NEGATIVE DECLARATION

Statement of No Significant Effect

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

Reasons Supporting this Determination

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

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The Applicant, Caspar III LLC, is seeking a zoning map amendment to rezone Block 2892, Lots 1 and 59 (the "Development Site") and Block 2892, Lots 1, 37,38, 39, and 40 (together with the Development Site, the "Project Area") from a C8-2 to an R7D/C2-4 zoning district; and a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing (MIH) area conterminous with the Project Area (the "Proposed Actions"). The Proposed Actions would facilitate the development of the Applicant owned Development Site with a 19,515 gross square foot (gsf), 6-story, mixed-use development which would comprise 14,380 gsf of residential floor area and 5,135 gsf of cellar and ground floor commercial floor area. The Proposed Development would include 15 residential units, 25-30% (4-5 units) of which would be affordable pursuant to MIH at an average of 60-80% Average Median Income (AMI) depending on the option selected. The analysis finds that the Proposed Actions would not result in changes in land use and public policy, however, it would result in a change in zoning. The proposed R7D/C2-4 district would result in developments similar in size and scale to those found in the nearby R6A and R7A districts and the Proposed Development would be fully compatible with other-recently constructed buildings in the neighborhood. The Proposed Actions would also support the policies and goals of PlaNYC by incorporating green building practices and Housing Our Neighbors, which promotes the creation of new housing stock for New York's growing population, as they would result in approximately 15 new dwelling units. Therefore, the Proposed Actions would not result in significant adverse impacts to land use, zoning or public policy, and no further analysis is warranted.

Historic and Cultural Resources

A detailed analysis of Historical and Cultural Resources is included in the EAS. The analysis finds that the Development Site has not been identified as having architectural significance and no buildings within 400 feet of the Development Site are designated as New York City landmarks or are listed on the State and National Registers of Historic Places. However, the Proposed Actions would result in new in-ground construction on the Development Site. The Landmarks Preservation Commission (LPC) was consulted in order to determine whether the development facilitated by the Proposed Actions have the potential to impact any archaeological resources. It was determined that there is potential for recovery of remains from Colonial or 19th Century occupation on the Development Site due to the Development Site being located adjacent to the Bushwick Reformed Dutch Church Cemetery. A Phase 1A Archaeological Assessment was completed and it determined that the Development Site has potential to contain archaeological resources and that archaeological testing should be completed. A Restrictive Declaration would be recorded with approval of the Proposed Actions and would ensure that a Phase IB archaeological study be conducted pursuant to LPC concurrence at the Development Site before any development activities can commence. With the Restrictive Declaration in place, the Proposed Actions would not result in an impact to Historic and Cultural Resources.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-782) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Ibrahim Jobe at ijobe@plannning.nyc.gov.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE 11/15/2024
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 11/18/2024
SIGNATURE	

Project Name: 19 Maspeth Avenue Rezoning
CEQR # 24DCP063K
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 2893, Lots 1 and 59

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-782**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

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

Hazardous Materials

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

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

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

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

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

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Air Quality

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

> ***Projected Development Site 1:*** *Any new residential or commercial development on the above-referenced property must ensure that the heating, ventilation, and air conditioning (HVAC) systems and/or the hot water equipment stack(s) is located at the building's highest level and at least 65 feet above grade to avoid any potential significant adverse air quality impacts.*

Noise

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

> ***Projected Development Site 1:*** *To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation for the western facade facing Woodpoint Road, the northern façade facing Conselyea Street within 30 feet of Woodpoint Road and the southern façade facing Maspeth Avenue within 30 feet of Woodpoint Road in order to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*