DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

January 7, 2019

Jaclyn Calcagno
c/o Guido Subotovsky
666 Fifth Avenue, 20th Floor
New York, NY, 10103

Re: 2069 Bruckner Blvd 2
CEQR No. 19DCP082X
ULURP No(s). 190103ZRX, 190102ZMX
Bronx, Community District BX09

Dear Jacklyn Calcagno:

Under City Environmental Quality Review, the lead agency is required to determine whether a proposed action may or will not have a significant effect on the environment. In accordance with this regulation, the City Planning Commission had determined that the proposed action will not have a significant effect on the environment.

Enclosed is the Negative Declaration for CEQR No. 19DCP082X, 2069 Bruckner Blvd 2, including supporting statements for the finding that the proposed action will not have a significant effect. The Negative Declaration was issued on January 7, 2019.

Sincerely,

Olga Abinader

cc: Project File
Marisa Lago, Chair
City Planning Commissioners
Raju Mann, City Council
Ruben Diaz Jr., Bronx Borough President
Bronx Community District BX09

Olga Abinader, *Acting Director*
120 Broadway, 31st Floor, New York, N.Y. 10271
Phone (212) 720-3493
oabinad@planning.nyc.gov

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

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

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds that the proposed project and related actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this Determination are noted below.

1. Hazardous Materials, Air Quality, and Noise

An (E) designation (E-515) for hazardous materials, air quality, and noise has been incorporated into the proposed actions. Refer to Appendix 1:(E) Designation", attached to this Determination of Significance, for a list of sites affected by the (E) designation and applicable (E) designation requirements. The analyses conducted for hazardous materials, air quality, and noise conclude that with the (E) Designation requirements in place, the proposed actions would not result in significant adverse impacts to hazardous materials, air quality, or noise.

2. Land Use, Zoning and Public Policy

The EAS includes a detailed Land Use, Zoning and Public Policy section. The proposed rezoning from R5 to R7A/C2-4 district would facilitate the development of a new mixed use residential, commercial, and community facility building, and would have no significant adverse impacts related to land use, zoning, or public policy. The proposed actions would facilitate an increase in residential density in an area characterized by residential and commercial uses. The existing R5 zoning district is made up of one and two-family residencies and multi-family walk up residencies with a small retail presence in some buildings. The analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed actions.

3. Community Facilities

A detailed analysis of Community Facilities and Services was conducted for Public Schools and Child Care. No significant adverse impacts are expected as a result of the Proposed Actions.

Public Schools

Pursuant to CEQR Technical Manual methodology, a significant impact on schools may occur if the collective utilization rate of the elementary and/or intermediate schools in the Sub-district study area that is equal to or greater than 100% with the proposed actions and if the project results in an increase of 5% or more in the collective utilization rate. The collective utilization rates for both elementary and intermediate schools would exceed the CEQR utilization rate threshold of 100% in the future with the proposed actions. However, the increase in the collective utilization rate would be less than the CEQR threshold of 5%. The utilization rate would increase by 1.18% for elementary schools and 1.05% for intermediate schools. As the proposed actions would not exceed the 5% threshold, significant adverse impacts are not expected.

Child Care

The Proposed Actions would result in an increase in the collective utilization rate by 3.08%. According to CEQR Technical Manual guidelines, a significant adverse impact on child care centers may occur if the proposed actions would result in a collective utilization rate of group child care or Head Start centers in the study area would be greater than 100% and if there would be an increase of 5% or more in the collective utilization rate. The proposed actions are not expected to result in significant adverse impacts on publicly-financed child care facilities and no further analysis is required.

4. Open Space

A detailed analysis of the effects of the proposed actions on Open Space was conducted and concludes that no significant adverse impacts are expected to result from the proposed actions. The analysis concludes that the proposed actions would result in a reduction of the Open Space Ratio by 2.24% for the area. The CEQR threshold for impact in an area that is neither well-served nor under-served, such as this, is a reduction of 5% or more. A number of parks located within a thirty-minute walk outside the study area were also considered in a qualitative assessment. Based on the results of this analysis, no significant adverse impacts are expected.

5. Transportation
The EAS includes a detailed transportation analysis of pedestrian trips generated by the proposed actions. The proposed actions are not expected to result in an increase of more than 200 pedestrians at any intersection corner, sidewalk, or crosswalk - the threshold warranting a Level 2 analysis. As a result, the analysis concludes that the proposed actions would not result in any significant adverse impacts related to traffic flow, transit operations, pedestrian movement, or vehicular and pedestrian safety, and no further analysis is needed.

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

TITLE	LEAD AGENCY
Acting Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Olga Abinader	1/4/2019
SIGNATURE	

TITLE	
Chair, Department of City Planning	
NAME	DATE
Marisa Lago	1/7/2019
SIGNATURE	

Appendix 1: (E) Designations

To ensure that there would be no significant adverse hazardous material, air quality or noise impacts associated with the proposed project, an E designation (E-515) will be placed on the project site as follows:

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

Projected Development Site 1:
Block 3797, Lot 33

Hazardous Material

Task 1-Sampling Protocol

A Phase I ESA 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, such as a Phase II ESA, 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 Selected Developer must complete such remediation as determined necessary by OER. The Selected Developer should then provide proper documentation that the work has been satisfactorily completed.
A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Air Quality

Any new residential and/or commercial development on Block 3797, Lot 33 in the Bronx must use natural gas as the type of fuel for space heating and hot water systems. A single

stack must be used for the development site, and it must have a minimum height of 102 feet above ground level.

Noise

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on facades facing west (Pugsley Avenue) or south (Bruckner Boulevard) or the portion of façade facing east (Olmstead Avenue) within 100 feet north of Bruckner Boulevard to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. 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.