ENVIRONMENTAL ASSESSMENT STATEMENT (EAS)
AND
SUPPLEMENTAL STUDIES TO THE EAS

Austin Street Rezoning

111-03 77th Avenue (Block 3342, Lots 1 & 61)
Forest Hills, NY 11375

Prepared for:
Dr. Mehran Manouel
76-55 Austin Street
Forest Hills, NY, 11375

Prepared by:
AECOM USA, Inc.
125 Broad Street
New York, NY 10004

AECOM Project No. 60546597

February 8th, **, 201**9

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* Austin Street Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
19DCP023Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
180399ZMQ	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning			NAME OF APPLICANT Dr. Mehran Manouel		
NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON RIchard Lobel		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 18 East 41st Street		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10017
TELEPHONE 212-720-3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE (212) 725-2727	EMAIL rlobel@sheldonlobelpc.com	

5. *Project Description*

Able Orthopedic & Sports Medicine, PC (the "Applicant") proposes a zoning map amendment to replace an R2 zoning district with an R3-2 district on a portion of Block 3342 in the Forest Hills neighborhood within Queens Community District 6. The proposed rezoning would facilitate the legalization and expansion of Use Group 4 medical offices within the existing buildings located at 111-04 76th Drive and 111-03 77th Avenue (Block 3342, Lots 1 and 61, the "Development Site") along with rezoning a portion of the adjacent tax lot (Block 3342, Lot 4) . The proposed development is the conversion of the existing buildings in their entirety to Use Group 4 medical offices/ambulatory care facilities. The current R2 zoning district does not permit Use Group 4 ambulatory care facilities as-of-right. The medical office on the first floor of the building on lot 1 is an existing noncompliance, while the medical office in the building on lot 61 is permitted as a conjunctive use—the medical office must be associated with the residential unit above. Upon information and belief, while this medical office was originally used by a doctor who lived in the residential unit, the medical office and the residence have not been associated with each other since the 1970s. The medical office was not a conjunctive use when the Applicant purchased the building in 2006. The creation of an R3-2 district would cause the existing medical office on lot 1 to become complying, allow for the legalization of the medical office on lot 61, and allow for the expansion of these medical offices within the existing buildings.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 6	STREET ADDRESS 111-03 77th Avenue
TAX BLOCK(S) AND LOT(S) Block 3342, Lots 1 and 61		ZIP CODE 11375
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS 77th Avenue, 76th Drive, Austin Street, Kew Forest Lane		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R2		ZONING SECTIONAL MAP NUMBER 14B

6. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☐ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☐ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO
☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)
☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)
Total directly affected area (sq. ft.): 12,917
Roads, buildings, and other paved surfaces (sq. ft.): 12,917
Waterbody area (sq. ft) and type: NA
Other, describe (sq. ft.): NA

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): 13,658
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 13,658
HEIGHT OF EACH BUILDING (ft.): 35
NUMBER OF STORIES OF EACH BUILDING: 2-3

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 12,917
The total square feet not owned or controlled by the applicant: 500

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 12,917 sq. ft. (width x length)
VOLUME OF DISTURBANCE: tbd cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 12,917 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.)			13,658	
Type (*e.g.,* retail, office, school)	units			

Does the proposed project increase the population of residents and/or on-site workers? ☐ YES ☐ NO
If "yes," please specify:
NUMBER OF ADDITIONAL RESIDENTS: 0
NUMBER OF ADDITIONAL WORKERS: Approx 15
Provide a brief explanation of how these numbers were determined: approx. 3 workers per 1,000 gsf of medical office floor area

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): 2020
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18-20 Months
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO — IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: ULURP, Financing,Construction (if expansion is decided on)
10. ***Predominant Land Use in the Vicinity of the Project*** (check all that apply) ☒ RESIDENTIAL ☐ MANUFACTURING ☐ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☒	☐
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☒
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒

	YES	NO
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☒
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 324 pounds		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 2,682,072 MBtu's		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
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; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Max Meltzer	February 8th, 2019

SIGNATURE 

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact: YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE: Acting Director, Environmental Assessment and Review Division	LEAD AGENCY: Department of City Planning, acting on behalf of the City Planning Commission
NAME: Olga Abinader	DATE: February 8, 2019
SIGNATURE: Olga Abi	

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 the 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.

Noise

1. An (E) designation (E-522) for Noise has been incorporated into the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of sites affected by the (E) designation and applicable (E) designation requirements. The analyses conducted for air quality conclude that with the (E) Designation requirements in place, the proposed actions would not result in significant adverse impacts related to noise.

Hazardous Materials

1. An (E) designation (E-522) for hazardous materials has been incorporated into the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of sites affected by the (E) designation and applicable (E) designation requirements. The review conducted for hazardous materials concludes that with the (E) Designation requirements in place, the proposed actions would not result in significant adverse impacts related to hazardous materials.

TITLE Acting Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning
NAME Olga Abinader	DATE February 8, 2019
SIGNATURE Olga Abinader	

TITLE Chair, Department of City Planning	
NAME Marisa Lago	DATE February 11, 2019
SIGNATURE	

AECOM Environment

Prepared for:
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76-55 Austin Street
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125 Broad Street
New York, NY 10004

AECOM No. 60482333

Austin Street Rezoning

Supplemental Studies to the Environmental Assessment Statement

February 8th, 2019

Proposed Development Site:

111-03 77th Avenue (Block 3342, Lots 1 & 61)
Forest Hills, NY 11375

Prepared for:

Dr. Mehran Manouel
76-55 Austin Street
Forest Hills, NY, 11375

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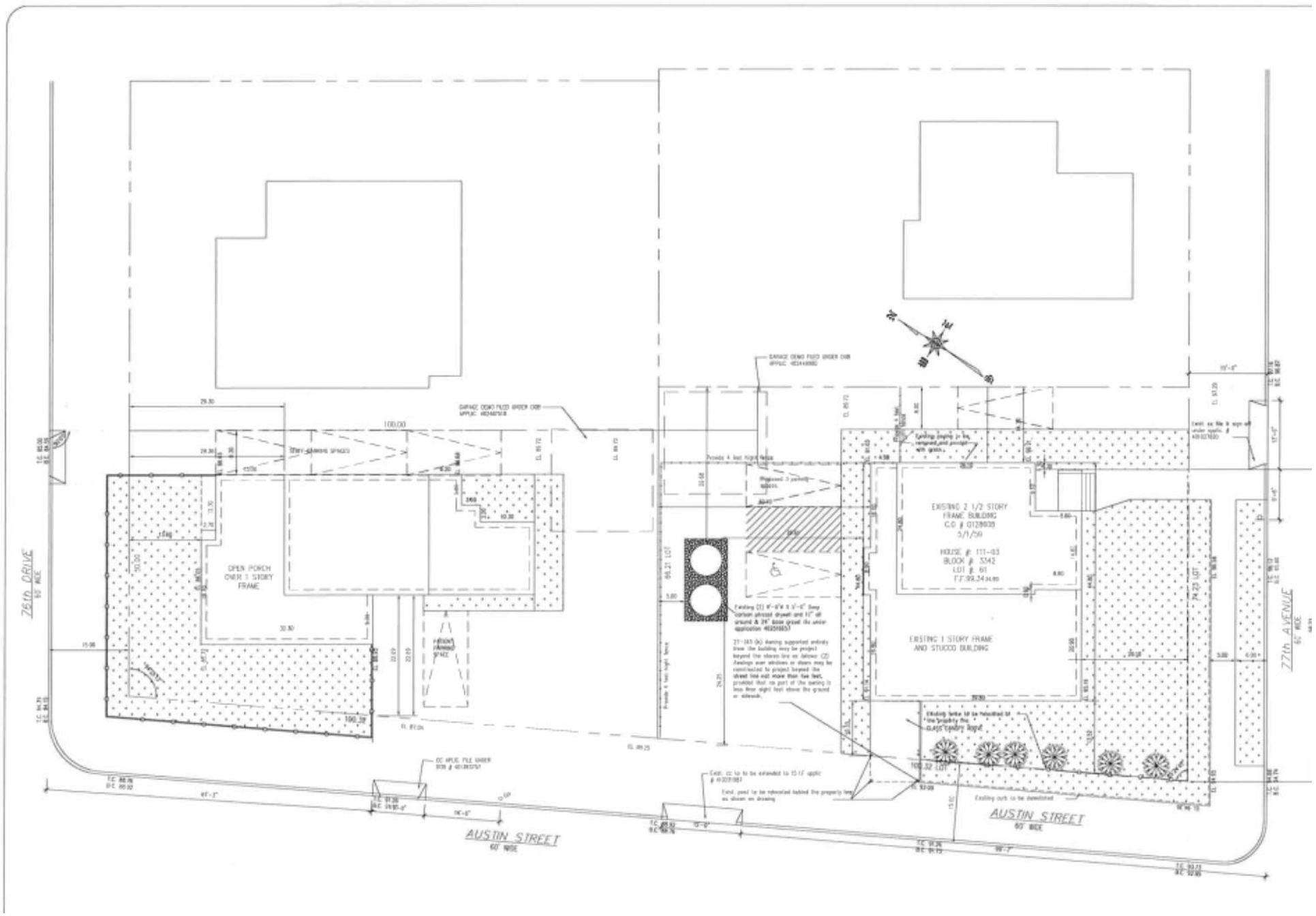
1.0 INTRODUCTION

Able Orthopedic & Sports Medicine, PC (the "Applicant") proposes a zoning map amendment to replace an R2 zoning district with an R3-2 district on a portion of Block 3342 in the Forest Hills neighborhood within Queens Community District 6. The proposed rezoning would facilitate the legalization and expansion of Use Group 4 medical offices within the existing buildings located at 111-04 76th Drive and 111-03 77th Avenue (Block 3342, Lots 1 and 61, the "Development Site"). The Proposed Development is the conversion of the existing buildings in their entirety to Use Group 4 medical offices/ambulatory care facilities. The current R2 zoning district does not permit Use Group 4 ambulatory care facilities as-of-right. The medical office on the first floor of the building on lot 1 is an existing noncompliance, while the medical office in the building on lot 61 is permitted as a conjunctive use—the medical office must be associated with the residential unit above. While this medical office was originally used by a doctor who lived in the residential unit, the medical office and the residence have not been associated with each other since the 1970s. The medical office was not a conjunctive use when the Applicant purchased the building in 2006. The creation of an R3-2 district would cause the existing medical office on lot 1 to become complying, allow for the legalization of the medical office on Lot 61, and allow for the expansion of these medical offices within the existing buildings.

1.1 Proposed Actions

The action necessary to facilitate the Proposed Development is a zoning map amendment to change the existing R2 zoning district to an R3-2 zoning district within the Project Area. The requested zoning map amendment would allow for Use Group 4 ambulatory care facilities as-of-right, thus causing the existing medical offices on lot 1 to become conforming and legalizing the medical offices on Lot 61. The proposed zoning map amendment would further benefit the community by allowing for the expansion of these medical offices within the existing buildings, allowing the practice to better serve the needs of its clientele.



AECOM	**Environmental Assessment Statement** **Austin Street Rezoning** **Queens NY**	**Figure 1-1** **Site Plan**

1.2 Description of Proposed Project Area (Existing Conditions)

The proposed project area consists of Block3342, Lots 1, 61 and a small p/o Lot 4. The properties within the project area are used as follows:

Lot 1 (Applicant Site, Site 1) is a 5,000 sf lot improved with a 3,800 gsf mixed use community facility and residential building with medical office on the ground floor and one dwelling unit on the top floor and has a total built FAR of 0.76. It is assumed that approximately two-thirds of the total floor area is utilized as community facility floor area and one-third is utilized as residential floor area. Using those assumptions, approximately 2,546 gsf is utilized as community facility floor area and approximately 1,254 gsf is utilized as residential floor area. The existing community facility FAR on Lot 1 is therefore approximately 0.51 while the residential FAR on Lot 1 is approximately 0.25.

Lot 61 (Applicant Site, Site 1) is a 7,417 sf lot improved with a 4,465 mixed residential and community facility building with ground floor medical office and a residential unit on the floor above and has a total built FAR of 0.60.
It is assumed that approximately two-thirds of the total floor area is utilized as community facility floor area and one-third is utilized as residential floor area. Using those assumptions, approximately 2991 gsf is utilized as community facility floor area and approximately 1,474 gsf is utilized as residential floor area. The existing community facility FAR on Lot 61 is therefore approximately 0.40 while the residential FAR on Lot 61 is approximately 0.20.

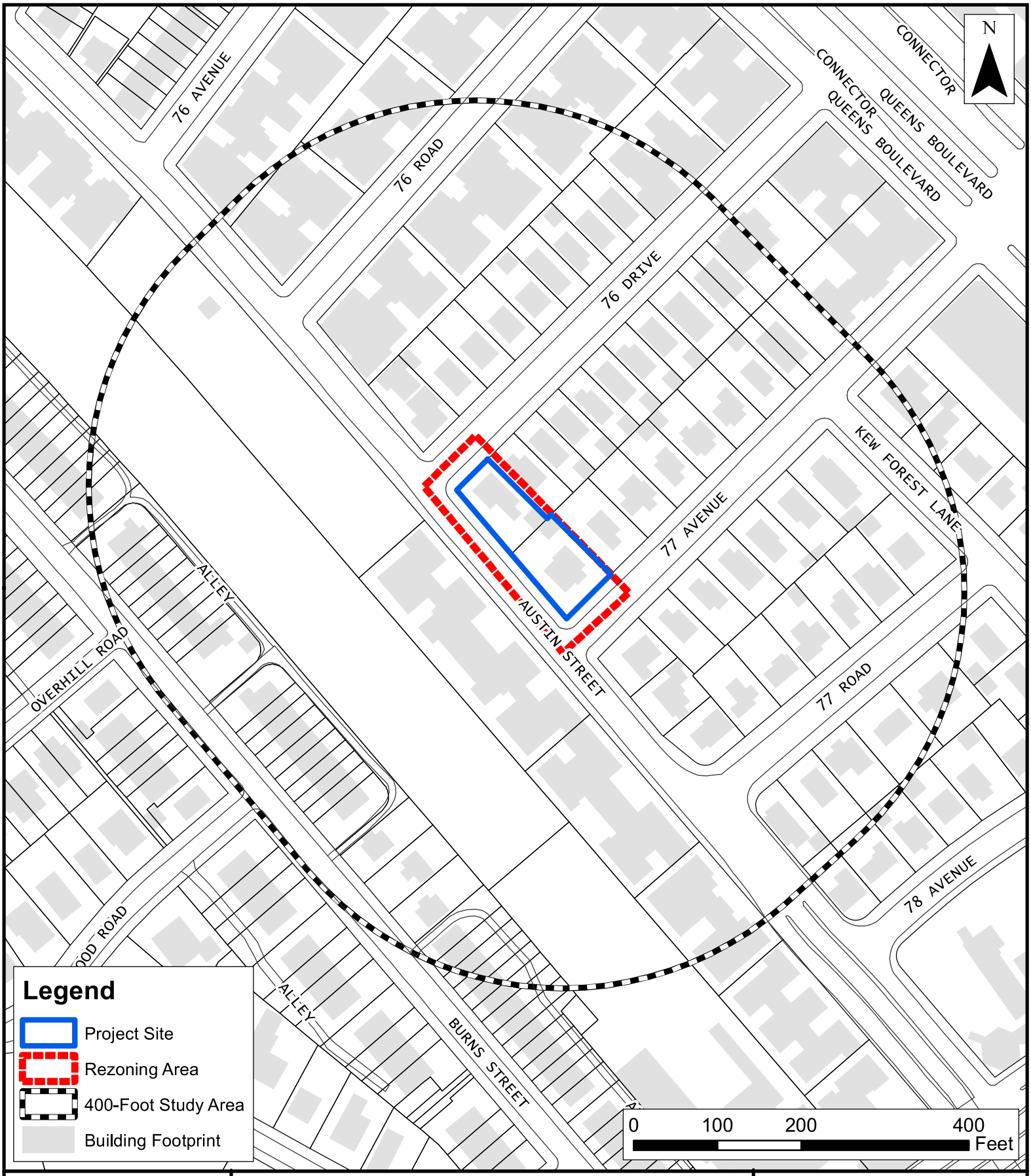
Lot 4 is a 4,400 sf lot improved with a 2.5 story, UG 1 one family detached residential unit. The residential unit has a total gross floor area of 1,929 sf and has a built FAR of 0.43. An approximately 500 square foot, 5-foot by 100 foot portion of lot 4 is also located in the Project Area.

The proposed project area consists of the southern block face of Block 3342, which is located in the Forest Hills neighborhood of Queens' Community District 6.

The proposed Project Area, consisting of Lots 1, part of Lot 61, and part of Lot 4, was included within the boundaries of the Kew Forest Rezoning (C 000158 ZMQ, effective March 29, 2000) initiated by the NYC Department of City Planning, which rezoned from R6 to R2 two full blocks and portions of three blocks in an area generally bounded by Kew Forest Lane, 76th Drive, 78th Avenue, and Austin Street. The purpose of the Kew Forest Rezoning was to prevent the replacement of the existing one- and two-family houses with multifamily residential buildings inconsistent with the area's low rise built form.

The two buildings located at 111-04 76th Drive and 111-03 77th Avenue had been occupied by medical offices on their lower levels for many years prior to the rezoning. These medical offices were permitted in an R6 district, but are not permitted in an R2 district. Thus, the Kew Forest Rezoning caused these existing uses to become nonconforming

The existing land uses in the area immediately surrounding the project area are primarily comprised of a mix of multi-family and one and two –family residential dwelling units. A portion of Austin Playground is also located within 400-feet of the Project Site (on Austin Street) and includes basketball courts, handball courts, a children's play area, benches, tress, and other various plantings. The MTA's Long Island Rail Road (LIRR) has a right of way to the west of the project site. Four tracks are located here with eastbound trains going to various areas of Long Island and westbound trains heading towards New York Penn Station. Additionally, there are three lots in the 400-foot study area that contain mixed residential and commercial buildings. These commercial uses though, are generally single doctor's offices, and not necessarily local retail.



