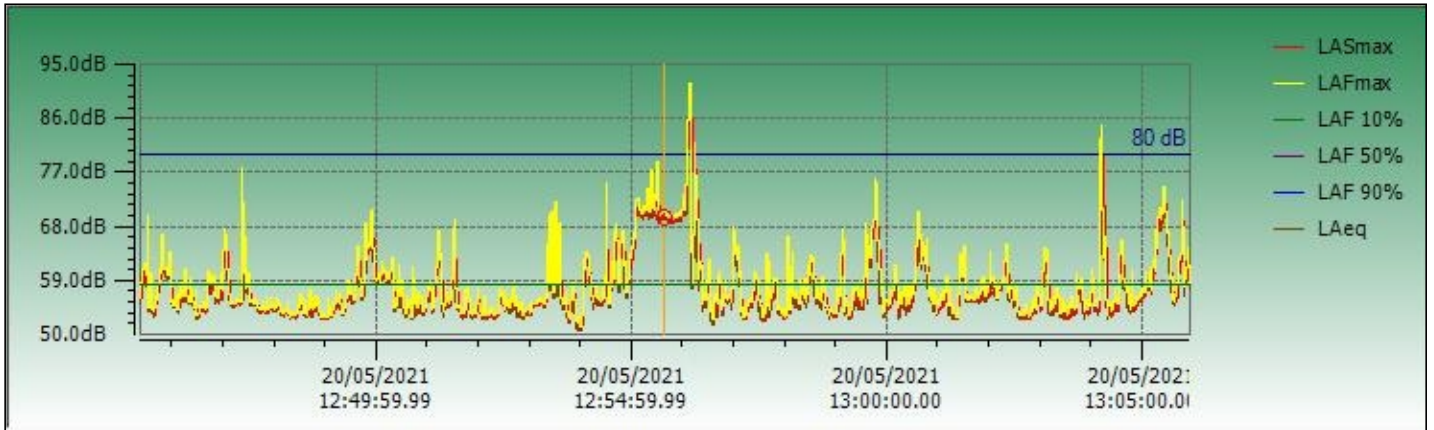
Report On CEL-63X

| | | | | |
|-------------------------|-----------------------|---------------------------|-----------------------|--------|
| Instrument Model | CEL-633C | | | |
| Serial Number | 4278006 | LAS 10% | 55.5 dB | Result |
| LASmax | 72.9 dB | LAS 50% | 50.5 dB | |
| LASmin | 46.2 dB | LAS 90% | 48.5 dB | |
| Start Date & Time | 5/20/2021 12:22:53 PM | Calibration (Before) Date | 5/20/2021 12:21:13 PM | |
| Duration | 00:20:04 HH:MM:SS | Calibration (After) Date | 5/20/2021 12:43:17 PM | |
| LAeq | 54 dB | Calibration Drift | -0.4 dB | |
| End Date & Time | 5/20/2021 12:42:57 PM | Battery Low | No | |
| Notes | | | | |



