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, Lucky Supply Holding, LLC, is seeking discretionary approval for a zoning map amendment to rezone Block 2656; Lots 20, 64, portion of (p/o) lots 65 and 115 (the "Rezoning Area") from M1-1 to M1-4 in the Maspeth neighborhood in Queens, Community District (CD) 2 (the "Proposed Action"). The Proposed Action would facilitate a proposal by the Applicant to enlarge the existing use on the Project Site (Block 2656, Lot 64), which is not permitted in the existing M1-1 zoning district since it exceeds the maximum permitted FAR of 1.0. The proposed M1-4 zoning district has a higher maximum FAR of 2.0, which is sufficient to accommodate the proposed enlargement. In a separate, follow-up application, a non-ULURP Easement Delineation action is sought to remove a sewer easement on a portion of the Project Site. The Proposed Action would facilitate the horizontal and vertical enlargement of the existing warehouse on the Project Site, resulting in a three-story and mezzanine building with a total of 194,136 gross square feet (gsf) (a two-story, 118,689 gsf enlargement and a total of 161,780 zoning square feet) of manufacturing floor area. Parking is not required in M1-4 zoning districts, though nine parking spaces would be provided. The added floor area within the enlarged building, including the mezzanine, would be used for storage of inventory.

No existing land uses would be displaced, nor would a land use incompatible with the surrounding area be enabled as a result of the Proposed Action. The Proposed Action would facilitate the vertical and horizontal enlargement of an existing use that is consistent with the manufacturing and industrial character of the surrounding area. The density and uses facilitated by the Proposed Action are consistent with those found in the area and would not conflict with any relevant public policies. The Proposed Action would not constitute a significant adverse impact to land use, zoning, and public policy.

Hazardous Materials

An (E) designation (E-755) related to hazardous materials 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 analysis concludes that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials.

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 Jameson Mitchell at +1 212-720-3422.

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 | 212.720.3493
NAME Stephanie Shellooe, AICP	DATE 2/16/2024
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 2/20/2024
SIGNATURE	

Project Name: 166-11 91st Avenue Special Permit
CEQR # 23DCP052Q
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	Queens	Block 2656, Lot 64

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, an (E) designation (**E-755**) would be established as part of approval of the proposed actions on the **Projected Development Site** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site	X		

Hazardous Materials The (E) designation requirements applicable to the Projected Development Site 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.