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Environmental Assessment Statement
Austin Street Rezoning
Queens, NY

Project Site Location

Figure 1.2-1



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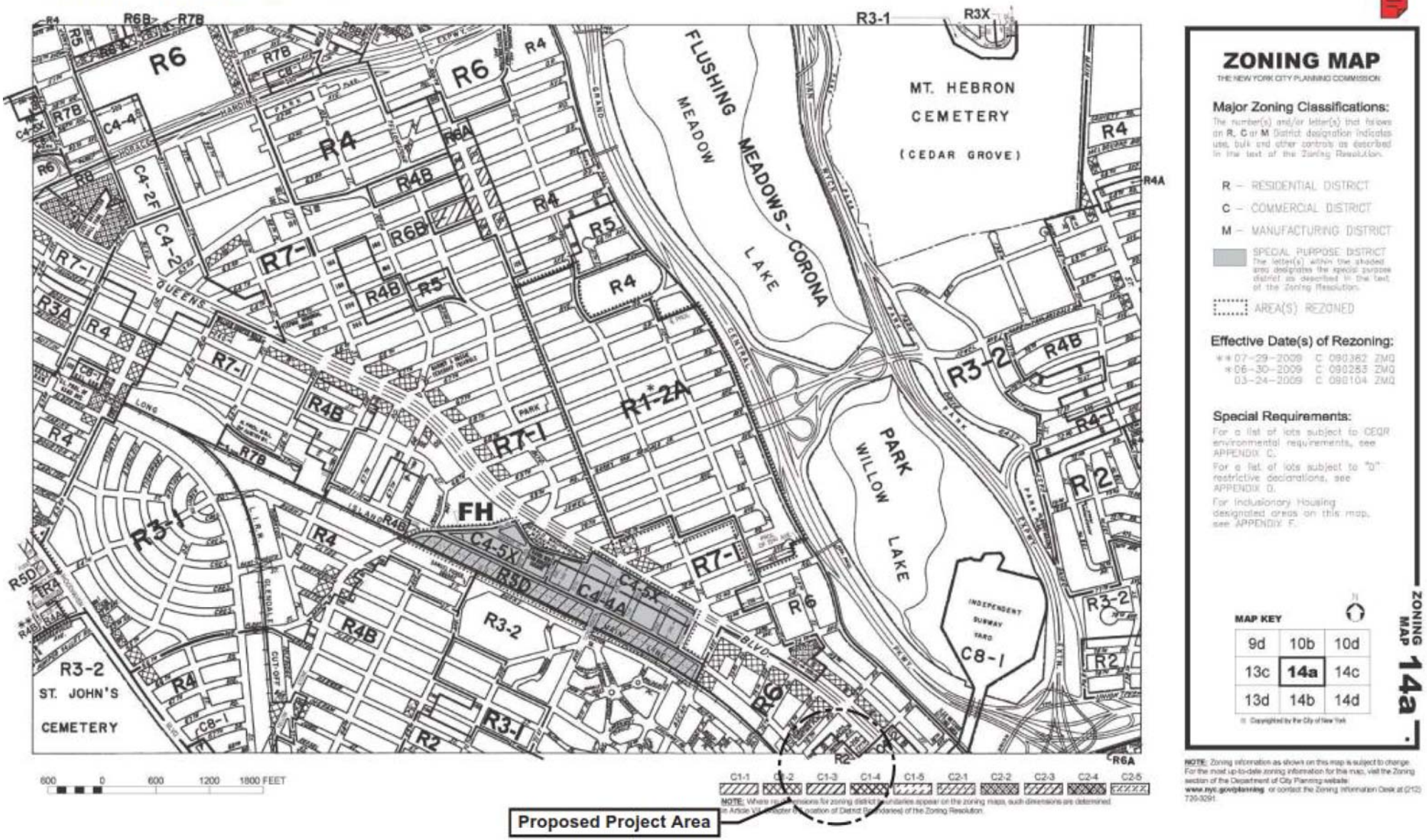
Environmental Assessment Statement
Austin Street Rezoning
Queens, NY

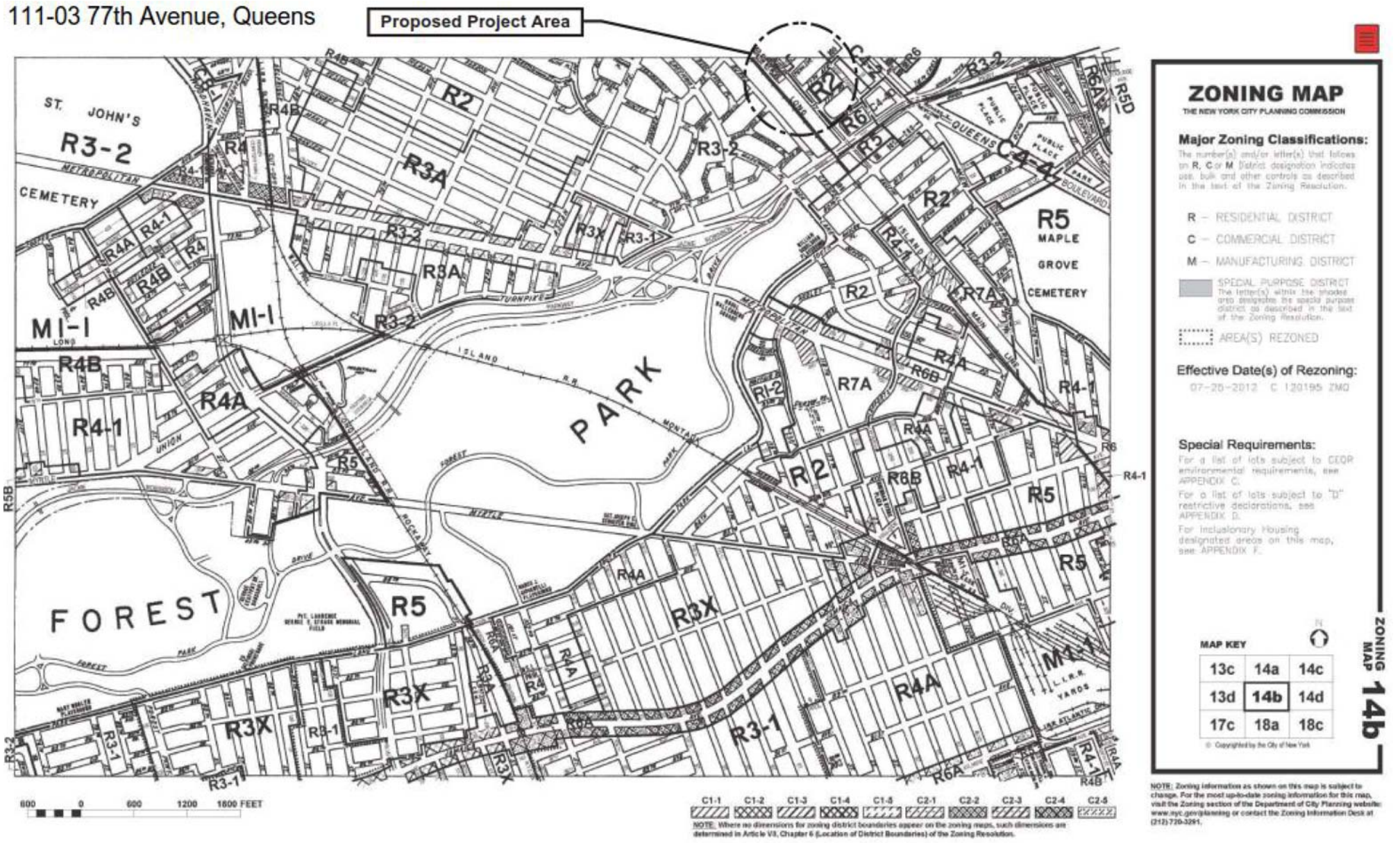
Tax Map

Figure 1.2-2

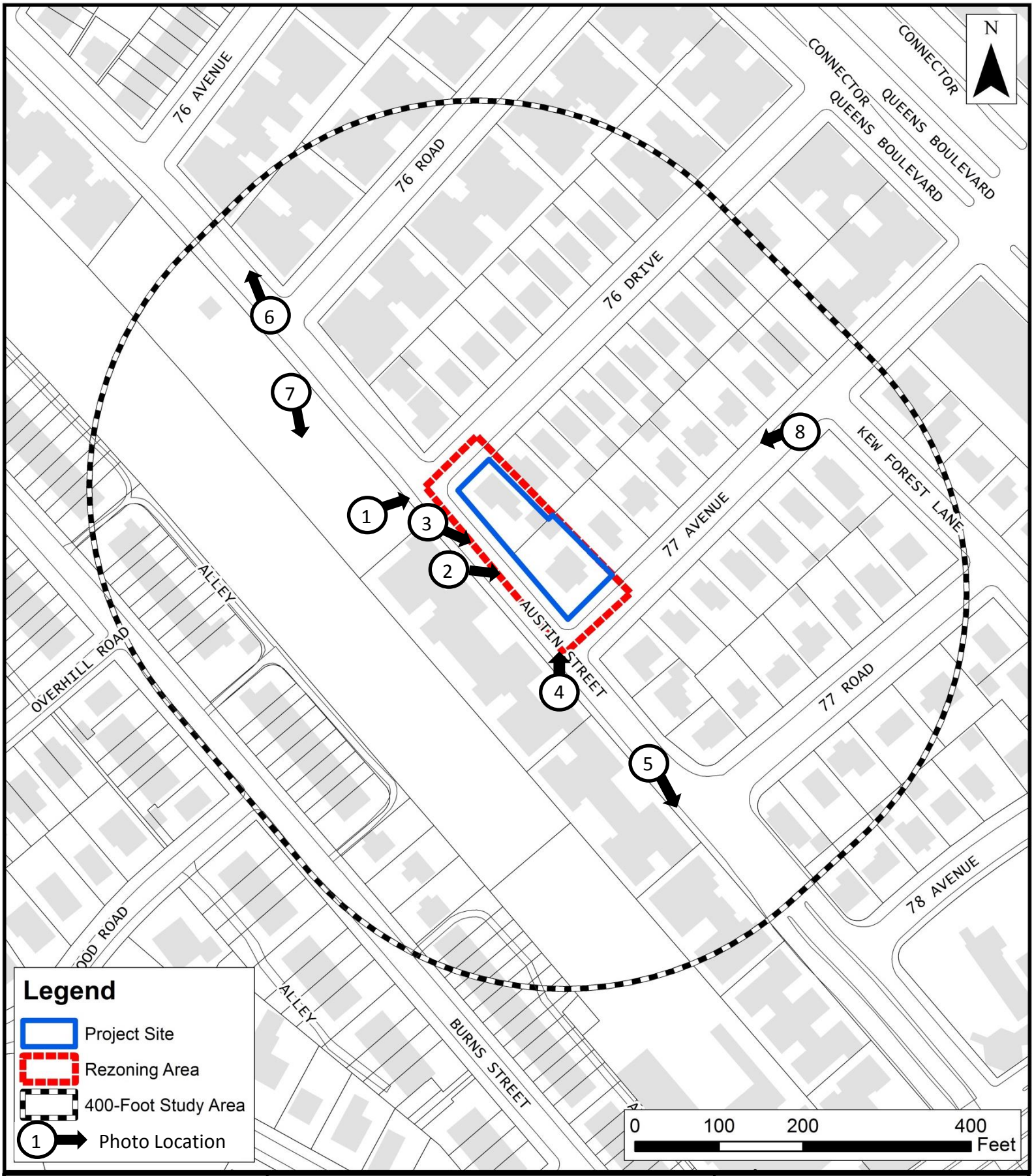
111-03 77th Avenue, Queens



AECOM	**Environmental Assessment Statement** **Austin Street Rezoning** **Queens NY**	**Figure 1.2-3** **Zoning Sectional Map**



AECOM	**Environmental Assessment Statement** **Austin Street Rezoning** **Queens NY**	**Figure 1.2-3** **Zoning Sectional Map**



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Environmental Assessment Statement
Austin Street Rezoning
Queens, NY

Photograph Location Map

Figure 1.2-4

Figure 1.2-5 Photographs of the Site and Surrounding Area (Photos taken 10/12/18)

Photograph 1



View of existing medical office and dwelling unit on Block 3342, Lot 1, which is part of Projected Site 1

Photograph 2



View of existing medical office and dwelling unit on Block 3342, Lot 61, which is part of Projected Site 1

Photograph 3



View of Lots 1 and 61 from Austin Street looking south towards 77th Avenue

Photograph 4



View of Lot 61 looking north from the intersection of Austin Street and 77th Avenue

Photograph 5



View of apartment buildings on Austin Street near Project Site

Photograph 6



View of apartment buildings north of Project Site across from Austin Playground

Photograph 7



View of Austin Playground and benches and basketball/handball courts in the distance. On the right, trees Block the LIRR right of way

Photograph 8



View of houses and tree like canopy on 77th Avenue, east of Project Site

1.3 Description of Proposed Development Site

The proposed Project Area and Development Site are nearly coincident. The Proposed Development Site consists of Tax Lots 1 and 61 on Queens Block 3342 in the Forest Hills neighborhood on Queens in Community District 6. Lot 1 is a 5,000 sf lot improved with a 3,800 gsf mixed use community facility and residential building with medical office on the ground floor and one dwelling unit on the top floor and has a total built FAR of 0.76. It is assumed that approximately two-thirds of the total floor area is utilized as community facility floor area and one-third is utilized as residential floor area. Using those assumptions, approximately 2,546 gsf is utilized as community facility floor area and approximately 1,254 gsf is utilized as residential floor area. The existing community facility FAR on Lot 1 is therefore approximately 0.51 while the residential FAR on Lot 1 is approximately 0.25.

Lot 61 is a 7,417 sf lot improved with a 4,465 mixed residential and community facility building with ground floor medical office and a residential unit on the floor above and has a total built FAR of 0.60. It is assumed that approximately two-thirds of the total floor area is utilized as community facility floor area and one-third is utilized as residential floor area. Using those assumptions, approximately 2,991 gsf is utilized as community facility floor area and approximately 1,474 gsf is utilized as residential floor area. The existing community facility FAR on Lot 61 is therefore approximately 0.40 while the residential FAR on Lot 61 is approximately 0.20.

Combined, the lots form a development site that is approximately 12,417 sf with approximately 74 feet of frontage on 77th Avenue, 200 feet of frontage on Austin Street, and 50 feet of frontage on 76th Drive. The proposed Project Area is a 70-foot wide strip parallel to Austin Street, encompassing all of Lot 1, the majority of Lot 61 and a portion of adjacent tax Lot 4, which is not part of the Development Site. Lots 1 and 61 are developed with buildings containing medical facilities and one dwelling unit; Lot 4 is development with a single –family residence and an accessory garage.

1.4 Description of Proposed Development

The Proposed Development is an expansion of the existing nonconforming UG 4 medical office within the existing buildings on Lots 1 and 61. The existing medical offices in the buildings are legal nonconforming uses, and therefore cannot be expanded. The Requested R3-2 district is the lowest density district that would permit medical facilities larger than 1,500 square feet, allowing for both existing buildings to be used entirely for medical offices to better serve the community's needs.

1.5 Build Year

Given that the project involves an expansion of an existing building, and the applicant does not propose any new in-ground construction, a build year of 2019 would be acceptable given Environmental review and the ULURP process. However, because the applicant in the With-Action RWCDS scenario would be allowed to construct an expansion/enlargement that would potentially involve in-ground expansion on a combined development site (Lots 1 and 61), a build year of 2020 is believed to be reasonable for this project.

1.6 Purpose and Need of the Proposed Action

Each of the two buildings at the Development Site have been occupied by a medical office with a single-family residence above since prior to December 15th, 1961. The Premises was downzoned from an R6 district, which permits medical offices in Use Group 4, to an R2 district by an amendment effective March, 2000 (C000158ZQM). This rezoning, in effect, made the Premise a nonconforming use.

The Proposed Development is an expansion of the existing nonconforming UG4 medical office within the existing buildings on Lots 1 and 61. The existing medical offices in the buildings are legal nonconforming uses, and therefore cannot be expanded. The requested R3-2 district is the lowest density district that would permit medical facilities larger than 1,500 square feet, allowing for both existing buildings to be used entirely for medical offices to better serve the community's needs.

Minus the Proposed Action, the applicant would be unable to expand the existing medical office space and it would continue to be a legal, nonconforming use.

1.7 Development Scenario

1) No-Action Scenario

The Proposed Development site is located in the Forest Hills neighborhood of Queens, which is densely developed. No significant new construction or vacant lots were observed within 600 feet of the Proposed Development site. Therefore, under the No-Action scenario, it is assumed that conditions would remain consistent with existing conditions.

2) With-Action Scenario

The Proposed Development calls for a zoning map amendment to rezone a portion of Queens Block 3342 (Lots 1, 61 and a small p/o 4) from an R2 zoning district to an R3-2 zoning district on eastern side of Austin Street between 77th Avenue and 76th Drive, bounded by 77th Avenue, Austin Street, 76th Drive, and a line 70 feet northeast of an parallel to Austin Street in Forest Hills, Community Board 6, in Queens. This action would facilitate the expansion of the existing nonconforming UG 4 medical office within the existing buildings on Lots 1 and 61. The existing medical offices in the buildings are legal nonconforming uses, and therefore cannot be expanded. The Requested R3-2 district is the lowest density district that would permit medical facilities larger than 1,500 square feet, allowing for both existing buildings to be used entirely for medical offices to better serve the community's needs.

Projected Development Sites

Block 3342, Lot 1 and 61 (Projected Development Site 1)

In the With- Action scenario, in order to assume a conservative assessment, is it assumed that Lots 1 and 61 would be combined as one 12,417 sf development site which would be improved by a 13,658 gsf (12,417 zsf) community facility building. This would represent the maximum allowable community facility FAR in an R3-2 zoning district of 1.0. No new residents would be added under the proposed rezoning. It is assumed that the building would be 35 feet in height, the maximum allowed for building heights in R3-2 districts.

Therefore, it is assumed that the Proposed Action would result in the addition of 5,393 gross square feet of community facility (doctor office) floor area floor area and a net decrease in approximately 2,728 square feet of Use Group 2 residential floor area (2 dwelling units).

Lots Not Expected to be Developed

Block 3342, Lot 4

It is assumed that given the very small portion of Lot 4 that is located within the rezoning area, that Lot 4 would be unaffected by the proposed rezoning in the With-Action scenario

Description of Existing and Proposed Conditions **Table 1-1**

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Land Use				
Residential	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
Describe type of residential structures	UG2, UG1	UG2, UG1	UG1	(UG2)
No. of dwelling units	Lot 1- 1, Lot 61-1, Lot 4-1	Lot 1- 1, Lot 61-1, Lot 4-1	Lot 4- 1	-2
No. of low- to moderate-income units	NA	NA	NA	
Gross floor area (sq. ft.)	Lot 1- 1254, Lot 61-1474, Lot 4-1,929	Lot 1- 1254, Lot 61-1474, Lot 4-1,929	Lot 4-1,929	-2728
Commercial	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
Describe type (retail, office, other)	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Manufacturing/Industrial	N/A	N/A	N/A	
If "yes," specify the following:				
Type of Use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Open storage area (sq. ft.)	N/A	N/A	N/A	
If any enclosed activities, specify:	N/A	N/A	N/A	
Community Facility	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
Type of Use	Medical Office	Medical Office	Medical Office	
Gross floor area (sq. ft.)	Lot 1- 2,546, Lot 61-2,991	Lot 1- 2,546, Lot 61-2,991	Lot 1+61=13658	8,121
Vacant Land	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes", describe:	N/A	N/A	N/A	
Publicly Accessible Open Space	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify type (mapped City, State, or Federal Parkland, wetland-mapped or otherwise known, other):	N/A	N/A	N/A	
Other Land Uses	☐ Yes ☑ No	☐ Yes ☑ No	☐ **Yes** ☑ No	
If "yes," describe:	N/A	N/A	N/A	
Parking				
Garages	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	N/A	
Operating hours	N/A	N/A	N/A	
Attended or non-attended	N/A	N/A	N/A	
Lots	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. of public spaces	0	0	0	
No. of accessory spaces	12	12	31	19
Operating hours	NA	NA	NA	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Other (includes street parking)	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," describe:	N/A	N/A	N/A	
Population				
Residents	☑ Yes ☐ No	☑ Yes ☐ No	☐ Yes ☑ No	
If "yes," specify number:	Approx 6	Approx 6	Approx 2	-4
Briefly explain how the number of residents was calculated:	2.05 persons/HH in Queens CB6			
Businesses	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. and type	Approx 15	Approx 15	Approx 38	23
No. and type of workers by business	Medical Office	Medical Office	Medical Office	
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	3 workers per 1,000 gsf of community facility floor area			
Other (students, visitors, concert-goers, *etc* .)	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If any, specify type and number:	N/A	N/A	N/A	
Briefly explain how the number was calculated:				
Zoning				
Zoning classification	R2	R2	R3-2	
Maximum amount of floor area that can be developed	0.5 FAR Res and CF	0.5 FAR Res and CF	0.6 FAR Res ,1.0 FAR CF	0.1 FAR RES, 0.5 FAR CF
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Multi Family residential, one and two family residential, tranportation/utility, open space,	Multi Family residential, one and two family residential, tranportation/utility, open space,	Multi Family residential, one and two family residential, tranportation/utility, open space,	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Table 1-2 Projected Development Under Proposed Rezoning [1]

Block	Lots	Lot Area	Existing Zoning	Existing FAR	Proposed Zoning	Projected Res. sf	Projected Comm. sf	Projected FAR	DUs
3342	1 & 61	12,417	R-2	0.66	R3-2	0	13,658	1.0	0
Total						***0***	***13,658***		***0***

*Only Projected Sites Analyzed under Proposed Rezoning

2.0 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
- Shadows
- Historic and Cultural Resources
- Urban Design
- Hazardous Materials
- Air Quality
- Noise
- Neighborhood Character
- Construction

In the following technical sections, where a preliminary or more detailed assessment was necessary, the discussion is divided into Existing Conditions, the Future No-Action Conditions (the Future Without the Proposed Action), and the Future With-Action Conditions (the Future With the Proposed Action).