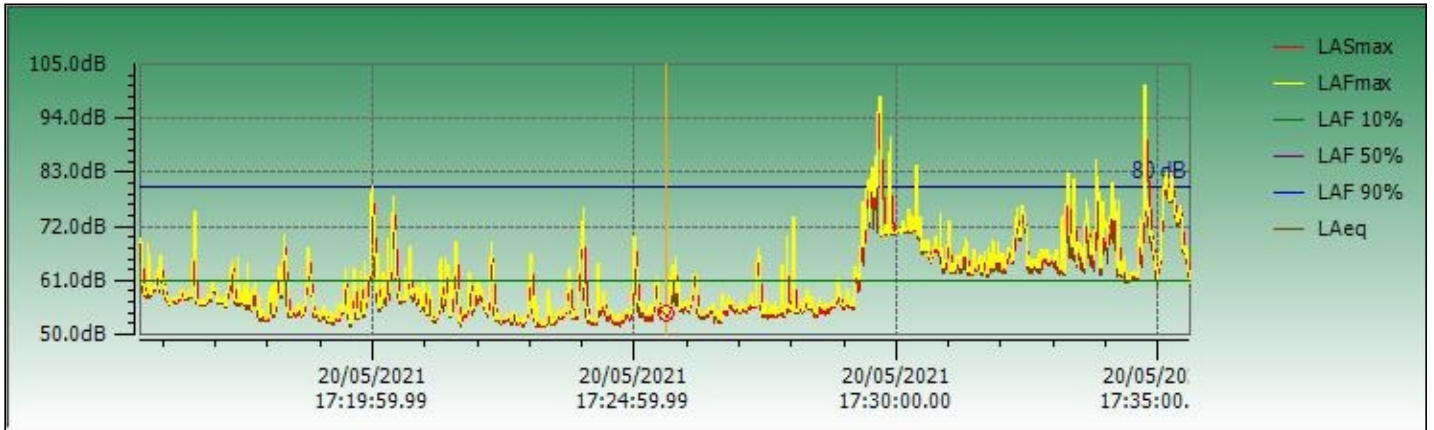
Report On CEL-63X

| | | | | |
|-------------------------|-----------------------|---------------------------|-----------------------|--------|
| Instrument Model | CEL-633C | | | |
| Serial Number | 4278006 | LAS 10% | 64.5 dB | Result |
| LASmax | 89.5 dB | LAS 50% | 55.5 dB | |
| LASmin | 50.7 dB | LAS 90% | 53 dB | |
| Start Date & Time | 5/20/2021 12:45:23 PM | Calibration (Before) Date | 5/20/2021 12:43:23 PM | |
| Duration | 00:20:34 HH:MM:SS | Calibration (After) Date | 5/20/2021 1:06:06 PM | |
| LAeq | 65 dB | Calibration Drift | 0.1 dB | |
| End Date & Time | 5/20/2021 1:05:57 PM | Battery Low | No | |
| Notes | | | | |



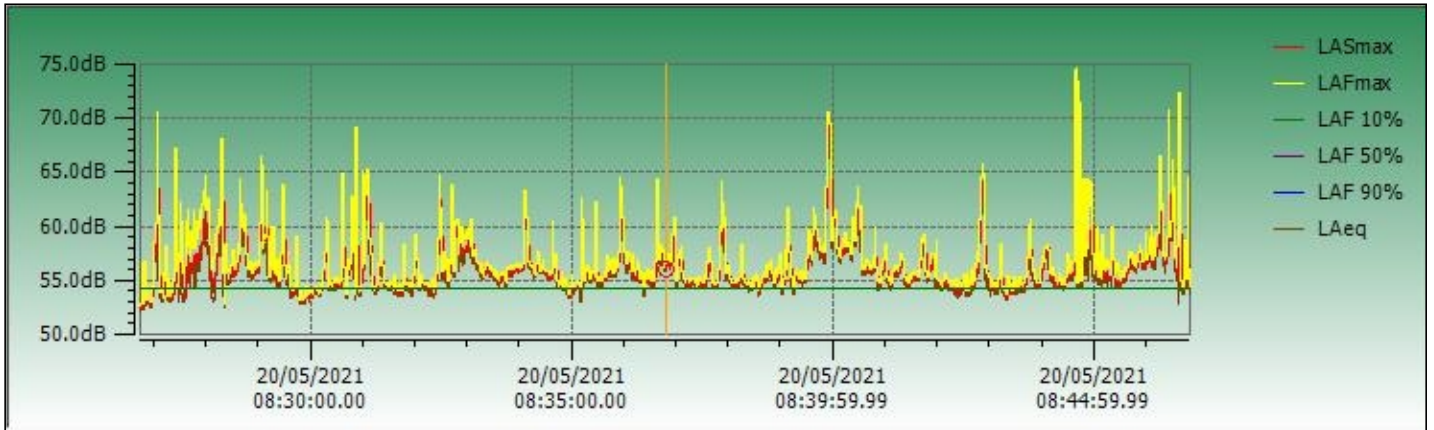
Report On CEL-63X

| | | | | |
|-------------------------|----------------------|---------------------------|----------------------|--------|
| Instrument Model | CEL-633C | | | |
| Serial Number | 4278006 | LAS 10% | 71 dB | Result |
| LASmax | 95.9 dB | LAS 50% | 57.5 dB | |
| LASmin | 51.5 dB | LAS 90% | 53 dB | |
| Start Date & Time | 5/20/2021 5:15:33 PM | Calibration (Before) Date | 5/20/2021 5:13:05 PM | |
| Duration | 00:20:03 HH:MM:SS | Calibration (After) Date | 5/20/2021 5:36:26 PM | |
| LAeq | 71.4 dB | Calibration Drift | -0.7 dB | |
| End Date & Time | 5/20/2021 5:35:36 PM | Battery Low | No | |
| Notes | | | | |