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.

2.1.1 Land Use

The *CEQR Technical Manual* defines land use as the activity that is occurring on the land and within the structures that occupy it. Types of land use can include single- and multi-family residential, commercial (retail and office), community facility/institutional and industrial/manufacturing uses, as well as vacant land and public parks (open recreational space). The *CEQR Technical Manual* recommends that a Proposed Action be assessed in relation to land use, zoning and public policy. For each of these areas, a determination is made of the potential for a significant adverse impact by the proposed action. If the action does have a potentially significant impact, appropriate analytical steps are taken to evaluate the nature of the impact, possible alternatives and possible mitigation.

Existing Conditions

The *CEQR Technical Manual* recommends a land use; zoning and public policy study area extending 400 feet from the site of the Proposed Action. This study area is generally bound by 76th Road to the north, approximately 150 feet west of Queens Blvd. to the east, Burns Street to the west and approximately 70 feet north of 78th Avenue to the south (**Figure 1.2-1**).

A field survey was conducted to determine the existing land use patterns and neighborhood characteristics of the study area. The existing land uses in the area immediately surrounding the project

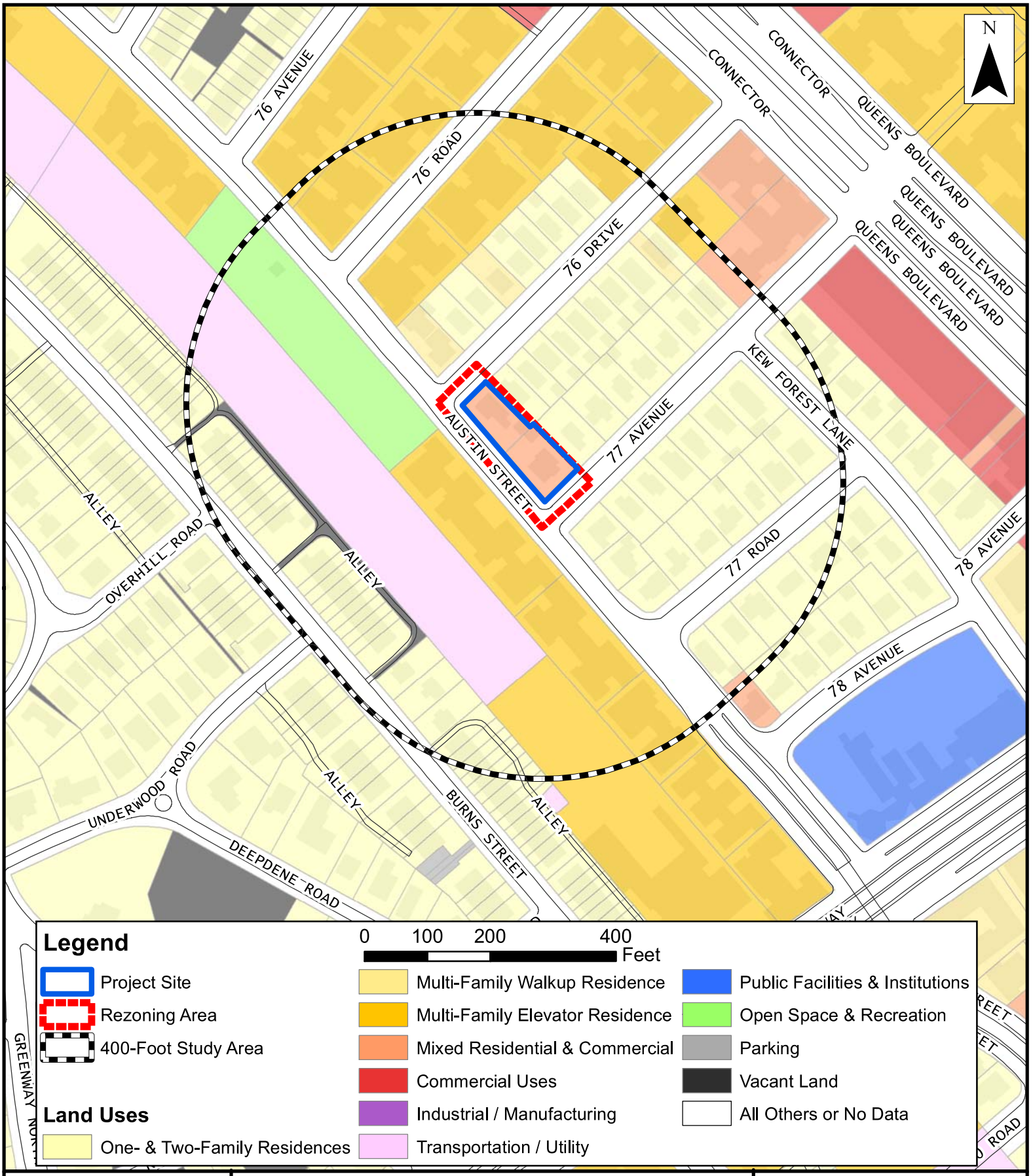
area are primarily comprised of a mix of multi-family and one and two –family residential dwelling units. A portion of Ehrenreich-Austin Playground is also located within 400-feet of the Project Site (on Austin Street) and includes basketball courts, hand ball courts, a children's play area, benches, tress, and other various plantings. The MTA's Long Island Rail Road (LIRR) has a right of way to the west of the project site. Four tracks are located here with eastbound trains going to various areas of Long Island and westbound trains heading towards New York Penn Station. Additionally, there are two lots in the 400-foot study area that contain mixed residential and commercial buildings. These commercial uses though, are generally single doctor's offices, and not necessarily local retail.

The projected development site is controlled by the applicant (Block 3342, Lots 1 and 61) and is located on the eastern side of Austin Street between 77th Avenue and 76th Drive. The Proposed Development Site consists of two tax and zoning lots. Lot 1 is 5,000 square feet, and Lot 61 is 7,417 square feet. Lot 1 is improved with a detached, two-story plus cellar and attic building with storage in the cellar, a doctor's office on the first floor with accessory space on part of the second floor, and a single dwelling unit on the second floor and attic. Lot 61 is improved with a detached building containing a basement, two stories, and attic. The Certificate of Occupancy for Lot 61 indicates that floors one, two, and attic are part of a single dwelling unit, and the basement is used for storage and a doctor's office (conjunctive use). A small portion of Lot 61 is not included in the Project Area due to the irregular shape of the block.

The building on lot 1 has 3,800 gross square feet of floor area and a front wall height of approximately 22 feet. Two compliant Side Yards of approximately 8 feet and 23 feet, respectively, are provided. The existing front yards are noncompliant, approximately 13.5 and 11 feet, respectively. The building on lot 61 has approximately 4,465 gsf of floor area. The front wall height is approximately 21 feet, and two Side Yards of approximately 13 feet and 40 feet are provided.
.
No parking is indicated on either Certificate of Occupancy, but the open space on the lot is used for parking for the medical facilities.

Most of the study area is comprised of residential (both Use Groups 1 & 2) buildings. Larger, multi-family elevator buildings are located to the north and west of the Project Area, on Austin Street and on 76th Drive and 76th Road. To the south and west of the Project Area are low density, UG 1 and UG2 one and two family residences. Ehrenreich-Austin Playground, a 1.16 acre playground with basketball courts, hand ball courts, a jungle gym, and benches for sitting, is located across Austin Street from the Project Site, just to the north of the Project Site. The Long island Rail Road Main Line right of way is located within the 400-foot study area, just to the west of Ehrenreich –Austin Playground. The view of the right -of -way from the Project Site is obstructed by both the Playground and the adjacent apartment buildings.

The general mix of land use observed in the study area generally reflects the distribution of land use observed throughout Queens CD 6, which is summarized in **Table 2.1-1.** The most prominent land use within Queens CD 6 is one and two-family homes, followed by multi-family residences.



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Land Use Map

Figure 2.1-1

Table **2.1-1 2016 Land Use Distribution- Queens Community District 6**

LAND USES	PERCENT OF TOTAL
Residential Uses	
1-2 Family	48.65
Multi-Family Elevator	19.4
Multi-Family Walk Up	5.16
Mixed Residential/Commercial	5.78
Subtotal of Residential Uses	*78.99*
Non-Residential Uses	
Commercial/Office	7.23
Industrial	0.18
Transportation/Utility	3.40
Institutions	6.41
Open Space/Recreation	1.99
Parking Facilities	0.77
Vacant Land	0.99
Miscellaneous	0.03
Subtotal of Non-Residential Uses	*21.01*
TOTAL	**100.0**

Source: *Community District Profiles, New York City Department of City Planning.*
Note: Percentages may not add up to 100.0 percent due to rounding.

Future No-Action Scenario

The Proposed Development site is located in the Forest Hills neighborhood of Queens, which is densely developed. No significant new construction or vacant lots were observed within 400 feet of the Proposed Development site. Therefore, under the No-Action scenario, it is assumed that conditions would remain consistent with existing conditions.

Furthermore, as the lots in the rezoning area are at bulk or near max. bulk allowable under the existing FAR, it is reasonable to assume that no new development would occur in the No-Action Scenario and the lots would remain in their existing respective conditions.

Future With-Action Scenario

The Proposed Development calls for a zoning map amendment to rezone a portion of Queens Block 3342 (Lots 1, 61 and a small p/o 4) from an R2 zoning district to an R3-2 zoning district.

In the With-Action scenario is it assumed that Lots 1 and 61 would be combined as one 12,417 sf lot which would be improved with a 13,658 gsf (12,417 zsf) community facility building. This would represent the maximum allowable community facility FAR in an R3-2 zoning district of 1.0. No new residents would be added under the proposed rezoning. It is assumed that the building would be 35 feet in height, which the maximum is allowed for building heights in R3-2 districts. It is assumed that 31 accessory parking spaces would be included on the development site. Under the With-Action Scenario, these spaces could be provided on site or in an underground structure.

It is assumed that given the very small portion of Lot 4 that is located within the rezoning area, that Lot 4 would be unaffected by the proposed rezoning in the With-Action scenario.

No impacts with regards to land use are expected to result in the With-Action Scenario. The With-Action land use (1.0 FAR medical office) would not be out of character with the surrounding land uses, with regards to both density and height. The existing conditions of the Project Site include medical office space, so no impacts with regards to land use would occur in the With-Action Scenario.

2.1.2 Zoning

The *New York City Zoning Resolution* dictates the use, density and bulk of developments within New York City. Additionally, the Zoning Resolution provides required and permitted accessory parking regulations. The City has three basic zoning district classifications – residential (R), commercial (C), and manufacturing (M). These classifications are further divided into low-, medium-, and high-density districts.

Existing Conditions

Zoning designations within and around the study area are depicted in **Figure 2.1-3**, while **Table 2.1-2** summarizes use, floor area and parking requirements for the zoning districts in the study area.

The rezoning area is in a mapped R2 zoning district. There is an additional R3-2 zoning district located to the west of the project site within the 400-foot study area, on the other side of the LIRR train tracks. This R3-2 zoning district is located in the semi-private Forest Hills Gardens section of Forest Hills.

The surrounding area is predominantly residential, consisting of one-and two-family residences and multiple dwellings. Areas to the immediate east, northeast, and southeast of the Project Area consist mostly of three story one- and two-family residences. Further east, on Queens Boulevard between 77th Avenue and 78th Avenue, is a two-story commercial strip. Areas to the south and north of the Project Area are characterized mostly by six-story multiple dwellings. The Long Island Rail Road Main Line runs parallel to Austin Street southwest of the Project Area and Ehrenreich-Austin Playground, operated by the NYC Dept. of Parks and Recreation, is located directly west of the Project Area. Beyond the rail line is an area characterized by three-story one- and two-family dwellings. Queens Boulevard, a major commercial thoroughfare, is located at the opposite end of the block from the Project Area, and Union Turnpike and Jackie Robinson Parkway are southeast of the Project Area. Block 3345, bounded by Austin Street, 78th Avenue, Kew Forest Lane, and Union Turnpike, is occupied entirely by The Kew-Forest School.

There are R2, R6, C4-2, and R3-2 zoning districts mapped in the surrounding area.

R2

The Project Area is within an R2 district mapped generally to the east, northeast, and southeast into the primarily one- and two-family residential portions of the surrounding area. The R2 district permits only single-family detached residences with a floor area ratio (FAR) of 0.5 and certain community facility uses with an FAR of 1.00. Residential buildings must provide an open space ratio of 150 percent, while community facilities have a maximum lot coverage of 60 percent for corner lots and 55 percent for through lots. Maximum height and setback is governed by a sky exposure plane starting 25 feet above the front yard line. Accessory residential off-street parking is required for each dwelling unit.

R6

An R6 zoning district is mapped along the south side of Austin Street, on Block 3345 containing The Kew Forest School, on Block 3340, and on portions of Blocks 3341,3342, 3344 and that contain mostly six-story multifamily residential buildings. R6 districts allow all housing types at a maximum FAR of up to 2.43 and a maximum FAR of up to 4.8 for buildings containing certain community facility uses. R6 is a height factor district where residential and community facility uses are permitted with no fixed height limits and building envelopes are regulated by a sky exposure plane and open space

ratio after a maximum base height of 60 feet. Residential development under the optional Quality Housing Program has a maximum FAR of 2.2 on narrow streets with a 55-foot building height limit and a maximum of 3.0 FAR on wide streets with a height limit of 70 feet. Off-street parking is required for 70 percent of the dwelling units. This requirement is lowered to 50 percent of the units if the lot area is less than 10,000 square feet or if Quality Housing provisions are used. In R6 districts, if fewer than five spaces are required, the off-street parking requirement is waived.

C4-2

A C4-2 district is mapped along the northeast half of Block 3346, along Queens Boulevard. C4-2 districts allow up to 3.4 FAR for commercial uses and 4.8 FAR for community facility uses. C4-2 is a district where commercial and community facility uses are permitted with no fixed height limits and building envelopes are regulated by a sky exposure plane and open space ratio after a maximum front wall height of 60 feet. A C4-2 district has an R6 residential equivalent, with a maximum FAR of 2.43 for residential height factor buildings and a maximum FAR of 3.0 for Quality Housing buildings on a wide street. Off-street parking is required at the rate of 1 space per 300 square feet of floor area for general retail or service uses and ambulatory diagnostic or treatment health care facilities. Off-street parking requirements are waived if fewer than five residential spaces or fifteen commercial or community facility spaces are required.

R3-2

An R3-2 district is mapped to the southwest of the Project Area, in an area with mostly detached and semi-detached one- and two-family residences. R3-2 districts allow a variety of housing types, including low-rise attached houses, small multifamily apartment houses, and detached and semi-detached one- and two family residences. Residential uses have a maximum FAR of 0.5, which may be increased to 0.6 by an attic allowance, and the perimeter wall may rise up to 21 feet before sloping or being set back to a maximum building height of 35 feet. R3-2 district also permit a variety of community facility uses, including ambulatory diagnostic or treatment health care facilities with no limitation on floor area. Community facility uses are permitted up to a maximum FAR of 1.0 with a maximum lot coverage of 60 percent for corner lots and 55 percent for interior lots. Maximum height and setback is governed by a sky exposure plane starting 25 feet above the front yard line. Parking is required at the rate of a space per 400 square feet of floor area for ambulatory diagnostic or treatment health care facilities, and is waived if the number of spaces required is less than 10. One off street parking space is required for every dwelling unit.

Future No-Action Scenario

In the future without the Proposed Action, zoning changes are not expected to occur on the project site or within the surrounding study area. Because the Applicant may not construct any new residential square footage or community facility square footage on the project site without the proposed zoning map amendment, it is assumed that the Future No-Action Scenario would remain consistent with existing conditions. Therefore, if the mapping of the requested R3-2 zoning district is not granted, the existing conditions would continue in the future no-action scenario.

Table 2.1-2 Summary of Zoning Regulations

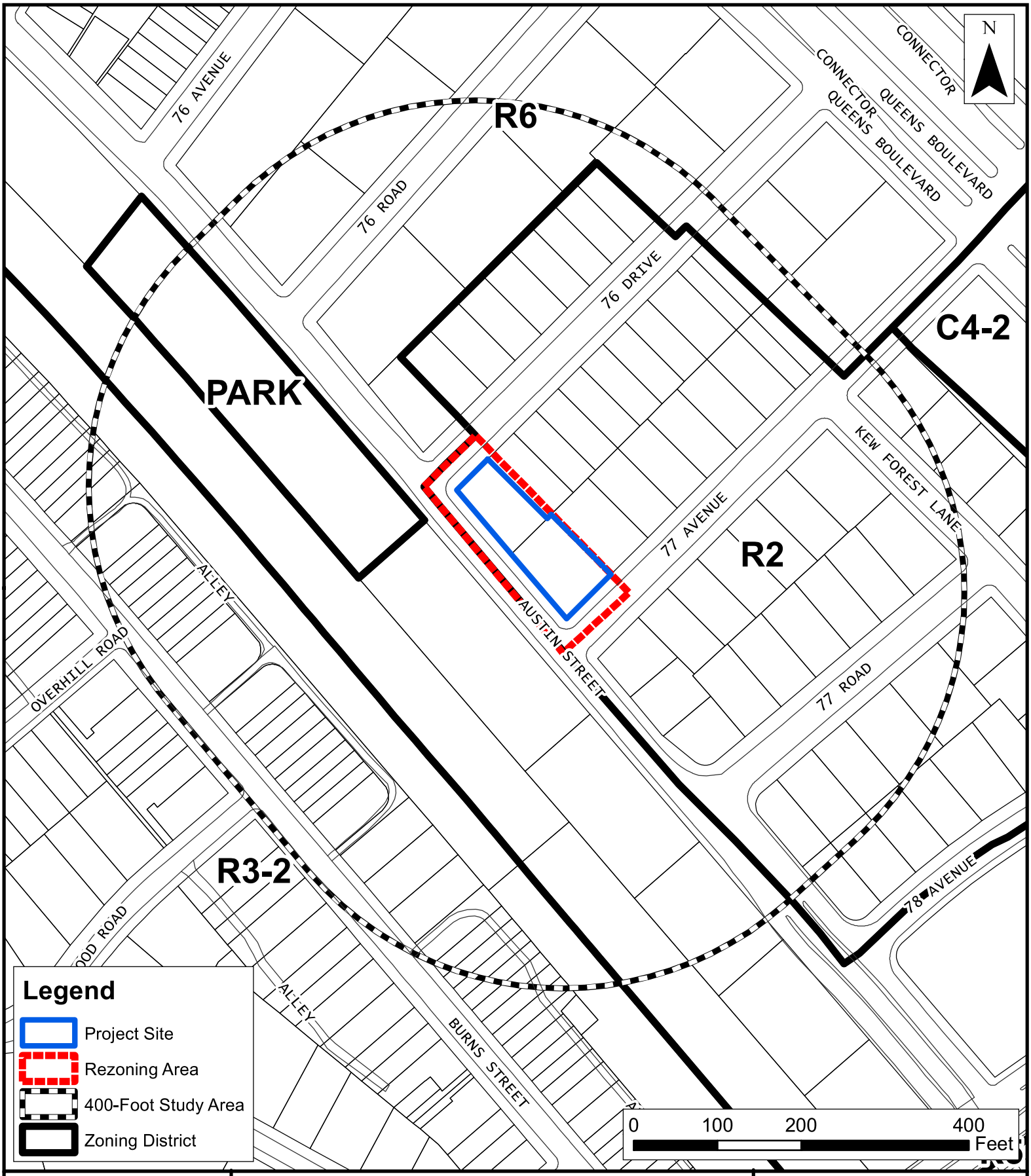
Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Parking (Required Spaces)
R3-2	Residential UGs 1-4	0.6 FAR – Residential 1.0 FAR – Community Facility	1 per dwelling unit
R2	Residential UGs 1, 3-4	0.5 FAR for Residential 0.5 FAR for Community Facility	1 per dwelling unit
R6	Residential UGs 1-4	0.78-2.43 FAR for Residential 4.8 FAR for Community Facility	70 percent of dwelling units (50 percent is zoning lot is less than 10,000 sf,; waived if 5 or fewer are required

Source: Zoning Handbook, New York City Department of City Planning, January 2014.

Future With-Action Scenario

The Proposed Development calls for a zoning map amendment to rezone a portion of Queens Block 3342 (Lots 1, 61 and a small p/o 4) from an R2 zoning district to an R3-2 zoning district.

Absent the Proposed Action, the applicant would not be unable to facilitate the the proposed legalization, nor would the With-Action Scenario development be able to occur. As the With-Action Scenario would represent an enlargement of the existing medical office use on both Lots 1 and 61, and a deduction in two housing units, the Proposed Action would therefore not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties. Significant adverse impacts to zoning are not anticipated and further zoning analysis is not warranted.



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Zoning Map

Figure 2.1-3



Current Zoning Map

Project Site



Proposed Zoning Map

Project Site

Proposed R3-2 Zoning Area

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Zoning Change Map

Figure 2.1-4

2.1.3 Public Policy

The project site 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. The Proposed Action is also not a large publically sponsored project, and as such, consistency with the City's *PlaNYC 2030* for sustainability is not warranted. In addition, the rezoning area is not located in the Coastal Management Zone; therefore a consistency review is not warranted.

Waterfront Revitalization Program

The rezoning area is not located within New York City's designated coastal zone and, as such, is not subject to review for its consistency with the City's Waterfront Revitalization Program (WRP).

2.2 SHADOWS

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

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

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

hour of sunrise or sunset generally are not considered significant in accordance with the *CEQR Technical Manual*.

The proposed rezoning, in a Reasonable Worse Case Development Scenario, would involve the construction of a new approximately 35-foot tall, 13,658 gsf building with medical office uses. As the Project Site is located across the street from Austin Playground, a public park controlled by the NYC Department of Parks and Recreation, further shadow screening assessments were performed to determine if the Proposed Actions could result in an increase in shadows falling on the playground, which is considered a sunlight sensitive resource.

2.2.1 Preliminary Shadow Screening Assessment

The shadow assessment begins with a preliminary screening assessment to ascertain whether a project's shadow may reach any sunlight-sensitive resources at any time of the year. If the screening assessment does not eliminate this possibility, a detailed shadow analysis is generally required in order to determine the extent and duration of the net incremental shadow resulting from the project. The effects of shadows on a sunlight-sensitive resource are site-specific; therefore, as noted in the *CEQR Technical Manual*, the screening assessment and subsequent shadow assessment were performed for the proposed eight-story structure.

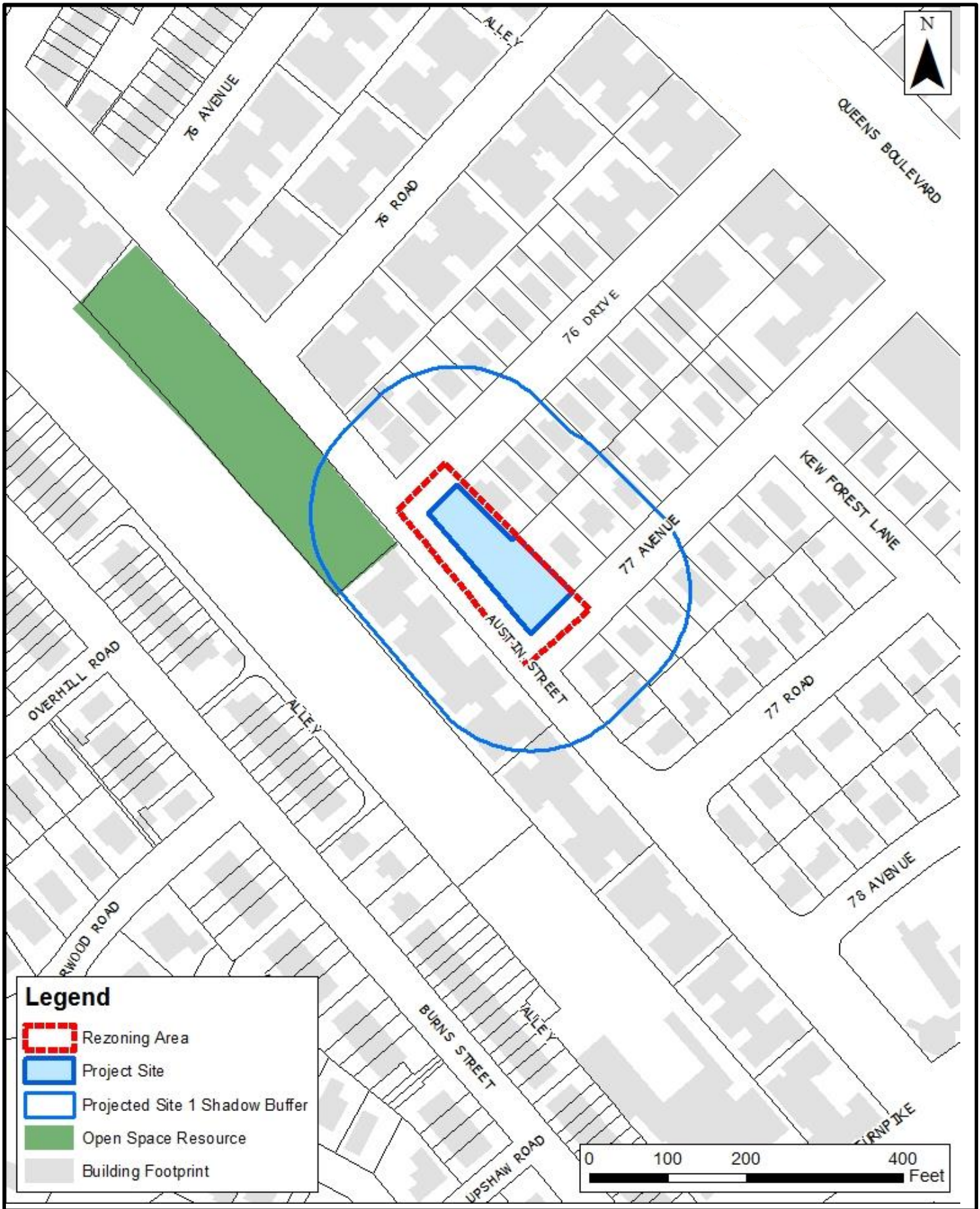
Tier 1 and 2 Screening Assessments

The first step in the preliminary shadow screening assessment is a Tier 1 Screening Assessment. A base map is developed that illustrates the proposed site location in relationship to any sunlight-sensitive resources. The longest shadow study area is then determined, which encompasses the site of the proposed project(s) and a perimeter around the site's boundary with a radius equal to the longest shadow that could be cast by the proposed structure, which is 4.3 times the height of the structure that occurs on December 21st, the winter solstice. To find the longest shadow length, the maximum height of the structure (including any rooftop mechanical equipment) resulting from the proposed project building is multiplied by the factor of 4.3. A shadow radius of 4.3 times the maximum height (35 feet) of the projected 35 –foot building was performed, resulting in shadow radius of approximately 150 feet. As shown in **2.2-1**, the results of the Tier 1 screening assessment show that only sunlight sensitive resources within the Tier 1 screening is a portion of Austin Playground, a 1.16 acre playground with basketball courts, handball courts, benches, and a children's playground. No other open space or cultural and historic resources are located within the potential shadow radius.

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 that 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 that cannot be shaded by the proposed Project Site, starting from the southernmost portion of the site covering the area between -108° degrees from true north and +108 degrees from true north, 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. The *CEQR Technical Manual* further notes that if a sunlight-sensitive feature on an architectural resource is located on a facade that faces directly away from a proposed Project Site (i.e. when an architectural resource is west of the proposed Project Site and the sun-sensitive feature is on the west facade of that structure), no further shadows assessment is needed for that particular resource, because no shadows from a proposed project could fall on that sunlight-sensitive face.

Also as shown in **Figure 2.2-2** the results of the Tier 2 screening assessment show that no sunlight-sensitive resources are located within the Tier 2 study area. Therefore, based on the results of the Tier 1 assessment, a Tier 3 screening assessment is required for the sole identified sunlight-sensitive open space resource (Austin Playground).



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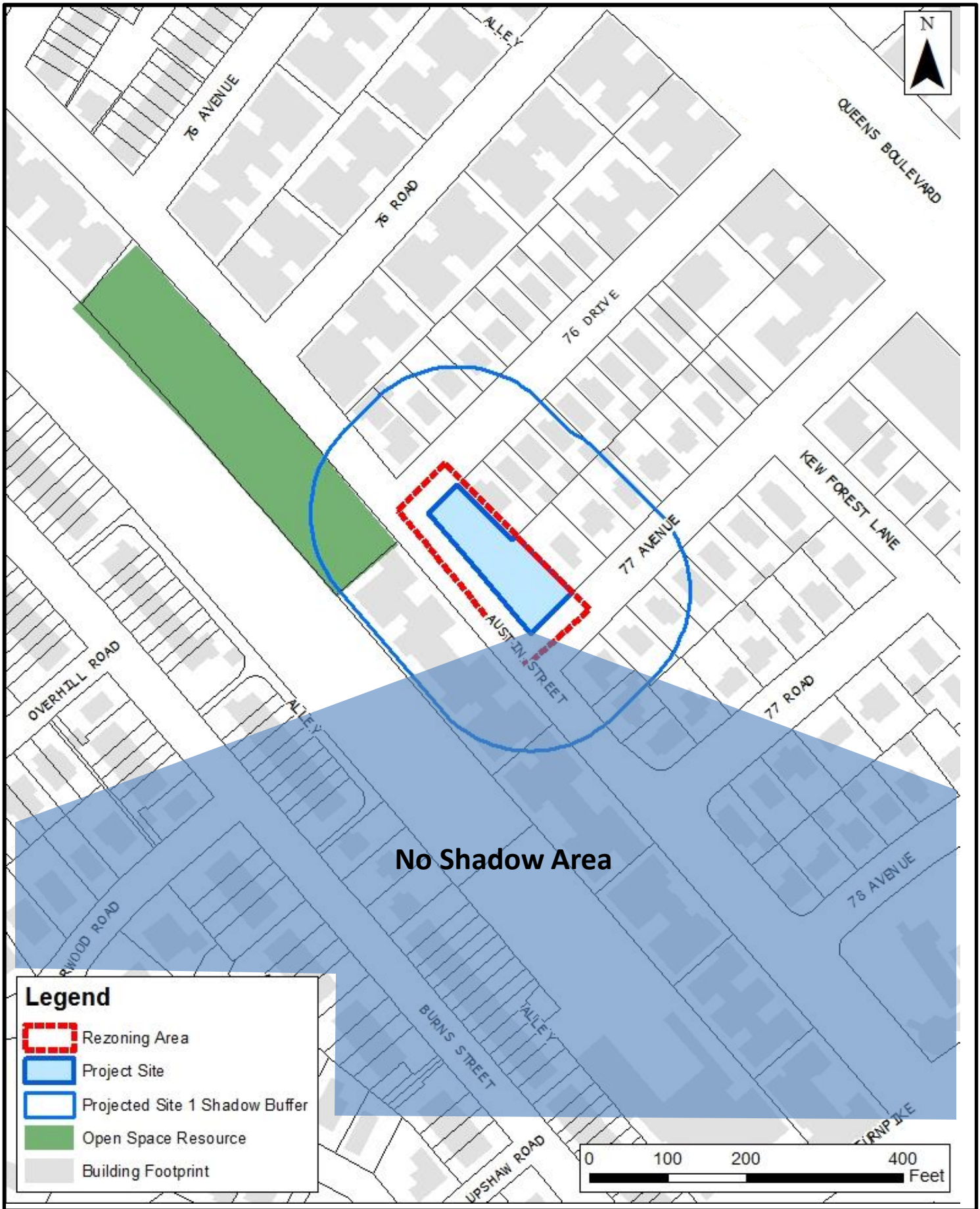
Shadow Analysis
Tier 1 Screening

Figure 2.2-1



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Shadow Analysis
Tier 2 Screening

Figure 2.2-2

Tier 3 Screening Assessment

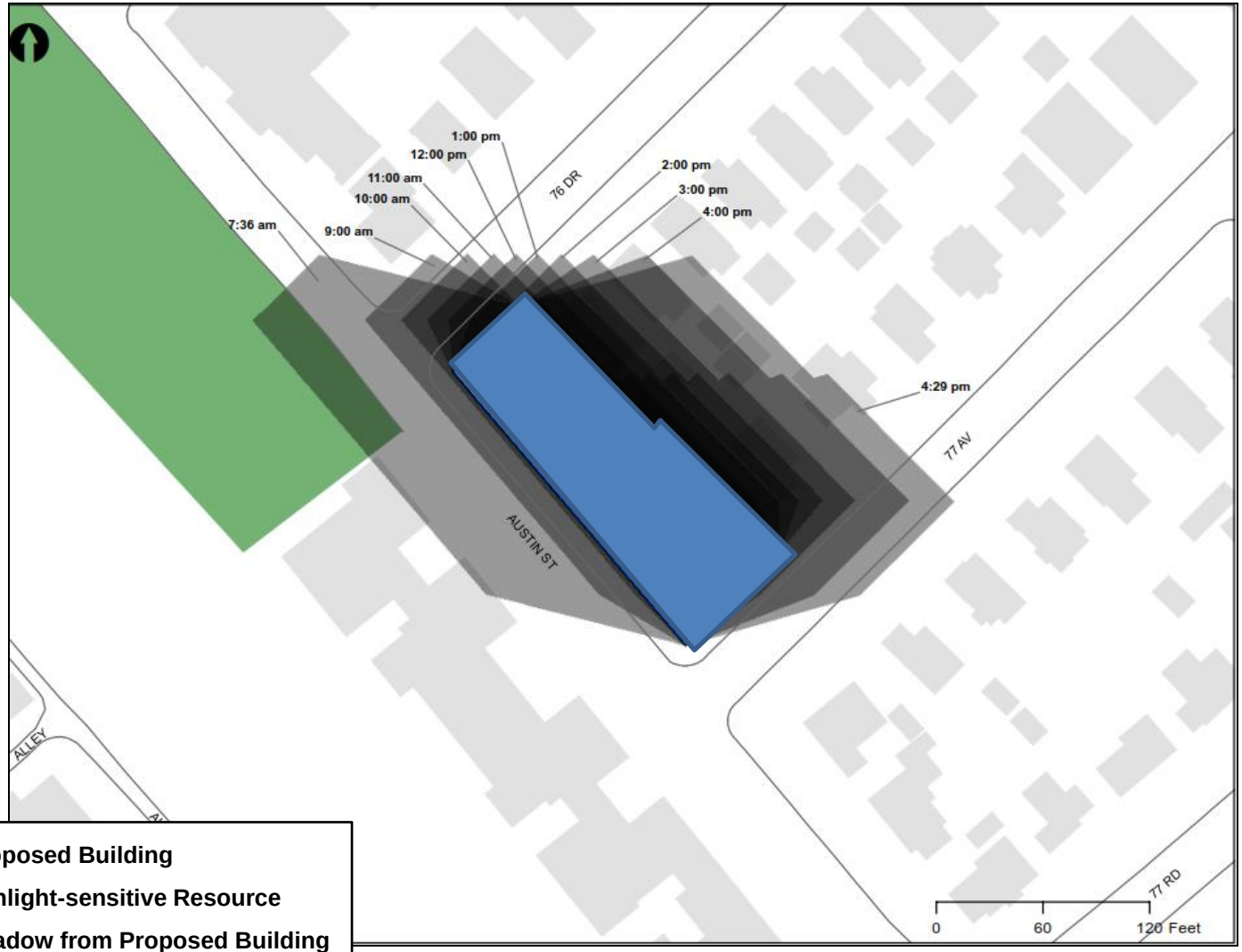
A Tier 3 screening assessment is used to determine if shadows resulting from the proposed project can reach a sunlight-sensitive resource. In order to determine whether the sun-sensitive features of the nearby open space resource would potentially be affected by shadows cast from the proposed building, three- dimensional models were created surrounding the Tier 3 identified resource of concern.

The *CEQR Technical Manual* states that for the New York City area, the months of interest for an open space resource encompass the growing season (March through October) and one month between November and February (usually December) representing a cold-weather month.

Representative days for the growing season are generally the vernal equinox (or the autumnal equinox, which is approximately the same), the summer solstice, and a spring or summer day halfway between the summer solstice and equinoxes. For the cold-weather months, the winter solstice is usually included to demonstrate conditions during cold-weather when people who do use open spaces rely most heavily on available sunlight for warmth. As representative of the full range of possible shadows, these months and days are used for assessing shadows on historic or natural sunlight-sensitive resources.

Assessments of the incremental shadows cast during four representative dates were made in accordance with the *CEQR Technical Manual* to encompass the growing season and December, representing a cold-weather month (and the longest shadow of the year), with the following dates: March 21st; May 6th; June 21st; and December 21st. On these dates, shadows occurring within one and one-half hour of sunrise or sunset generally are not considered significant in accordance with the *CEQR Technical Manual*, and thus were not included in the screening assessment.

The results of the Tier 3 screening are shown in **Figures 2.2-3a** through **2.2-3d**. The results of the Tier 3 screening demonstrate that shadows have the potential to be cast into Austin Playground on the March, May, and June, analysis days. Therefore, a detailed shadow analysis is warranted for the analysis dates of March 21st, May 6th, and June 21st.