Report On CEL-63X

| | | | | |
|-------------------------|----------------------|---------------------------|----------------------|--------|
| Instrument Model | CEL-633C | | | |
| Serial Number | 4278006 | LAS 10% | 58.5 dB | Result |
| LASmax | 70.9 dB | LAS 50% | 55.5 dB | |
| LASmin | 52.2 dB | LAS 90% | 54 dB | |
| Start Date & Time | 5/20/2021 8:26:44 AM | Calibration (Before) Date | 5/20/2021 8:24:17 AM | |
| Duration | 00:20:06 HH:MM:SS | Calibration (After) Date | 5/20/2021 8:47:24 AM | |
| LAeq | 56.8 dB | Calibration Drift | 0.4 dB | |
| End Date & Time | 5/20/2021 8:46:50 AM | Battery Low | No | |
| Notes | | | | |





Noise Job Field Sheet

Name of Project: Concord Wales Rezoning 2021030

Project Address: 438 Concord Avenue Bronx

Date(s) of Field Work: 5/20/21

Personnel: John Vrabel

Project Specific Scope of Work:

3 x 20-minute locations AM, Midday, PM

Maximum Billable Hours for the Day: 15

I. Start of Noise Monitoring Day

Departure Time: 5:30 Arrival Time: 7:30

Weather Conditions (temp, wind speed, precipitation): Sunny 60's - 80's, dry
low wind

Meter Type: CaseIIa Meter Serial #: 4278006 Meter Location: 1, 2, 13
Meter Type: _____ Meter Serial #: _____ Meter Location: _____
Meter Type: _____ Meter Serial #: _____ Meter Location: _____

*If more locations are needed for a project use a second Field Sheet

Calibrator Serial #: 1090999 Meters used on: 4278006
Calibrator Serial #: _____ Meters used on: _____
Calibrator Serial #: _____ Meters used on: _____

Were Photos Taken of Each Location? / N *Discuss specific photo instructions w/ Project Manager

**On a separate sheet of paper (field book) make a sketch of the noise meter locations and the distances to nearest wall, fence, building, or other solid surfaces.*



II. Morning Session 7:30 AM – 9:00 AM

Before Measurement:

Meter Serial #: 4278006 / 740 Time: 7:40 Calibration Passed at 114 dB? / N
 Meter Serial #: " Time: 8:00 Calibration Passed at 114 dB? / N
 Meter Serial #: " Time: 8:23 Calibration Passed at 114 dB? / N

After Measurement:

Meter Serial #: 4278006 Time: 8:00 Calibration Passed at 114 dB? / N
 Meter Serial #: " Time: 8:23 Calibration Passed at 114 dB? / N
 Meter Serial #: " Time: 8:46 Calibration Passed at 114 dB? / N

*If more locations are needed for a project use a second Field Sheet

| Location # | Start Time | End Time |
|------------|------------|----------|
| 1 | 7:40 | 8:00 |
| 2 | 8:00 | 8:23 |
| 3 | 8:26 | 8:46 |

*If more locations are needed for a project use a second Field Sheet

| Location # | Car | SUV | Medium Truck | Heavy Truck | Bus | Train |
|------------|-----|-----|--------------|-------------|-----|-------|
| 1 | 10 | 13 | 0 | 0 | 0 | 1 |
| 2 | 0 | 2 | 1 | 0 | 0 | 1 |
| 3 | 8 | 12 | 1 | 0 | 0 | 1 |

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):

hand car washing adjacent to loc. 2 during entirety of monitoring period.