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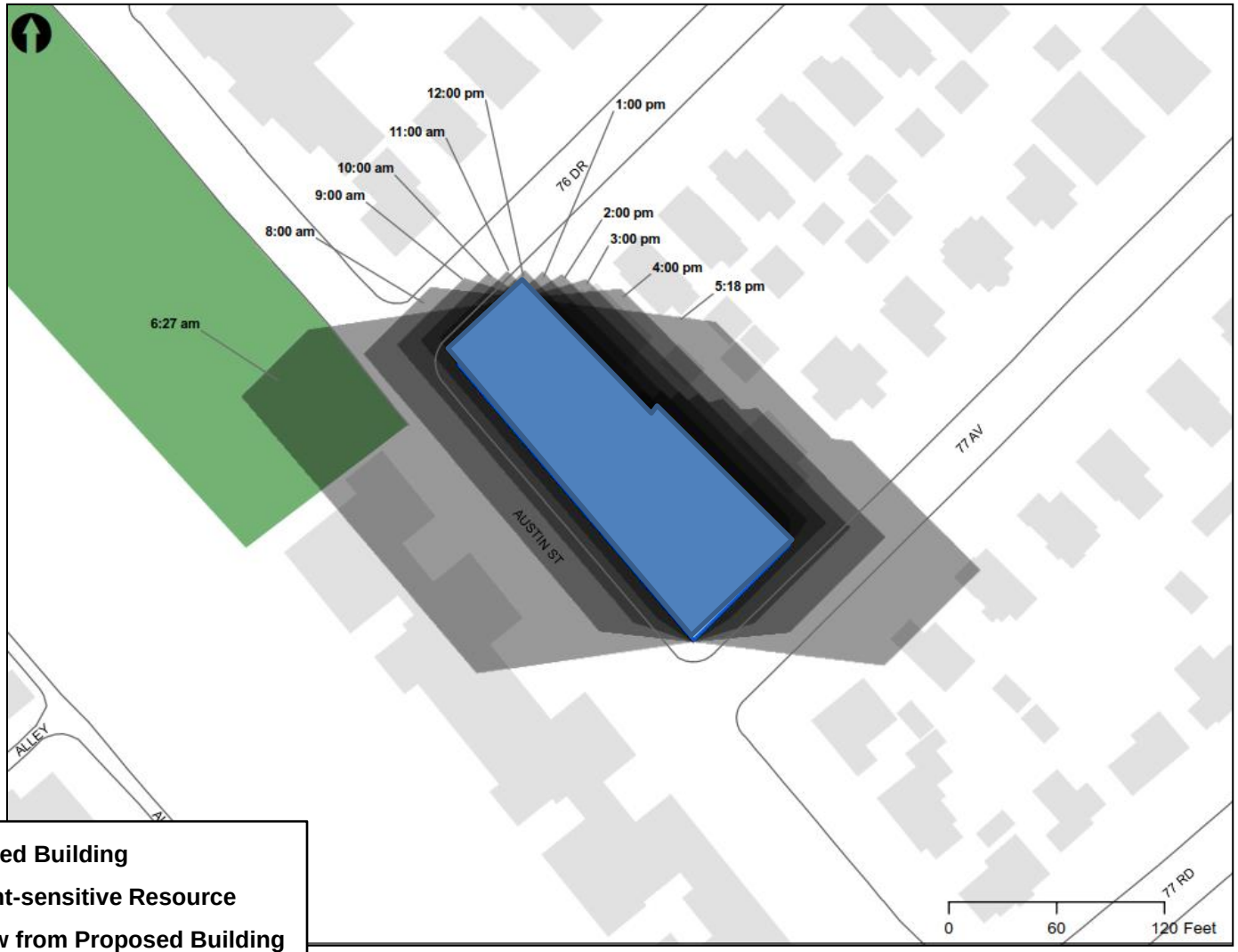
Tier 3 Shadow Analysis March 21st

Figure 2.2-3a



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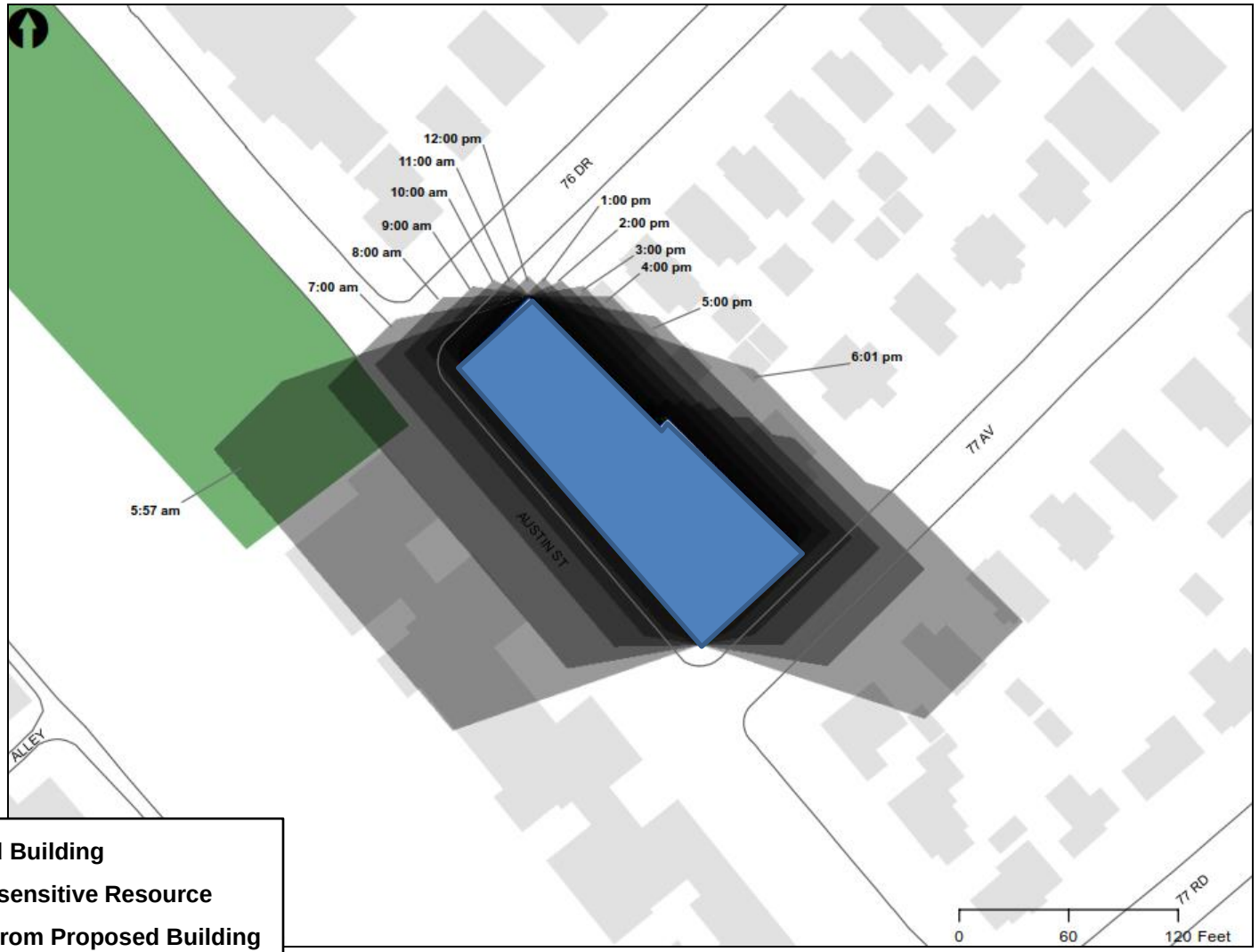
Tier 3 Shadow Analysis May 6th

Figure 2.2-3b



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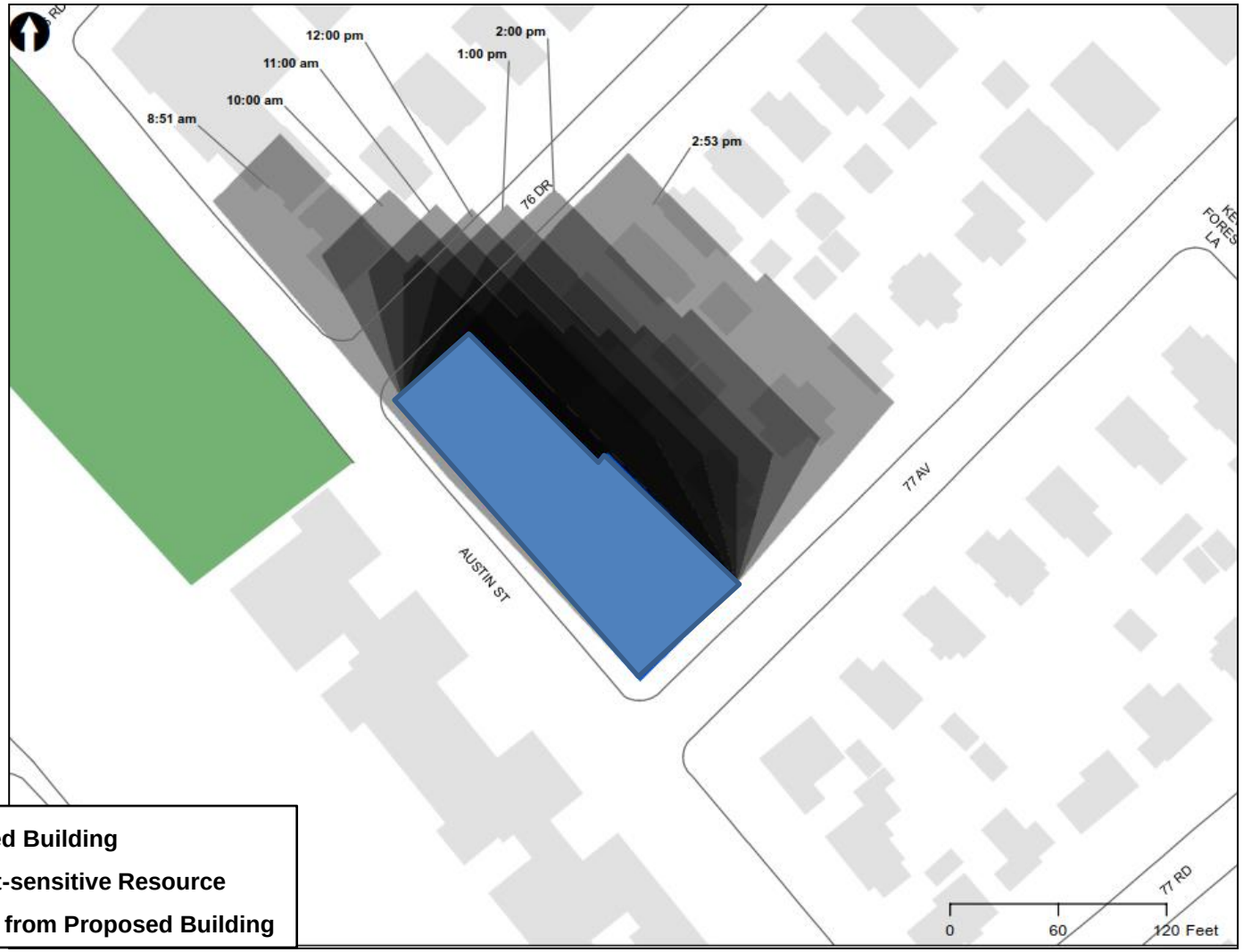
Tier 3 Shadow Analysis
June 21st

Figure 2.2-3c



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Tier 3 Shadow Analysis December 21st

Figure 2.2-3d

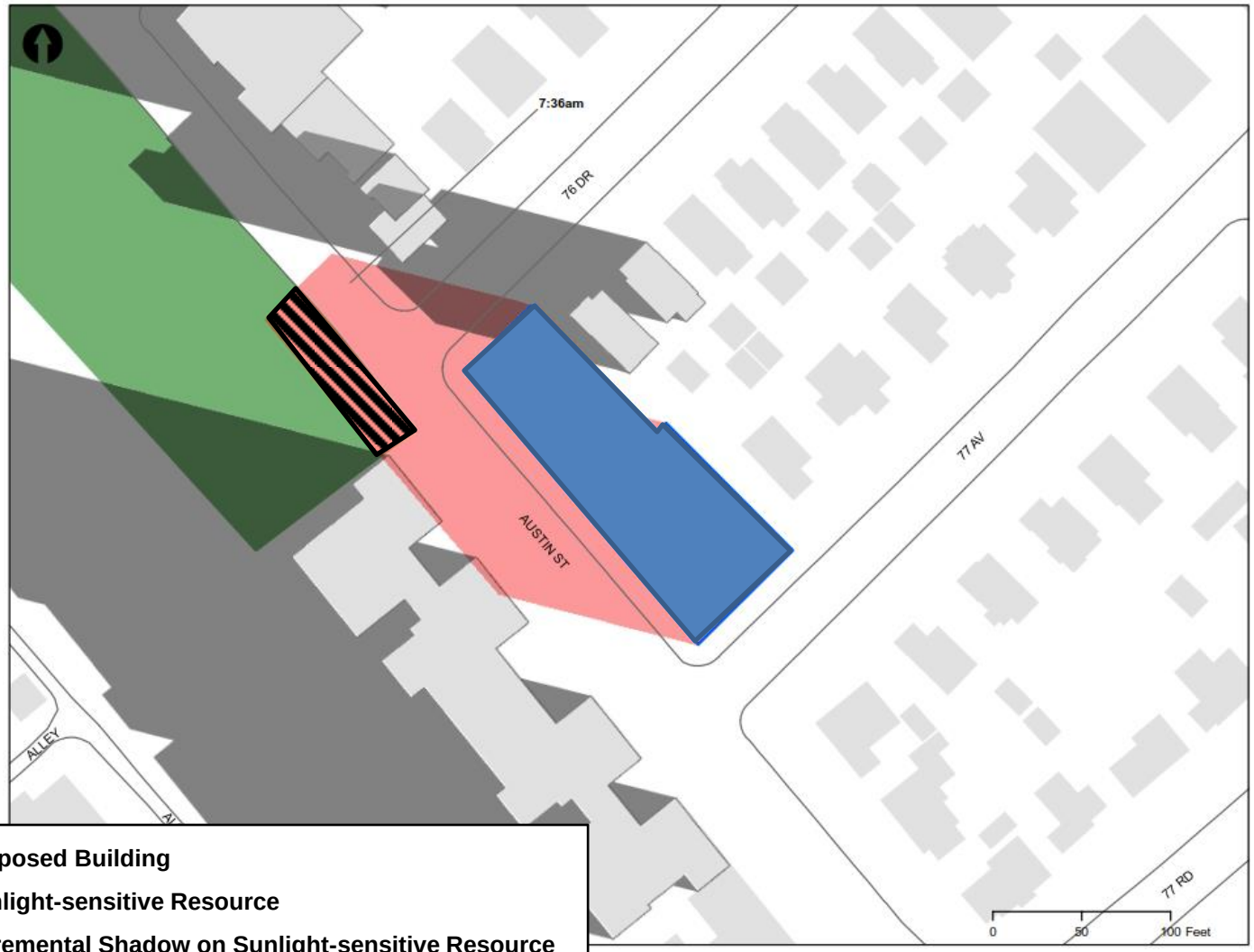
2.2.2 Detailed Shadow Analyses

The *CEQR Technical Manual* states that a detailed shadow analysis is warranted when the screening analyses does not rule out the possibility that project-generated shadows would reach any sunlight-sensitive resources. The detailed shadow analysis establishes a baseline condition (the Future No-Action Condition) that is compared to the future condition resulting from the proposed project (the Future With-Action Condition), to illustrate the shadows cast by existing or future buildings and distinguish the additional (incremental) shadow cast by a project.

To evaluate the extent and duration of the new shadow that would be added to a sunlight-sensitive resource as a result of the Proposed Actions, shadows from the site that would exist under the Future No-Action Condition were defined. In the future without the proposed project, the Project Site would remain vacant and unimproved, and shadow conditions would not change, as no new structures would be built on the site. As such, existing shadow conditions would remain the same under the Future No-Action Condition.

Under the Future With-Action Condition, the proposed building would cast shadows onto the adjacent park from the proposed eight-story building. All of the shadows cast from the proposed building are considered net new incremental shadows, as no shadows would cast under the Future No-Action Condition.

The results of the detailed shadow analyses on the identified resource of concern are noted in **Table 2.2-1** and illustrated in **Figures 2.2-3e** and **2.2-3j**, showing net incremental shadows durations and enter and exit times within Heffernan Triangle. For the identified resource, the table details the times when net new incremental shadows enter and exit the open space, as well as the duration of net new incremental shadows during each analysis date. Results are further described below.



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Environmental Assessment Statement
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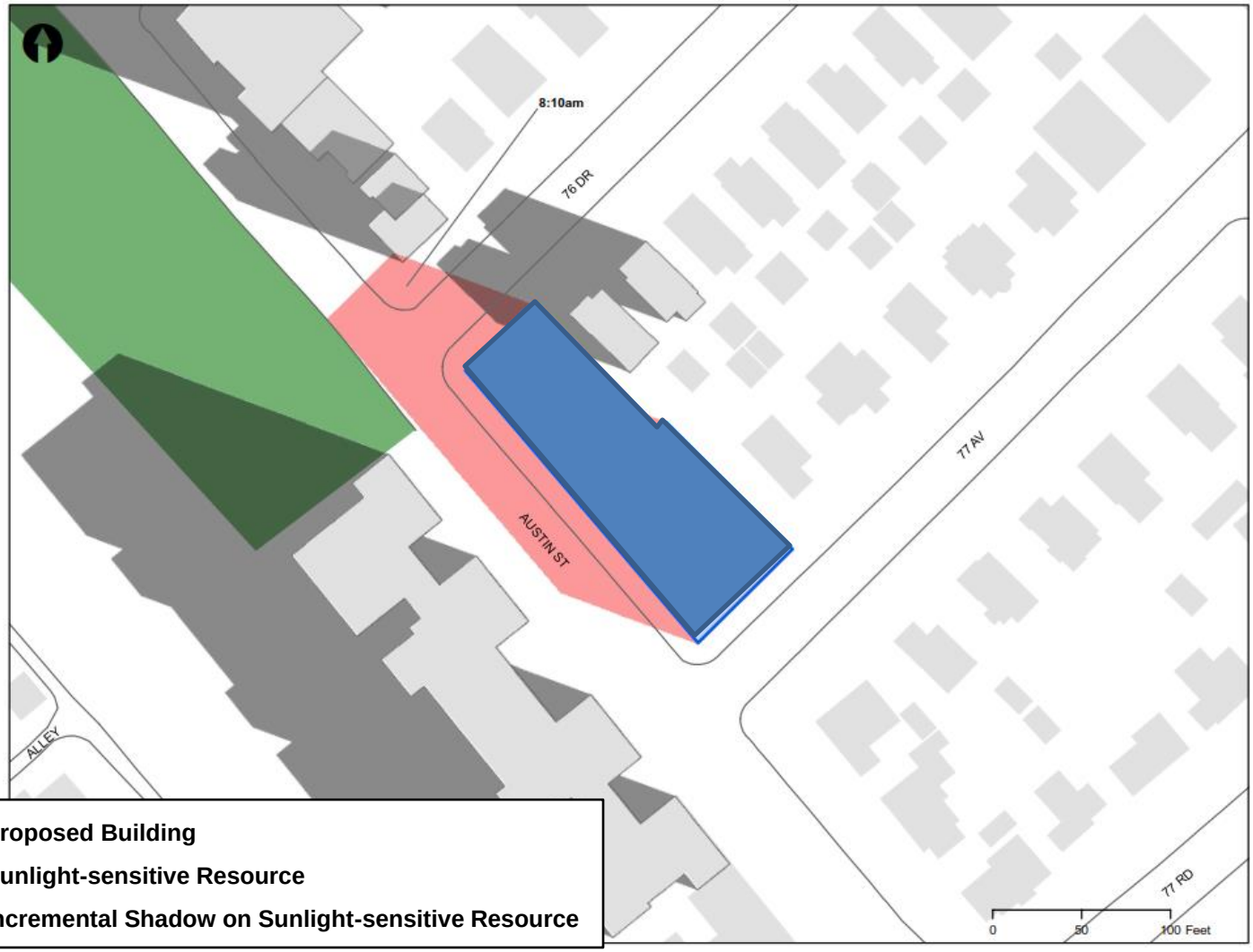
Detailed Shadow Analysis
March 21st, 7:36 A.M.

Figure 2.2-3e



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Environmental Assessment Statement
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Detailed Shadow Analysis March 21st, 8:10 A.M.

Figure 2.2-3f



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Environmental Assessment Statement
Austin Street Rezoning
Queens, NY

Detailed Shadow Analysis
May 6th , 6:27 A.M.

Figure 2.2-3g



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Environmental Assessment Statement
Austin Street Rezoning
Queens, NY

Detailed Shadow Analysis
May 6th, 7:50 A.M.