**Please place noise meters in their respective cases between sessions to avoid damage.*



III. Midday Session 12:00 PM – 1:30 PM

Before Measurement:

Meter Serial #: 4278006 Time: 12:00 Calibration Passed at 114 dB? / N
 Meter Serial #: " Time: 12:20 Calibration Passed at 114 dB? / N
 Meter Serial #: " Time: 12:42 Calibration Passed at 114 dB? / N

After Measurement:

Meter Serial #: 4278006 Time: 12:20 Calibration Passed at 114 dB? / N
 Meter Serial #: " Time: 12:42 Calibration Passed at 114 dB? / N
 Meter Serial #: " Time: 13:05 Calibration Passed at 114 dB? / N

*If more locations are needed for a project use a second Field Sheet

| Location # | Start Time | End Time |
|------------|------------|----------|
| 1 | 12:00 | 12:20 |
| 2 | 12:22 | 12:42 |
| 3 | 12:45 | 13:05 |

*If more locations are needed for a project use a second Field Sheet

| Location # | Car | SUV | Medium Truck | Heavy Truck | Bus | Train |
|------------|-----|-----|--------------|-------------|-----|-------|
| 1 | 5 | 5 | 0 | 0 | 0 | — |
| 2 | 7 | 6 | 1 | 0 | 0 | — |
| 3 | 17 | 20 | 2 | 0 | 0 | — |

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):

*Please place noise meters in their respective cases between sessions to avoid damage.



IV. Evening Session 4:30 PM – 6:00 PM

Before Measurement:

Meter Serial #: 4278006 Time: 16:30 Calibration Passed at 114 dB? (Y)/N
 Meter Serial #: " Time: 16:50 Calibration Passed at 114 dB? (Y)/N
 Meter Serial #: " Time: 17:12 Calibration Passed at 114 dB? (Y)/N

After Measurement:

Meter Serial #: 4278006 Time: 16:50 Calibration Passed at 114 dB? (Y)/N
 Meter Serial #: " Time: 17:12 Calibration Passed at 114 dB? (Y)/N
 Meter Serial #: " Time: 17:35 Calibration Passed at 114 dB? (Y)/N

*If more locations are needed for a project use a second Field Sheet

| Location # | Start Time | End Time |
|------------|--------------|--------------|
| <u>1</u> | <u>16:30</u> | <u>16:50</u> |
| <u>2</u> | <u>16:50</u> | <u>17:12</u> |
| <u>3</u> | <u>17:15</u> | <u>17:35</u> |

*If more locations are needed for a project use a second Field Sheet

| Location # | Car | SUV | Medium Truck | Heavy Truck | Bus | Train |
|------------|-----------|-----------|--------------|-------------|----------|----------|
| <u>1</u> | <u>8</u> | <u>10</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>—</u> |
| <u>2</u> | <u>9</u> | <u>6</u> | <u>1</u> | <u>0</u> | <u>0</u> | <u>—</u> |
| <u>3</u> | <u>15</u> | <u>13</u> | <u>3</u> | <u>1</u> | <u>0</u> | <u>—</u> |

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):

- four truck w/ back up alarm at 17:01 - 17:07 near loc. 2

- box truck backs loudly and idles next to meter at location 3

at 17:30 - end of monitoring

*Please place noise meters in their respective cases between sessions to avoid damage.



V. End of Noise Monitoring Day

- Please return all noise meters to their cases.
- Do not return dead batteries to the cases, throw them out.
- Did you take photos? Y / N
- Did you complete the site sketch? Y / N
- If a meter(s) was rented, please scan in calibration documents.





Anything of note/concern for the day: _____

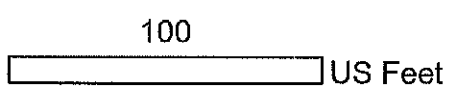
Departure Time: 17:45 Arrival Time: _____