Figure 2.2-3h



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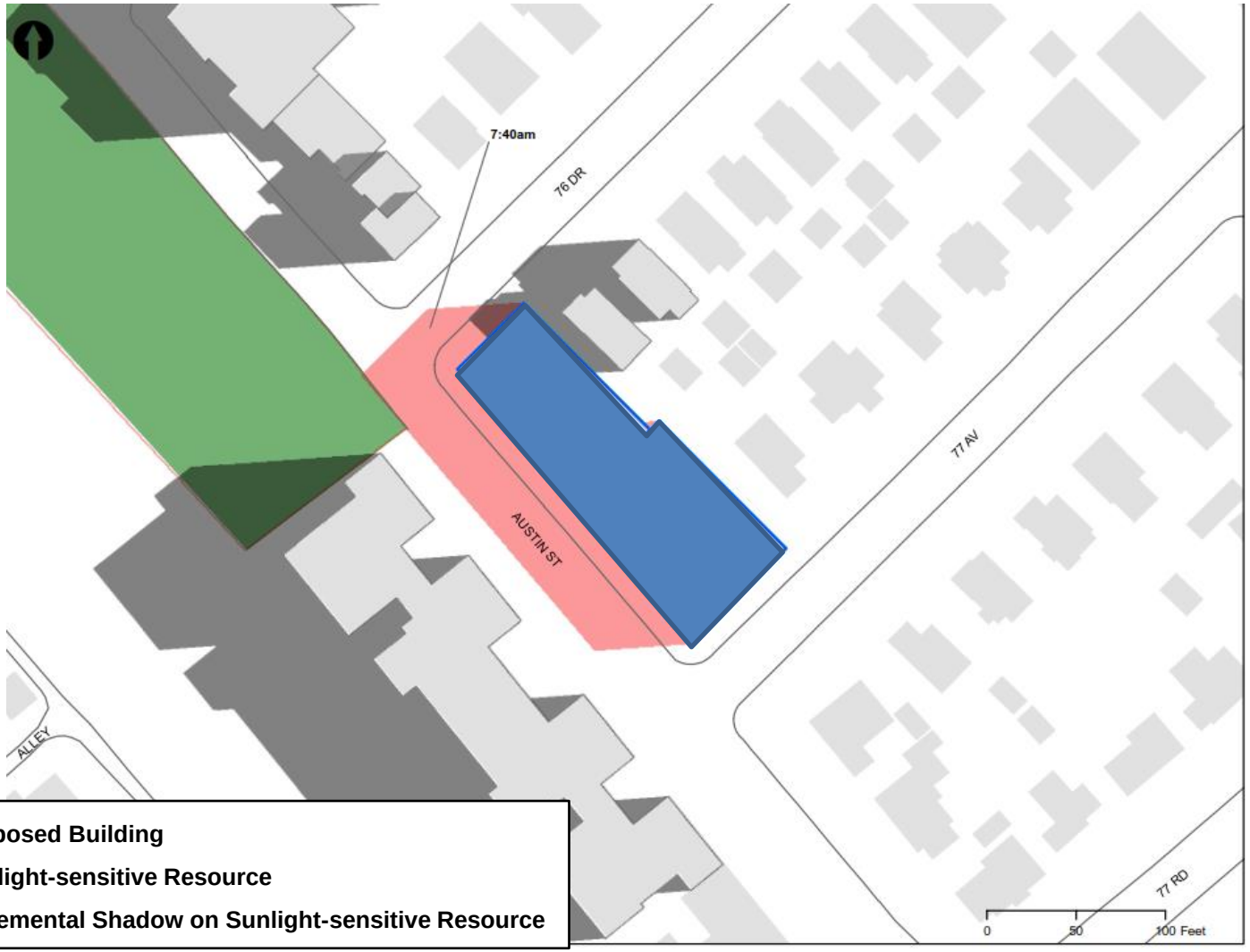
Environmental Assessment Statement
Austin Street Rezoning
Queens, NY

Detailed Shadow Analysis
June 21st, 5:57 A.M.

Figure 2.2-3i



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Environmental Assessment Statement
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Detailed Shadow Analysis
June 21st, 7:40 A.M.

Figure 2.2-3j

On the March 21st study date, net new incremental shadows would enter the southeastern section of the park around 7:36 a.m. and exit the park at approximately 8:10 a.m., lasting for approximately 34 minutes. During this time, portion of the resource would receive net new shadows. On March 21st, the maximum amount of new coverage of the park would be approximately 4,300 square feet (approximately 0.09 acres).

On the May 6th study date, net new incremental shadows would enter the southern section of the park around 6:27 a.m. and exit the park at approximately 7:50 a.m., lasting for approximately one hour and 23 minutes. During this time, only a small section of the southwestern portion of the resource would receive net new shadows. On May 6h, the maximum amount of coverage of the park would be approximately 4,600 square feet (approx. 0.1 acres).

On the June 21st study date, net new incremental shadows would enter the southwestern portion of the park around 5:57 a.m. and exit the park at approximately 7:40 a.m., lasting for approximately 1 hour and 43 minutes. During this time, only a small section of the southwestern portion of the resource would receive net new shadows. On June 21st, the maximum amount of coverage of the park would be approximately 4,800 square feet (approx. 0.11 acres).

Table 2.2-1 Detailed Shadow Analysis Table

Resource **Time Frame Window**		**March 21 / September 21** **7:36 a.m. – 4:29 p.m.**	**May 6 / August 6** **6:27 a.m. – 5:18 p.m.**	**June 21** **5:57 a.m. – 6:01 p.m.**
Austin Playground				
Net Shadows Enter – Exit Times		7:36 a.m.-8:10 a.m.	6:27 a.m. – 7:50 a.m.	5:57 a.m.-7:40 a.m.
Net Incremental Shadow Duration		34 mins	1 hour, 23 minutes	1 hour, 43 minutes

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

Summary of Conclusions

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

For open spaces 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 of interest generally do not affect the growing season of outdoor vegetation; however, effects on other uses and activities should be assessed. This sensitivity is assessed for warm-weather-dependent features (such as wading pools and sand boxes) or vegetation that could be affected by a loss of sunlight during the growing season, and for features (such as benches) that could be affected by a loss of winter sunlight. Vegetation requiring direct sunlight includes the tree canopy, flowering plants and plots in community gardens. Generally, four to six hours a day of sunlight, particularly in the growing season, is often a minimum requirement. Where the incremental shadows from the project fall on sunlight-sensitive features or uses, the analysis assesses the loss of sunlight relative to sunlight that would be available without the project.

As stated in the *CEQR Technical Manual*, in order 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 has the potential to occur when an incremental shadow of 10 minutes or longer falls on a sunlight sensitive resource and, for 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, could result in a significant shadow impact.

As shown above in **Table 2.2-1** shadows from the proposed building would be cast on Austin Playground only during the very early morning periods on March 21st , May 6th and September 21st. Only the very southwestern portions of the playground would receive incremental shadows. The southwest portion of the playground is occupied by a handball court and portions of a basketball court (one of three basketball courts in the playground). The maximum amount of coverage from the new incremental potential shadow would be approximately 0.11 acres. The area of the park it would potentially cover, is as previously mentioned, comprised a handball courts and portions of a basketball court, both of which are entirely paved surfaces. The area is completely void of passive open space, trees, plantings, grass, or benches for sitting.

The maximum amount of duration of potential incremental shadow coverage the playground would receive would be approximately 1 hour and 43minutes during the June analysis period. Shadows would come into the park very early at approximately 557 a.m. and leave the park at approximately 740 a.m. Both the May and March analysis periods would have shadow coverage with a shorter duration (1 hour and 23 minutes and 34 minutes of potential new coverage respectively). In all analysis periods, the Austin Playground would not receive any potential incremental shadow coverage from the Projected Development after 8:10 A.M during any time.

Southwestern Portion of Austin Playground

The southwest portion of the playground is occupied by a handball court and portions of a basketball court (one of three basketball courts in the playground). The maximum amount of coverage from the new incremental potential shadow would be approximately 0.11 acres. The area of the park it would potentially cover, is as previously mentioned, comprised a handball courts and portions of a basketball court, both of which are entirely paved surfaces. The area is completely void of passive open space, trees, plantings, grass, or benches for sitting. Austin Playground would not receive any potential incremental shadow coverage from the Projected Development after 8:10 A.M during any time. Furthermore, the paved surfaces are not dependent on the sun for adequate functionality.

Given the above statements, the proposed building would not result in a substantial reduction in the usability of this open space secondary to project-induced shadow, nor would it deprive vegetation of all sunlight that is needed to grow or result in a substantial reduction in sunlight available to users less than the minimum time necessary for its survival. Therefore, significant adverse impacts are not expected from incremental shadows as a result of the Proposed Actions, and further shadow analyses are not warranted.

2.3 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.

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.

Architectural Resources

According to *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the Proposed Action 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.

The projected development site is not a designated local or S/NR historic resource or property, nor is the site part of any designated historic district. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on August 25, 2017, indicating that no sites within the rezoning area have any architectural significance (see **Appendix B**).

In order to determine whether the projected development has the potential to affect nearby off-site historic or architectural resources, the study area was screened for historic and architectural resources. No historic or architectural resources were identified within the 400-foot study area. Therefore, no significant adverse impacts on historic or architectural resources are expected as a result of the Proposed Action, and further assessment is not warranted.

Cultural and 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 *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.

A portion of the rezoning area has been disturbed and is presently improved with structures occupying a portion of their respective lots, while the rear yards of many of these parcels are unimproved. As noted, the LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on August 25th, 2017 (see **Appendix B**). The LPC has indicated that no cultural resource, architectural or archaeological significance is associated with the Proposed Development site or projected development sites. Therefore, significant adverse impacts to archaeological resources are not expected as a result of the Proposed Action, and further analysis is not warranted.

2.4 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.

The *CEQR Technical Manual* notes an urban design assessment considers whether and how a project may change the experience of a pedestrian in the project area. The assessment focuses on the components of a proposed project that may have the potential to alter the arrangement, appearance, and functionality of the built environment. In general, an assessment of urban design is needed when the project may have effects on one or more of the elements that contribute to the pedestrian experience (e.g., streets, buildings, visual resources, open space, natural features, wind, etc.). An urban design analysis is not warranted if a proposed project would be constructed within existing zoning envelopes,

and would not result in physical changes beyond the bulk and form permitted "as-of-right" with the zoning district.

As the Proposed Actions would result in the construction of a new building that is not allowed "as-of-right" under the existing zoning in a Reasonable Worse Case Development Scenario, a preliminary analysis was conducted.

2.4.1 Preliminary Analysis

As stated in the *CEQR Technical Manual*, the study area for urban design is the area where the project may influence land use patterns and the built environment, and is generally consistent with the study area used for the land use analysis (i.e., 400 feet around the Project Site). The purpose of the preliminary assessment is to determine whether any physical changes proposed by a project may raise the potential to significantly and adversely affect elements of urban design, which would warrant the need for a detailed urban design and visual resources assessment.

Existing Conditions

A photographic key map is provided in the previously presented **Figure 1-3**; with ground-level photographs of the projected development site and the immediate surrounding area provided in the previously presented **Figure 1-4**.

The proposed Project Area and Development Site are nearly coincident. The Proposed Development Site consists of Tax Lots 1 and 61 on Queens Block 3342 in the Forest Hills neighborhood of Queens in Community District 6. Lot 1 is a 5,000 sf lot improved with a 3,800 gsf mixed use community facility and residential building with medical office on the ground floor and one dwelling unit on the top floor and has a total built FAR of 0.76. It is assumed that approximately two-thirds of the total floor area is utilized as community facility floor area and one-third is utilized as residential floor area. Using those assumptions, approximately 2,546 gsf is utilized as community facility floor area and approximately 1,254 gsf is utilized as residential floor area. The existing community facility FAR on Lot 1 is therefore approximately 0.51 while the residential FAR on Lot 1 is approximately 0.25.

The Study Area is characterized by a mix of one- and two-family residential, and multi-family residential mid-rise buildings. The mid-rise buildings are generally located along Austin Street and 76th Road while the one- and two-family residential buildings are located along 77th Avenue, 77th Road, 76th Drive and Kew Forest Lane. The prevailing built form in the area is a mix of mid-rise residential and small apartment buildings and two- to three-story, one and two family residential houses. The southern portion of the 400-foot study area contains Long Island Rail Road (LIRR) tracks, part of the LIRR's Main Line branch. The tracks are on the southern side of Austin Street, adjacent to mid-rise apartment buildings and Ehrenreich-Austin Playground, which contains basketball courts, handball courts, and benches for sitting, and a children's play area with a jungle gym. The Study Area is densely developed and is just south of a major thoroughfare (Queens Boulevard). Most buildings within the study area are arranged regular (parallel) with respect to their lot placement.

There are few streetscape elements present within the Study Area and little in the way of visual interest. Most of the streets contain street trees, which are generally located at irregular intervals and there are striped pedestrian crosswalks at 76th Drive and Austin Street. As previously mentioned, Austin Playground is located across the street of the Rezoning Area, and is adjacent to the LIRR tracks. No other notable streetscape elements are located within the Study Area.

Future No-Action Scenario

Under the Future No-Action Condition, significant changes to the Rezoning Area or Study Area are not expected by the analysis year of 2020. It is anticipated that while tenants within area buildings may change, the overall use of these buildings would remain the same, and any physical changes would comply with applicable zoning regulations. No significant changes to the area's urban character are anticipated.

Future With-Action Scenario

According to the *CEQR Technical Manual*, if a preliminary assessment determines that changes to the pedestrian environment are sufficiently significant to require greater explanation and further study, then a detailed urban design and visual resources analysis is appropriate. Detailed analyses are generally appropriate for all area-wide rezoning applications that include an increase in permitted floor area or changes in height and setback requirements, general large scale developments, or projects that would result in substantial changes to the built environment of a historic district, or components of an historic building that contribute to the resource's historic significance. Conditions that merit consideration for further analysis of visual resources include when the project partially or totally blocks a view corridor or a natural or built rare or defining visual resource. Further conditions that merit consideration are when the project changes urban design features so that the context of a natural or built visual resource is altered, such as if a project alters the street grid so that the approach to the resource changes, or if a project changes the scale of surrounding buildings so that the context changes.

The Projected Development Site is at 111-03 77th Avenue (Lots 1 and 61). In the Future With-Action scenario, the Proposed Actions would amend the zoning map to change the existing R2 district to an R3-2 district. It is assumed that the Projected Development Site would be developed to the maximum FAR of 1.0 and a height of 35 feet. The With-Action Scenario, under a Reasonable Worst Case Development Scenario, would result in approximately 13,658 gsf of medical office space on the Project Site.

While the proposed building would change views of the site as witnessed by pedestrians on Austin Street, 77th Avenue, 76th Drive, and from Ehrenreich-Austin Playground, significant adverse impacts to urban design and visual resources would not occur. The Proposed Actions would not result in any conditions that would merit further detailed assessment of urban design and visual resources. Several buildings taller than the projected 35 foot medical office building are located in close proximity to the Rezoning Area, including multiple buildings on Austin Street and on 76th Road. Additionally, the existing buildings on Lots 1 and 61 reach a maximum height of approximately 35 feet. The projected 35 foot building would be of equal height, albeit bulkier than the existing structure. There would be no net increase in building height on the Project Site. The Proposed Actions would also not block any view corridors or views to/from any natural areas with rare or defining features, as the proposed building is contained to the subject site. Therefore, the Proposed Actions are not expected to result in any significant adverse urban design or visual resource related impacts. **Figures 2.4-1 to 2.4-4** highlight the No-Action Scenario and the future With-Action Scenario from two different perspectives.
Additionally, the Reasonable Worst Case Development Scenario would require the planting of street trees, filling an existing gap in the tree canopy.



AECOM

Environmental Assessment Statement
Austin Street Rezoning
Queens, NY

No-Action View 1

Figure 2.4-1



AECOM

Environmental Assessment Statement
Austin Street Rezoning
Queens, NY

With-Action View 1

Figure 2.4-2

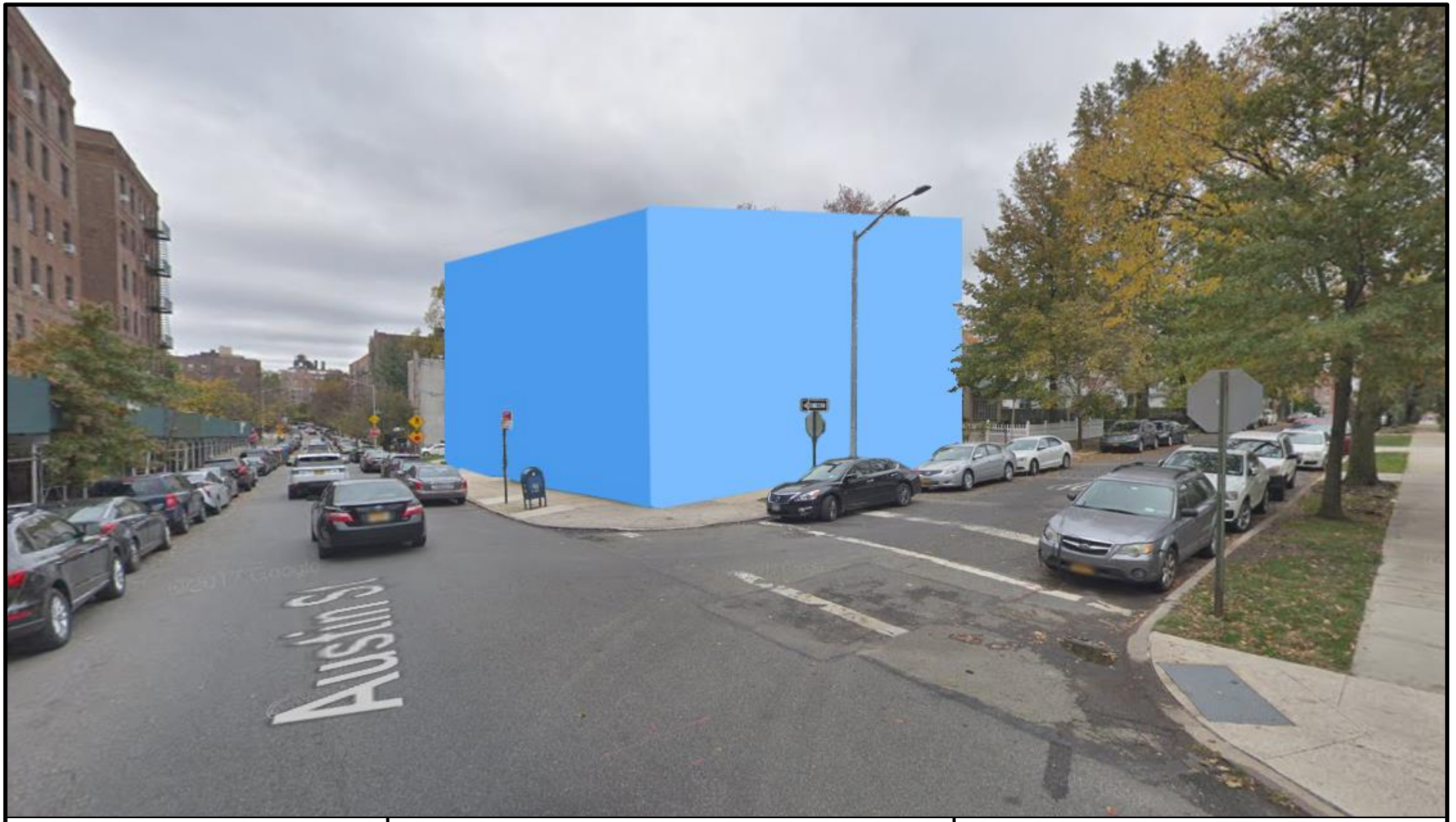


AECOM

Environmental Assessment Statement
Austin Street Rezoning
Queens, NY

No-Action View 2

Figure 2.4-3



AECOM

Environmental Assessment Statement
Austin Street Rezoning
Queens, NY

With-Action View 2

Figure 2.4-4

2.5 HAZARDOUS MATERIALS

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi-volatile organic compounds (VOCs and SVOCs), methane, polychlorinated biphenyls (PCBs), and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: a) hazardous materials exist on a site; and b) action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

2.5.1 Summary of Phase I Environmental Site Assessment

Able Orthopedic & Sports Medicine (Able) contracted with AECOM Technical Services, Inc. (AECOM) to perform a Phase I Environmental Site Assessment (ESA) at the subject property currently occupied by two buildings used as medical offices and residential dwellings located at 111-03 77th Avenue and the contiguous lot at 111-04 76th Drive, Forest Hills, Queens County, New York. This assessment was conducted as part of the potential rezoning of the subject property. This Phase I ESA was performed in general conformance with the scope and limitations of the American Society for Testing and Materials (ASTM) Standard Practice Designation E 1527-13 for ESAs. Exceptions to, or deletions from, this practice are described in this report.