Total Time to Be Billed: 15



Legend

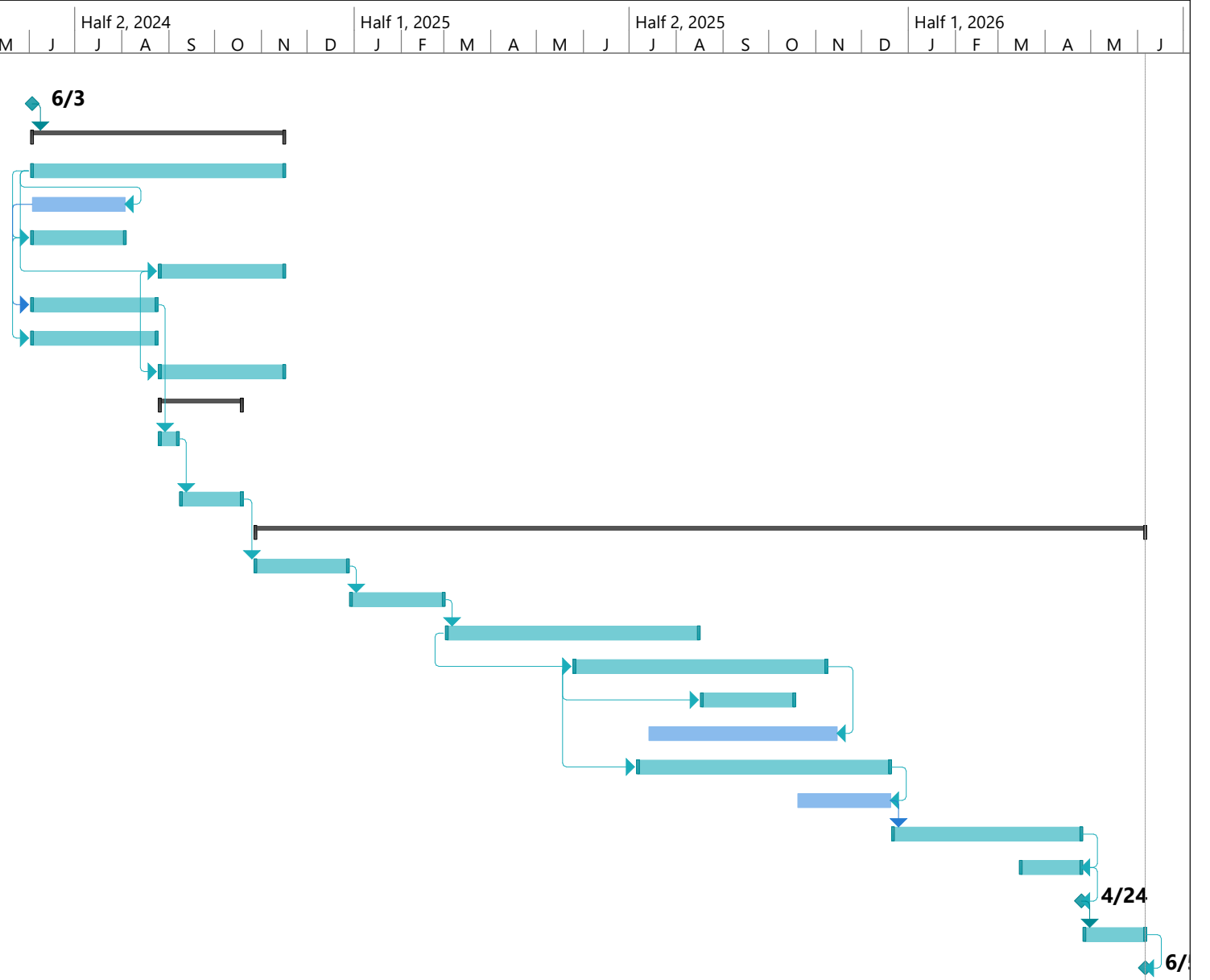
-  Projected Development Site 1
-  Projected Development Site 2
-  Rezoning Area
-  Noise Monitoring Locations



APPENDIX G

CONSTRUCTION SCHEDULE

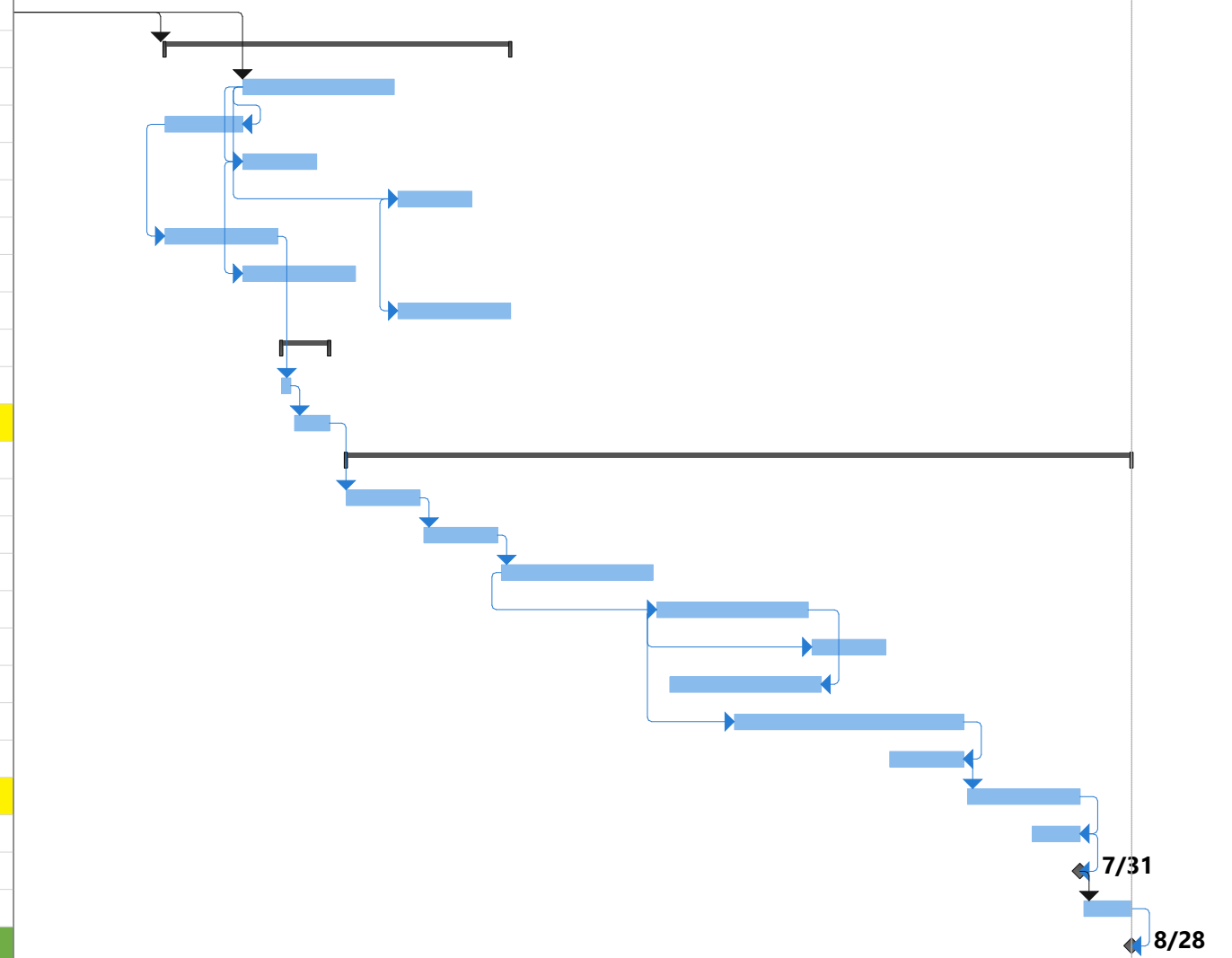
| ID | Task Mode | Task Name | Duration | Start | Finish | Predecessors | Half 2, 2024 | | Half 1, 2025 | | | | | Half 2, 2025 | | | | | Half 1, 2026 | | | | | | | |
|----|-----------|---|-----------------|-------------------|-------------------|--------------|--------------|---|--------------|---|---|---|---|--------------|---|---|---|---|--------------|---|---|---|---|---|---|---|
| | | | | | | | M | J | J | A | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D |
| 1 | 🚩 | Projected Development Site 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | 🚩 | ULURP Approvals | 0 days | 6/3/2024 | 6/3/2024 | | | | | | | | | | | | | | | | | | | | | |
| 3 | 📦 | Pre Construction Activities | 120 days | 6/3/2024 | 11/15/2024 | 2 | | | | | | | | | | | | | | | | | | | | |
| 4 | 🚩 | Schematic - Construction Documents | 120 days | 6/3/2024 | 11/15/2024 | | | | | | | | | | | | | | | | | | | | | |
| 5 | 📦 | BID & Award - Demolition | 45 days | 6/3/2024 | 8/2/2024 | 4SF | | | | | | | | | | | | | | | | | | | | |
| 6 | 🚩 | BID & Award - Foundation | 45 days | 6/3/2024 | 8/2/2024 | 4SS | | | | | | | | | | | | | | | | | | | | |
| 7 | 🚩 | BID & Award - Full Building | 60 days | 8/26/2024 | 11/15/2024 | 4SS+60 days | | | | | | | | | | | | | | | | | | | | |
| 8 | 🚩 | DOB Approval - Demolition | 60 days | 6/3/2024 | 8/23/2024 | 5SS | | | | | | | | | | | | | | | | | | | | |
| 9 | 🚩 | DOB Approval - Foundation | 60 days | 6/3/2024 | 8/23/2024 | 6SS | | | | | | | | | | | | | | | | | | | | |
| 10 | 🚩 | DOB Approval - Full Building | 60 days | 8/26/2024 | 11/15/2024 | 7SS | | | | | | | | | | | | | | | | | | | | |
| 11 | 📦 | Demolition and Site Clearance | 40 days | 8/26/2024 | 10/18/2024 | | | | | | | | | | | | | | | | | | | | | |