The subject property is defined herein as two contiguous lots with a combined size of approximately 12,400 square feet that are each developed with a three-story timber framed building and concrete block basement that were originally used as residential dwellings. Both buildings currently have medical offices on the first floor while the second and third floors are residential. According to the City of New York Department of Finance, the subject property is designated as Block 3342, Lots 1 and 61. During the site visit, no visual evidence of underground storage tanks (e.g., vent pipes, fill ports), potable water wells, monitoring wells, dry wells, clarifiers, septic tanks, or leach fields was observed on the subject property. A stormwater drain is present within the concrete paved parking area located between the buildings that are accessible from Austin Street. No visual evidence of discolored soil, water, or unusual vegetative conditions or odors was observed during the site visit.

The subject property is located within an area almost exclusively occupied by residential properties. The properties located adjacent to the northwest of the subject property beyond 76th Drive consist of residential dwellings and apartment buildings, while single family residential dwellings are located adjacent to the east and northeast. Single family residential dwellings are located beyond 77thStreet to the southeast, while apartment buildings and the Ehrenreich-Austin Playground then the main line for the Long Island Rail Road (LIRR) are located beyond Austin Street to the west. Based on AECOM's site reconnaissance of the surrounding neighborhood, no off-site sources of concern were identified.

Historical research indicates the subject property had been vacant as early as 1902, and remained as such until 1932 when the current buildings along with storage / automobile sheds are present on Sanborn® Fire Insurance Maps. Other than the removal of two sheds sometime between 2006 and 2007, and the placement of concrete pavement between the two buildings sometime around the mid-1960s, no significant changes to either property have occurred.

The subject property was not identified in the site-specific environmental database report. A number of surrounding sites were identified in the environmental database search report. However, based on AECOM's review and analysis of the database listings, none of the surrounding sites are expected to present a recognized environmental condition (REC) to the subject property, based on their distance (generally greater than 500 feet), regulatory status (i.e. regulatory closure, no violations found), media impacted (soil only), and/or topographical position relative to the subject property (i.e. down-gradient or cross-gradient).

"The Phase I report revealed the following in the surrounding area: 7 spills were reported in the DEC spills database, 29 LTanks within a 1/2 mile radius, 11 USTs and 42 ASTs within a 1/4 mile of the project."

Due to the conclusions of the Phase I ESA, the Applicant has agreed to preclude any potential impacts related to hazardous materials via an E designation (E-522) that would be placed on the project site once the Proposed Actions have been approved. The NYC Office of Environmental Remediation will oversee all future testing and any required remediation for the site.

To ensure that there would be no significant adverse hazardous materials impacts associated with the proposed project, an E designation (E-522) for hazardous materials and noise will be placed on the project sites.

The E-designation requirements related to noise and hazardous materials would apply to:

Projected Development Site 1:
Block 3342 Lot 1
Block 3342 Lot 61

Hazardous Materials

To ensure that there would be no significant adverse noise impacts associated with the proposed project, an E designation (E-522) will be placed on the Projected Development Site 1 (Block 1327 Lot 19) as follows:

- An (E) Designation for hazardous materials would be placed on the proposed development site (Block 3342, Lots 1 and 61) to ensure requirements pertaining hazardous materials are addressed during future redevelopment, which would impose pre- and post -construction requirements overseen by the New York City Office of Environmental Remediation (OER).

- A Remedial Investigation (RI would be conducted for the proposed development site that included the collection of soil, groundwater, and soil vapor samples with laboratory analysis for a full suite of analytical parameters Prior to such testing, an RI Work Plan and Health and Safety Plan (HASP) for the investigation would be submitted to OER for review and approval. Based on the results of the RI, a Remedial Action Work Plan (RAWP) and associated Construction Health and Safety Plan (CHASP) would be prepared for implementation during the subsurface disturbance associated with the Proposed Project. The RAWP and CHASP would address requirements for items such as: petroleum tank removal, dust control, and contingency measures should unforeseen petroleum tanks or soil contamination is encountered. The RAWP would also include any necessary requirements for vapor controls should the RI reveal the potential for soil vapor intrusion. The RAWP and CHASP would be subject to OER approval and, following construction, occupancy permits could only be issued once OER received documentation that the RAWP and CHASP were properly implemented.

- Applicable regulatory requirements would be followed at the development site and the projected and potential development sites with oversight from OER, e.g., properly disposing of any excess soil; reporting to New York State Department of Environmental Conservation (NYSDEC) any signs of a petroleum spill (removing and registering encountered tanks); and following applicable DEP requirements should dewatering be required. Demolition would be conducted in compliance with applicable regulatory requirements, e.g., for ACM, LBP, etc.

- The (E) Designation program is administered by OER. Approval of a hazardous materials remedy by OER is required prior to the granting of building permits by the Department of Buildings. The text of the (E) Designation for hazardous materials is as follows:

  - Task 1:

    The applicant submits to OER, for review and approval, a Phase 1 ESA for the Project Site along with a soil, soil gas and groundwater 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.

- Task 2:

  A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER. If remediation is indicated from the test results, a proposed 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. An OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and papproval prior to implementation. All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials. In addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed.

2.6 AIR QUALITY

When assessing the potential for air quality significant impacts, the *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 most concern are carbon monoxide, lead, nitrogen dioxide, ozone, relatively coarse inhalable particulates (PM_{10}), fine particulate matter ($PM_{2.5}$), and sulfur dioxide.

The *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.

2.6.1 Mobile Sources

According to the *CEQR Technical Manual*, projects, whether site-specific or generic, have the potential to result in significant adverse mobile source air quality impacts when they may 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.). Automobiles and vehicular traffic in general are typically considered mobile sources of air pollutants. Changes in local traffic volumes, traffic patterns, or the types of vehicles moving through a given area could result in significant adverse air quality impacts.

The Future-With Action Scenario involves projected expansion and redevelopment on Queens Block 3342, Lots 1 and 61 which would result in approximately 13,658 gsf of community facility floor area (Doctor Office) with a maximum height of 35 feet as is permitted in R3-2 zoning districts. . Presently, the site contains two buildings with a combined 8,265 gsf (2,728 gsf residential and 5,537 gsf community facility) No additional development is expected to occur as a result of the Proposed Action. The Proposed Action is not expected to exceed the 170-peak-hour-trip CEQR preliminary screening threshold for an air quality mobile source assessment. Therefore, no further assessment of mobile source air quality is warranted and significant adverse impacts on air quality generated by mobile sources are not expected as a result of the Proposed Action.

2.6.2 Stationary Sources

According to the *CEQR Technical Manual*, projects may result in stationary source air quality impacts when one or more of the following occurs:

- Certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use
- New sensitive uses are located near a large emission source
- New sensitive uses created within 400 feet of manufacturing or processing facilities
- New uses created within 400 feet of a stack associated with commercial, institutional, or residential developments (and the height of the new structures would be similar to or greater than the height of the emission stack)

According to the *CEQR Technical Manual*, some instances in which projects may result in stationary source air quality impacts include certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use; when new sensitive uses are located near a large emission source; when new sensitive uses created within 400 feet of manufacturing or processing facilities; or when new uses are created within 400 feet of a stack associated with commercial, institutional, or residential

developments (and the height of the new structures would be similar to or greater than the height of the emission stack), among other instances. As the proposed rezoning in the With-Action Scenario would introduce additional community facility space (which already exists on the site) and eliminate the more sensitive residential uses that exist on the site it is reasonable to assume that a stationary source analysis is not warranted. Furthermore, no manufacturing or processing facilities were noted within 400 feet of the rezoning area during a recent field inspection. Additionally, a search for large and major sources was completed and none were found in the area around the project site. NYS DEC Air State Permits and Title V Permits and New York City Dept. of Environmental Protection CATS databases were used to confirm this.

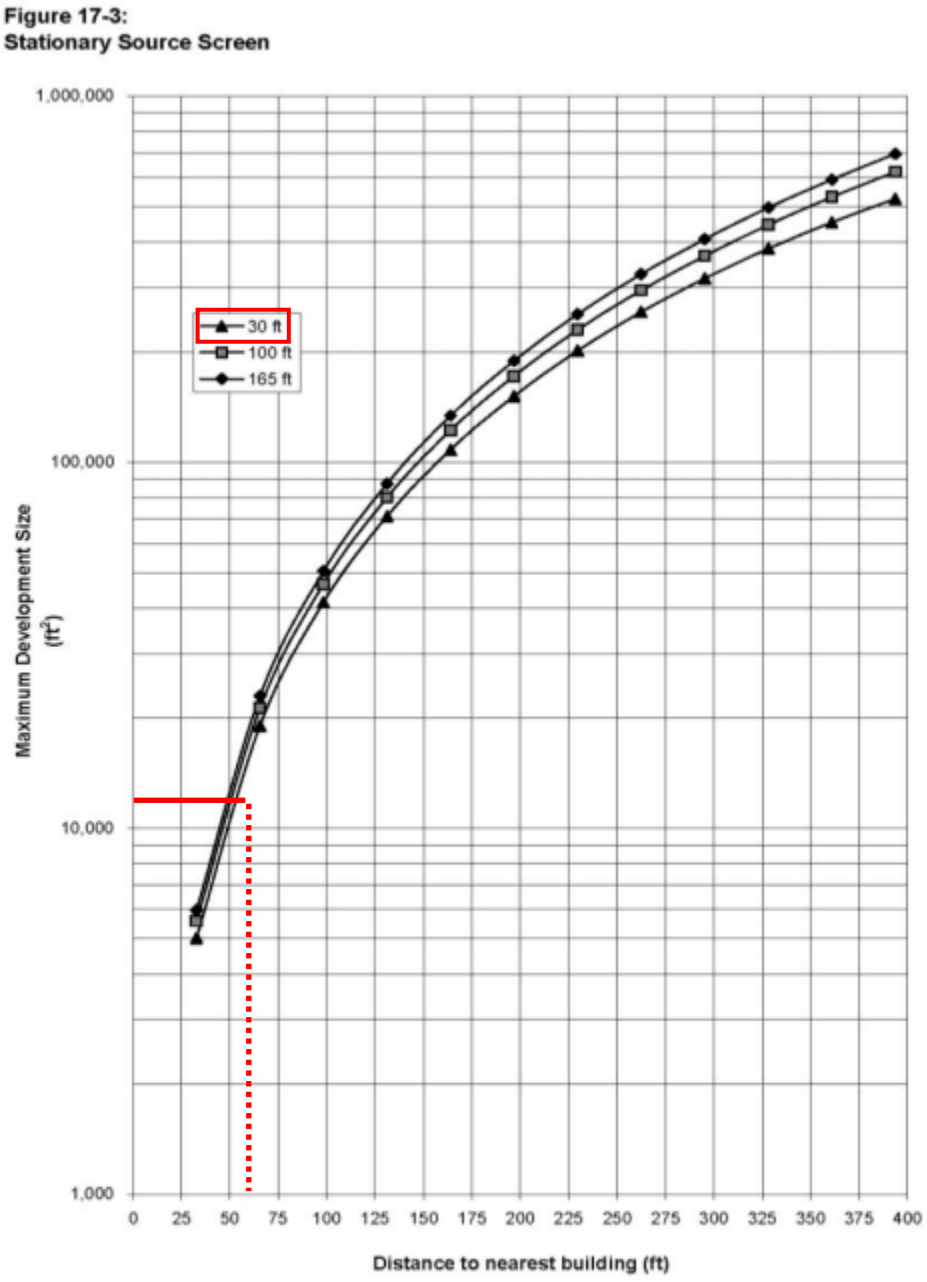
HVAC and Hot Water Boiler Emissions Screening

Impacts from boiler emissions at the projected development sites are a function of fuel oil type, stack height, minimum distance from the source to the nearest building, and square footage of the development. Boiler information for each projected development site was researched on the New York City Department of Environmental Protection "CATS" database. For each building, site stack height and development size are plotted on the appropriate graph, provided in the *CEQR Technical Manual*. Buildings for which no boiler information was found are assumed to use Fuel Oil #2, which was used for both screenings. Furthermore, while different screening graphs are used for residential and non-residential buildings, for the purposes of this analysis the residential screening graph has been used, which presents a more conservative screening analysis.

These graphs indicate the minimum distance between subject buildings (i.e., a projected development site) and surrounding buildings (with operable windows, balconies, etc.) of a similar or greater height needed to avoid a potential air quality impact. The screening results for Projected Development Site 1 are shown below in **Figure 2-6.1.**

As demonstrated, this required distance for each projected development site is beyond the minimum distance needed to avoid the potential for a significant adverse air quality impact related to each building's boiler emissions. Therefore, significant adverse impacts regarding stationary air quality sources are not expected, and further stationary source air quality analyses are not warranted. **(See below).** An HVAC System Air Quality Assessment was performed and the results are also discussed in the end of the analysis chapter.

Figure 2.6-1 Air Quality Screening Graph (Block 3342, Lots 1 and 61)



A review of the surrounding area indicates that the nearest building occupied with sensitive receptors and with operable windows (taller than the 35-foot, 13,658 gsf Future With –Action subject building) is the six-story multi-family residential building located at 76-66 Austin Street, directly west of this projected development site. The emission stack on the roof of this projected site is located approximately 60 feet east of this six-story residential building. This distance is well beyond the minimum distance of 30 feet needed to avoid the potential for a significant adverse air quality impact related to its boiler emissions, and therefore the impact from this projected development site does not warrant further analyses.

2.6.3 Permit Search

A screen for air toxics and industrial source emissions, 400’ and 1,000’search areas respectively from the Rezoning Area, was conducted. The screen found that there were no air toxic or industrial source permits within the search areas using the same databases as mentioned in the previous section. Therefore, no impacts with regard to air toxics or industrial source emissions are expected in the With-Action Scenario and no further analysis is required.

2.7 NOISE

Noise is defined as any unwanted sound, and sound is defined as any air pressure variation that the human ear can detect. Human beings can detect a large range of sound pressures ranging 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. In terms of hearing, humans are less sensitive to low frequencies (<250 Hz) than mid-frequencies (500-1,000 Hz). Humans are most sensitive to frequencies in the 1,000 to 5,000 Hz range. Since ambient noise contains many different frequencies all mixed together, measures of human response to noise assign more weight to frequencies in this range. This is known as the A-weighted sound level. Noise is measured in sound pressure level (SPL), which is converted to a decibel scale. The decibel is a relative measure of the sound level pressure with respect to a standardized reference quantity. Decibels on the A-weighted scale are termed “dB(A).” The A-weighted scale is used for evaluating the effects of noise in the environment because it most closely approximates the response of the human ear. On this scale, the threshold of discomfort is 120 dB(A), and the threshold of pain is about 140 dB(A). **Table 2.7-1** shows the range of noise levels for a variety of indoor and outdoor noise levels. Because the scale is logarithmic, a relative increase of 10 decibels represents a sound pressure level that is 10 times higher. However, humans do not perceive a 10 dB(A) increase as 10 times louder; they perceive it as twice as loud. The following are typical human perceptions of dB(A) relative to changes in noise level:

- 3 dB(A) change is the threshold of change detectable by the human ear;
- 5 dB(A) change is readily noticeable; and
- 10 dB(A) increase is perceived as a doubling of the noise level.

As a change in land use may result in a change in type and intensity of noise perceived by residents, patrons and employees of a neighborhood, the *CEQR Technical Manual* recommends an analysis of two principal types of noise sources: mobile sources; and stationary sources. Both types of noise sources are examined in the following sections.

Table 2.7-1 Sound Pressure Level & Loudness of Typical Noises in Indoor & Outdoor Environments

Noise Level dB(A)	Subjective Impression	Typical Sources		Relative Loudness (Human Response)
		Outdoor	Indoor	
120-130	Uncomfortably Loud	Air raid siren at 50 feet (threshold of pain)	Oxygen torch	32 times as loud
110-120	Uncomfortably Loud	Turbo-fan aircraft at take-off power at 200 feet	Riveting machine Rock band	16 times as loud
100-110	Uncomfortably Loud	Jackhammer at 3 feet		8 times as loud
90-100	Very Loud	Gas lawn mower at 3 feet Subway train at 30 feet Train whistle at crossing Wood chipper shredding trees Chain saw cutting trees at 10 feet	Newspaper press	4 times as loud
80-90	Very Loud	Passing freight train at 30 feet Steamroller at 30 feet Leaf blower at 5 feet Power lawn mower at 5 feet	Food blender Milling machine Garbage disposal Crowd noise at sports event	2 times as loud
70-80	Moderately Loud	NJ Turnpike at 50 feet Truck idling at 30 feet Traffic in downtown urban area	Loud stereo Vacuum cleaner Food blender	Reference loudness (70 dB(A))
60-70	Moderately Loud	Residential air conditioner at 100 feet Gas lawn mower at 100 feet Waves breaking on beach at 65 feet	Cash register Dishwasher Theater lobby Normal speech at 3 feet	2 times as loud
50-60	Quiet	Large transformers at 100 feet Traffic in suburban area	Living room with TV on Classroom Business office Dehumidifier Normal speech at 10 feet	1/4 as loud
40-50	Quiet	Bird calls Trees rustling Crickets Water flowing in brook	Folding clothes Using computer	1/8 as loud
30-40	Very quiet		Walking on carpet Clock ticking in adjacent room	1/16 as loud
20-30	Very quiet		Bedroom at night	1/32 as loud
10-20	Extremely quiet		Broadcast and recording studio	
0-10	Threshold of Hearing			

Sources: Noise Assessment Guidelines Technical Background, by Theodore J. Schultz, Bolt Beranek and Newman, Inc., prepared for the US Department of Housing and Urban Development, Office of Research and Technology, Washington, D.C., undated; Sandstone Environmental Associates, Inc.; Highway Noise Fundamentals, prepared by the Federal Highway Administration, US Department of Transportation, September 1980; Handbook of Environmental Acoustics, by James P. Cowan, Van Nostrand Reinhold, 1994.

2.7.1 Mobile Sources

Mobile noise sources are those which move in relation to receptors. The mobile source screening analysis addresses potential noise impacts associated with vehicular traffic generated by the Proposed Action. As the Proposed Action in the Future-With Action Scenario has the potential to generate or reroute vehicular traffic due to the potential for increase in total community facility floor area on Queens Block 3342, Lots 1 and 61, a qualitative analysis related to potential noise impacts was done.

The With-Action scenario would result in approximately 13,658 gsf of community facility floor area (Doctor Office). Presently, the site contains two buildings with a combined 8,265 gsf (2,728 gsf residential and 5,537 gsf community facility).The project is not expected to cross any thresholds which would require a noise analysis. Additionally, as the project would only result in a worse case development scenario of approximately 13,658 gsf community facility floor area, no transportation thresholds are exceeded and no studies or analysis with regards to transportation are required. Given the relatively small scale of the project, and the fact that no transportation analysis is required, no impacts related to noise with regards to mobile sources are expected to result from this project.

2.7.2 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.

Any stationary noise sources associated with the proposed project (i.e., mechanical equipment) would be designed to meet all applicable noise regulations and would not generate any significant increase in ambient noise levels

2.7.3 Noise Measurement and Calculation

Noise Measurement

A Type 1 Larson Davis LxT sound level meter (SLM) was used to conduct the noise monitoring. A wind screen was mounted on the microphone. The meter was placed on a tripod at a height of approximately five feet above the ground and away from any other reflective surfaces. The meter was calibrated prior to and after each measurement.

Noise measurement over 1-hour duration was conducted on Mar 20, 2018, a typical midweek day, during peak travel periods, 8:00-9:00 am, 12:00-`1:00 pm, and 5:00-6:00 pm, respectively. Traffic volumes and vehicle classification as well as the LIRR train events were recorded during the noise monitoring. It should be noted that during our noise measurement the “Type 1 Larson Davis LxT sound level meter” was not calibrated to reflect Daylight Savings Time which had occurred the week before. The noise measurements were in fact taken during the peak travel periods as described above.