| 12 | 🚩 | Mobilization/ Building Protection/Temp Facilities | 10 days | 8/26/2024 | 9/6/2024 | 8 | | | | | | | | | | | | | | | | | | | | |
| 13 | 🚩 | Demolition & Site Clearing | 30 days | 9/9/2024 | 10/18/2024 | 12 | | | | | | | | | | | | | | | | | | | | |
| 14 | 📦 | Construction | 420 days | 10/28/2024 | 6/5/2026 | | | | | | | | | | | | | | | | | | | | | |
| 15 | 🚩 | Excavation and Support of Excavation | 45 days | 10/28/2024 | 12/27/2024 | 13FS+5 days | | | | | | | | | | | | | | | | | | | | |
| 16 | 🚩 | Foundation | 45 days | 12/30/2024 | 2/28/2025 | 15 | | | | | | | | | | | | | | | | | | | | |
| 17 | 🚩 | Superstructure | 120 days | 3/3/2025 | 8/15/2025 | 16 | | | | | | | | | | | | | | | | | | | | |
| 18 | 🚩 | Façade Enclosure | 120 days | 5/26/2025 | 11/7/2025 | 17SS+60 days | | | | | | | | | | | | | | | | | | | | |
| 19 | 🚩 | Roofing and Waterproofing | 45 days | 8/18/2025 | 10/17/2025 | 18SS+60 days | | | | | | | | | | | | | | | | | | | | |
| 20 | 📦 | Elevator | 90 days | 7/14/2025 | 11/14/2025 | 18FF+5 days | | | | | | | | | | | | | | | | | | | | |
| 21 | 🚩 | Interior Core and Shell | 120 days | 7/7/2025 | 12/19/2025 | 18SS+30 days | | | | | | | | | | | | | | | | | | | | |
| 22 | 📦 | DOB Inspection Core and Shell | 45 days | 10/20/2025 | 12/19/2025 | 21FF | | | | | | | | | | | | | | | | | | | | |
| 23 | 🚩 | Interior Finishes & Fitout | 90 days | 12/22/2025 | 4/24/2026 | 22 | | | | | | | | | | | | | | | | | | | | |
| 24 | 🚩 | Fire Inspection Approval | 30 days | 3/16/2026 | 4/24/2026 | 23FF | | | | | | | | | | | | | | | | | | | | |
| 25 | 🚩 | Obtain TCO | 0 days | 4/24/2026 | 4/24/2026 | 24FF | | | | | | | | | | | | | | | | | | | | |
| 26 | 🚩 | Final Punchlist & Cleaning | 30 days | 4/27/2026 | 6/5/2026 | 25 | | | | | | | | | | | | | | | | | | | | |
| 27 | 🚩 | Certificate of Occupancy | 0 days | 6/5/2026 | 6/5/2026 | 26FF | | | | | | | | | | | | | | | | | | | | |



Project: Projected Development
Date: 11/16/2022

| | | | | | | | | | |
|-----------|--|--------------------|--|-----------------------|--|--------------------|--|-----------------|--|
| Task | | Project Summary | | Manual Task | | Start-only | | Deadline | |
| Split | | Inactive Task | | Duration-only | | Finish-only | | Progress | |
| Milestone | | Inactive Milestone | | Manual Summary Rollup | | External Tasks | | Manual Progress | |
| Summary | | Inactive Summary | | Manual Summary | | External Milestone | | | |

| ID | Task | Task Name | Duration | Start | Finish | Half 1, 2025 | Half 2, 2025 | Half 1, 2026 | Half 2, 2026 |
|----|------|---|-----------------|------------------|------------------|--------------|--------------|--------------|--------------|
| 1 | ? | Proejcted Development Site 2 | | | | | | | |
| 2 | → | ULURP Approvals | 0 days | 6/3/2024 | 6/3/2024 | | | | |
| 3 | → | Pre Construction Activities | 135 days | 3/24/2025 | 9/26/2025 | | | | |
| 4 | → | Schematic - Construction Documents | 60 days | 5/5/2025 | 7/25/2025 | | | | |
| 5 | → | BID & Award - Demolition | 30 days | 3/24/2025 | 5/5/2025 | | | | |
| 6 | → | BID & Award - Foundation | 30 days | 5/5/2025 | 6/13/2025 | | | | |
| 7 | → | BID & Award - Full Building | 30 days | 7/28/2025 | 9/5/2025 | | | | |
| 8 | → | DOB Approval - Demolition | 45 days | 3/24/2025 | 5/23/2025 | | | | |
| 9 | → | DOB Approval - Foundation | 45 days | 5/5/2025 | 7/4/2025 | | | | |
| 10 | → | DOB Approval - Full Building | 45 days | 7/28/2025 | 9/26/2025 | | | | |
| 11 | → | Demolition and Site Clearance | 20 days | 5/26/2025 | 6/20/2025 | | | | |
| 12 | → | Mobilization/ Building Protection/Temp Facilities | 5 days | 5/26/2025 | 5/30/2025 | | | | |
| 13 | → | Demolition & Site Clearing | 15 days | 6/2/2025 | 6/20/2025 | | | | |
| 14 | → | Construction | 305 days | 6/30/2025 | 8/28/2026 | | | | |
| 15 | → | Excavation and Support of Excavation | 30 days | 6/30/2025 | 8/8/2025 | | | | |
| 16 | → | Foundation | 30 days | 8/11/2025 | 9/19/2025 | | | | |
| 17 | → | Superstructure | 60 days | 9/22/2025 | 12/12/2025 | | | | |
| 18 | → | Façade Enclosure | 60 days | 12/15/2025 | 3/6/2026 | | | | |
| 19 | → | Roofing and Waterproofing | 30 days | 3/9/2026 | 4/17/2026 | | | | |
| 20 | → | Elevator | 60 days | 12/22/2025 | 3/13/2026 | | | | |
| 21 | → | Interior Core and Shell | 90 days | 1/26/2026 | 5/29/2026 | | | | |
| 22 | → | DOB Inspection Core and Shell | 30 days | 4/20/2026 | 5/29/2026 | | | | |
| 23 | → | Interior Finishes & Fitout | 45 days | 6/1/2026 | 7/31/2026 | | | | |
| 24 | → | Fire Inspection Approval | 20 days | 7/6/2026 | 7/31/2026 | | | | |
| 25 | → | Obtain TCO | 0 days | 7/31/2026 | 7/31/2026 | | | | |
| 26 | → | Final Punchlist & Cleaning | 20 days | 8/3/2026 | 8/28/2026 | | | | |
| 27 | → | Certificate of Occupancy | 0 days | 8/28/2026 | 8/28/2026 | | | | |



| | | | | | | | | | | |
|--|-----------|--|--------------------|--|-----------------------|--|--------------------|--|-----------------|--|
| Project: Projected Development Date: 11/16/2022 | Task | | Project Summary | | Manual Task | | Start-only | | Deadline | |
| | Split | | Inactive Task | | Duration-only | | Finish-only | | Progress | |
| | Milestone | | Inactive Milestone | | Manual Summary Rollup | | External Tasks | | Manual Progress | |
| | Summary | | Inactive Summary | | Manual Summary | | External Milestone | | | |