Noise measurements were collected on the sidewalk at the corner of Austin Street and 76th Drive as shown in **Figures 2.7-1 and 2.7-2**

Figure 2.7-1 Ambient Noise Measurement Location





AECOM

Environmental Assessment Statement
Austin Street Rezoning
Queens, NY

Meter Setup Location

Figure 2.7-2

Table 2.7-2 presents the measured ambient noise levels in terms of various noise metrics measured at the selected locations during three daytime periods and afternoon. L_{10} is the metric used by NYCDEP in establishing the exterior noise exposure guidelines.

Table 2.7-2: Noise Levels in dBA at the selected location

Noise Metric	Time Period		
	8:06-9:06 AM	12:17-13:17 PM	4:51-5:51PM
L_{eq}	65.0	63.5	64.5
L_{max}	82.0	83.4	83.0
L_{10}	**67.7**	**64.5**	**67.3**
L_{50}	59.3	56.7	58.6
L_{90}	53.6	51.4	52.5
L_{min}	45.2	46.0	45.4

Playground Noise

Since there were several children playing basketball on the playground during the measurements, to be conservative, a playground noise assessment was conducted based on distance attenuation. According to the guidelines presented in the CEQR Technical Manual, the maximum L_{eq} noise level at the boundary of the playground would be 75 dBA[1]. Geometric spreading and the consequent dissipation of sound energy with increased distance from the playground decreases noise levels at varying distances from the playground boundary. It may be assumed[1] that noise levels at 15 feet from the boundary would be 73 dBA, and 70 dBA at 30 feet, and noise levels would continue to decrease by 4.5 dBA per doubling of distance beyond 30 feet, which can be calculated using the following equation:

$L_p = 70 - 15 * \log (D/30)$
Where: L_p is the sound pressure level at the receptor more than 30 feet away
D is the distance from the source to the receptor.

The distance between the Ehrenreichi-Austin Playground and the project site is approximately 60 feet. Based on the calculation, the noise level L_{eq} at the project site from the playground would be 65.5 dBA. Added to the noise level measured during all peak periods, the combined the noise level L_{10} would be presented in **Table 2.7-3**.

Table 2.7-3: Combined Noise Levels in dBA from the street and the playground

Peak Period	L_{eq}	L_{10}	L_{eq} from Playground	Combined L_{eq}	Estimated Combined L_{10}
AM	65.0	67.7	65.5	68.3	71.0
MD	63.5	64.5	65.5	67.6	68.6
PM	64.5	67.3	65.5	68.0	70.8

Noise Assessment

The max estimated L_{10} is 71.0 dBA, so the site will need an E-designation for noise requiring 28 dBA window-wall attenuation.

Conclusion

To preclude the potential for significant adverse impacts related to noise, an (E) designation would be incorporated into the rezoning proposal for Block 3342, Lots 1 and 61. E-522 has been assigned to this project. The text for the E-designation is as follows:

Block 3342, Lots 1 and 61 (Projected Development Site 1): In order to ensure an acceptable interior noise environment, future community facility uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all building's facades in order to maintain an interior noise level of 45 dBA. 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, central air conditioning or air conditioning sleeves containing air conditioners.

2.8 NEIGHBORHOOD CHARACTER

As defined by the *CEQR Technical Manual*, neighborhood character is considered to be an amalgam of the various elements that give a neighborhood its distinct personality. The elements, when applicable, typically include land use, socioeconomic conditions, open space and shadows, historic and cultural resources, urban design and visual resources, transportation, and noise, as well as any other physical or social characteristics that help to define a community. Not all of these elements affect neighborhood character in all cases; a neighborhood usually draws its distinctive character from a few defining features.

If a project has the potential to result in any significant adverse impacts on any of the above technical areas, a preliminary assessment of neighborhood character may be appropriate. A significant impact identified in one of these technical areas is not automatically equivalent to a significant impact on neighborhood character; rather, it serves as an indication that neighborhood character should be examined.

In addition, depending on the project, a combination of moderate changes in several of these technical areas may potentially have a significant effect on neighborhood character. As stated in the *CEQR Technical Manual*, a "moderate" effect is generally defined as an effect considered reasonably close to the significant adverse impact threshold for a particular technical analysis area. When considered together, there are elements that may have the potential to significantly affect neighborhood character. Moderate effects on several elements may affect defining features of a neighborhood and, in turn, a pedestrian's overall experience. If it is determined that two or more categories may have potential "moderate effects" on the environment, CEQR states that an assessment should be conducted to determine if the proposed project result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. If a project would result in only slight effects in several analysis categories, then further analysis is generally not needed.

This chapter reviews the defining features of the neighborhood and examines the proposed action's potential to affect the neighborhood character of the surrounding study area. The study area is generally coterminous with the study area used for the land use and zoning analysis in Chapter 2.1. The impact analysis of neighborhood character that follows below focuses on changes to the technical areas listed above that exceeded CEQR preliminary screening thresholds that were assessed in this EAS Short Form.

The assessment begins with a review of existing conditions and the neighborhood of the study area. The information is drawn from the preceding sections of this EAS, but is presented in a more integrated way. While the other sections present all relevant details about particular aspects of the environmental setting, the discussion of neighborhood character focuses on a limited number of important features that give the neighborhood its own sense of place and that distinguish it from other parts of the city. A concise discussion of the changes anticipated by the 2020 analysis year under the Future No-Action Condition is then included. A brief overview of the Proposed Action is then presented, along with an analysis of whether any anticipated significant adverse impacts and moderate adverse effects, regarding the relevant technical CEQR assessment categories for neighborhood character, would adversely affect any of the defining features.

2.8.1 Existing Conditions

Land Use, Zoning and Public Policy

A field survey was conducted to determine the existing land use patterns and neighborhood characteristics of the study area. The existing land uses in the area immediately surrounding the project area are primarily comprised of a mix of multi-family and one-and two-family residential dwelling units. A portion of Ehrenreich-Austin Playground is also located within 400-feet of the Project Site (on Austin Street) and includes basketball courts, hand ball courts, a children's play area, benches, tress, and other various plantings. The MTA's Long Island Rail Road (LIRR) has a right-of-way to the west of the project site. Four tracks are located here with eastbound trains going to various areas of Long Island and

westbound trains heading towards New York Penn Station. Additionally, there are two lots in the 400-foot study area that contain mixed residential and commercial buildings. These commercial uses though, are generally single doctor's offices, and not necessarily local retail. Only mixed-use buildings are within the Projected Development Site.

The projected development site is controlled by the applicant (Block 3342, Lots 1 and 61) and is located on the eastern side of Austin Street between 77th Avenue and 76th Drive. The Proposed Development Site consists of two tax and zoning lots. Lot 1 is 5,000 square feet, and Lot 61 is 7,417 square feet. Lot 1 is improved with a detached, two-story plus cellar and attic building with storage in the cellar, a doctor's office on the first floor with accessory space on part of the second floor, and a single dwelling unit on the second floor and attic. Lot 61 is improved with a detached building containing a basement, two stories, and attic. The Certificate of Occupancy for Lot 61 indicates that floors one, two, and attic are part of a single dwelling unit, and the basement is used for storage and a doctor's office (conjunctive use). A small portion of Lot 61 is not included in the Project Area due to the irregular shape of the block.

The building on lot 1 has 3,800 gross square feet of floor area and a front wall height of approximately 22 feet. Two compliant Side Yards of approximately eight feet and 23 feet, respectively, are provided. The existing front yards are noncompliant, approximately 13.5 and 11 feet, respectively. The building on lot 61 has approximately 4,465 gsf of floor area. The front wall height is approximately 21 feet, and two Side Yards of approximately 13 feet and 40 feet are provided.
.
No parking is indicated on either Certificate of Occupancy, but the open space on the lot is used for parking for the medical facilities.

Most of the study area is comprised of residential (both Use Groups 1 & 2) buildings. Larger, multi-family elevator buildings are located to the north and west of the Project Area, on Austin Street and on 76th Drive and 76th Road. To the south and west of the Project Area are low density, UG 1 and UG2 one-and two-family residences. Ehrenreich-Austin Playground, a 1.16 acre playground with basketball courts, handball courts, a jungle gym, and benches for sitting, is located across Austin Street from the Project Site, just to the north of the Project Site. The Long island Rail Road Main Line right of way is located within the 400-foot study area, just to the west of Ehrenreich –Austin Playground. The view of the right-of-way from the Project Site is obstructed by both the playground and the adjacent apartment buildings.

The rezoning area is in a mapped R2 zoning district. There is an additional R3-2 zoning district located to the west of the project site within the 400-foot study area, on the other side of the LIRR train tracks. This R3-2 zoning district is located in the semi-private Forest Hills Gardens section of Forest Hills.

The surrounding area is predominantly residential, consisting of one-and two-family residences and multi-family dwellings. Areas to the immediate east, northeast, and southeast of the Project Area consist mostly of three story one- and two-family residences. Further east, on Queens Boulevard between 77th Avenue and 78th Avenue, is a two-story commercial strip. Areas to the south and north of the Project Area are characterized mostly by six-story multiple dwellings. The Long Island Rail Road Main Line runs parallel to Austin Street southwest of the Project Area and Ehrenreich-Austin Playground, operated by the NYC Dept. of Parks and Recreation, is located directly west of the Project Area. Beyond the rail line is an area characterized by three-story one- and two-family dwellings. Queens Boulevard, a major commercial thoroughfare, is located at the opposite end of the block from the Project Area, and Union Turnpike and Jackie Robinson Parkway are southeast of the Project Area. Block 3345, bounded by Austin Street, 78th Avenue, Kew Forest Lane, and Union Turnpike, is occupied entirely by The Kew-Forest School.

There are R2, R6, C4-2, and R3-2 zoning districts mapped in the surrounding area.

2.8.2 Future No-Action Scenario

In the Future No-Action Scenario, it is expected that the existing uses within the rezoning area would remain in their current form.

Significant changes to the study area are not expected by the analysis year of 2020. In the Future No-Action Scenario, it is expected that while tenants within surrounding area buildings may change, the overall use of these buildings would remain the same, and any physical changes would comply with designated zoning regulations and other surrounding districts.

2.8.3 Future With-Action Scenario

The elements that comprise neighborhood character are reviewed individually below, with a following supporting and cumulative conclusion.

Land Use, Zoning and Public Policy

According to the CEQR Technical Manual, development resulting from a Proposed Action could alter neighborhood character if it introduces new land uses, conflicts with land use policy or other public plans for the area, changes land use character, or generates significant land use impacts.

The Proposed Development calls for a zoning map amendment to rezone a portion of Queens Block 3342 (Lots 1, 61 and a small p/o 4) from an R2 zoning district to an R3-2 zoning district.

Absent the Proposed Action, the applicant would not be unable to facilitate the applicant's proposed legalization, nor would the With-Action Scenario development be able to occur. As the With-Action Scenario would represent an enlargement of the existing medical office use on both Lots 1 and 61, and a deduction in two housing units, the Proposed Action would therefore not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties. Significant adverse impacts to zoning are not anticipated and further zoning analysis is not warranted.

Absent the Proposed Action, the applicant would not be unable to facilitate the proposed legalization, nor would the With-Action Scenario development be able to occur. As the With-Action Scenario would represent an enlargement of the existing medical office use on both Lots 1 and 61, and a deduction in two housing units, the Proposed Action would therefore not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties. Significant adverse impacts to zoning are not anticipated and further zoning analysis is not warranted.

Historic and Cultural Resources

According to CEQR, when an action results in substantial direct changes to a historic or cultural resource or substantial changes to public views of a resource, or when a historic or cultural resource analysis identifies a significant impact in this category, there is a potential to affect neighborhood character.

The project site is not a designated local LPC or State or National Register (S/NR) historic resource or property, nor is the site part of any designated historic district. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on August 25th, 2017 indicating that the projected development site has no architectural or archaeological significance. Therefore, significant adverse impacts to these resources are not expected as a result of the Proposed Action and further analysis is not warranted.

Urban Design and Visual Resources

According to the *CEQR Technical Manual*, in developed areas, urban design changes have the potential to affect neighborhood character by introducing substantially different building bulk, form, size, scale, or arrangement. Urban design changes may also affect block forms, street patterns, or street hierarchies, as well as streetscape elements such as street walls, landscaping, curb cuts, and loading docks. Visual resource changes could affect neighborhood character if they directly alter key visual features such as unique and important public view corridors and vistas, or block public visual access to such features.

The Proposed Action would not diminish or disturb the existing aesthetic continuity, pedestrian features of the community or neighborhood, and as the Proposed Action would not block any view corridors or views to/from any natural areas with rare or defining features. The Proposed Action would not impact any historical or culturally sensitive community features, and the Proposed Action is not expected to result in any significant adverse urban design issues or effects. Visual resource changes would also not occur, as the Proposed Action would not directly alter any key visual features, such as unique and important public view corridors and vistas, or block public visual access to such features.

Even though the zoning change will allow for a greater bulk, the existing buildings on Lot 1 and 61 are currently overbuilt with regards to use for the existing zoning. Furthermore, the current buildings on the lots are approximately 35 to 37 feet in height, which is the same height of the proposed With-Action development. Therefore, no significant adverse impacts with regards to visual resources are expected as the overall design and pedestrian perspective of the street and streetscape would not be impaired.

Shadows

According to CEQR, when shadows from a proposed project fall on a sunlight-sensitive resource and substantially reduce or completely eliminate direct sunlight exposure such that the public's use of the resource is significantly altered or the viability of vegetation or other resources is threatened, there is a potential to affect neighborhood character. The proposed project was demonstrated not to meet or exceed the *CEQR* threshold for shadow analysis, as it would not result in a net height increase of 50 feet for any structure. Furthermore, while the project is across from a sunlight sensitive resource (Playground), the With-Action Development would not be greater in height than the existing buildings.

Furthermore, at this time, this application is just for the legalization of the use of medical office on the site and the applicant is not proposing any new construction. As such, no impacts with regards to shadows are expected in the With-Action Scenario and no analysis is required.

Transportation

According to CEQR, changes in traffic and pedestrian conditions can affect neighborhood character in a number of ways. For traffic to have an effect on neighborhood character, it must be a contributing element to the character of the neighborhood (either by its absence or its presence), and it must change substantially as a result of the action. According to the *CEQR Technical Manual*, such substantial traffic changes can include: changes in level of service (LOS) to C or below; change in traffic patterns; change in roadway classifications; change in vehicle mixes, substantial increase in traffic volumes on residential streets; or significant traffic impacts, as identified in the technical traffic analysis. Regarding pedestrians, when a proposed project would result in substantially different pedestrian activity and circulation, it has the potential to affect neighborhood character.

The Proposed Action in the With-Action Scenario would lead to an increase of approximately 8,120 gsf of medical office on the property, not enough to trigger a transportation analysis according to the *CEQR Technical Manual.* The Proposed Action would not lead to an increase of 50 or more vehicle trips at any one intersection in the vicinity of the Proposed Development sites. Therefore, the Proposed Action would not lead to any significant adverse traffic impacts. Additionally, the Proposed Action would not lead to an increase of 200 or more transit trips. Therefore, the Proposed Action would not lead to any significant adverse subway or bus impacts.

Noise

According to the *CEQR Technical Manual*, for an action to affect neighborhood character with respect to noise, it would need to result in a significant adverse noise impact and a change in acceptability categories.

The Proposed Action would not result in a change of acceptability categories, as it would not introduce any notable mobile or stationary sources or noise, and as such, the Proposed Action would not affect neighborhood character with respect to noise.

While the With-Action scenario may result in an increase in vehicular traffic, it is not enough to warrant a traffic analysis per CEQR guidelines and as such no noise impacts would result from increased traffic.

The LIRR right-of-way is within the 400-foot study area, however, the direct line of sight from the project is obstructed by the park and adjacent apartment buildings.

Conclusions

Of the relevant technical areas specified in the *CEQR Technical Manual* that comprise neighborhood character, the Proposed Action would not cause significant adverse impacts with regard to any of them. Moderate adverse effects that would potentially impact such a defining feature, either singly or in combination, have also not been identified for more than one technical area. Therefore, as the proposed action would not have a significant adverse neighborhood character impact and would not result in a significant adverse impact to a defining feature of the neighborhood, further analysis is not necessary.

2.9 CONSTRUCTION

Construction, although temporary, can result in disruptive and noticeable effects on a proposed action area. A determination of the significance of construction and the need for mitigation is based on the duration and magnitude of these effects. Construction is typically of greatest importance when it could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns and air quality conditions. All analyses were undertaken in accordance with the guidelines contained in the *CEQR Technical Manual*.

The Proposed Action involves a rezoning in the Forest Hills section of Queens. The duration of construction on the applicant's site is expected to last approximately 20 months.

As construction induced by the Proposed Action would be gradual, taking place over a four-year period, potential impacts would be minimal and, as discussed below, not expected to have any significant adverse impacts. The following is a brief discussion of the effects associated with construction related activities on traffic, air quality, noise, historical resources and hazardous materials resulting from the construction of the projected development sites.

Effect of Construction on Traffic

The Proposed Action would result in new development, over a four-year period, on up to three development sites. These developments would replace existing uses on the each site. During construction, the sites would generate trips from workers traveling to and from the construction sites, and from the movement of materials and equipment.

Given typical construction hours of 7:00 AM to 4:00 PM, worker trips would be concentrated in off-peak hours typically before both the AM and PM peak commuter periods. Truck movements typically would be spread throughout the day on weekdays, and would generally occur between the hours of 7:00 AM and 4:30 PM. Traffic generated by construction workers and construction truck traffic would not represent a substantial increment during the area's peak travel periods.

Construction activities may result in short-term disruption of both traffic and pedestrian movements at the development sites. This would occur primarily due to the temporary loss of curbside lanes from the staging of equipment and the movement of materials to and from the site. Additionally, construction would result in the temporary closing of sidewalks adjacent to the site at times. These conditions would not lead

to significant adverse effects on traffic and transportation conditions because the sidewalks would only be closed for short durations at a time, and only along the Projected Site's block and lots.

Effect of Construction on Air Quality

Possible impacts on local air quality during construction induced by the Proposed Action include fugitive dust (particulate) emission from land clearing operation and demolition as well as mobile source emissions (hydrocarbons, nitrogen oxide, and carbon monoxide) generated by construction equipment and vehicles.

Fugitive dust emissions from land clearing operations can occur from excavation, hauling, dumping, spreading, grading, compaction, wind erosion, and traffic over unpaved areas. Actual quantities of emissions depend on the extent and nature of the clearing operations, the type of equipment employed, the physical characteristics of the underlying soil, the speed at which construction vehicles are operated, and the type of fugitive dust control methods employed. Much of the fugitive dust generated by construction activities would be of a short-term duration and relatively contained within a proposed site, not significantly impacting nearby buildings or residents. All appropriate fugitive dust control measures – including watering of exposed areas and dust covers for trucks – would be employed during construction of the development sites. Therefore, the fugitive source emissions generated by the Proposed Action would not be significant.

Mobile source emissions may result from the operation of construction equipment, trucks delivering materials and removing debris, workers' private vehicles, or occasional disruptions in traffic near the construction site. As the number of construction-related vehicle trips generated by the Proposed Action would be relatively small and the emissions from such vehicles as well as construction equipment would occur over a four-year period and be dispersed throughout the proposed rezoning area, the mobile source emissions generated by the Proposed Action would not be significant. Overall, the Proposed Action would not have the potential to result in significant adverse air quality impacts.

Effect of Construction on Noise

Noise and vibration from construction equipment operation and noise from construction workers' vehicles and delivery vehicles traveling to and from the construction sites can affect community noise levels. The level of impact of these noise sources depends on the noise characteristics of the equipment and activities involved the construction schedule, and the location of potentially sensitive noise receptors.

Noise and vibration levels at a given location are dependent on the kind and number of pieces of construction equipment being operated, as well as the distance of the location from the construction site and the types of structures, if any, between the location and the noise source. Noise levels caused by construction activities can vary widely, depending on the phase of construction (e.g. demolition, land clearing and excavation, foundation, erection of structure, construction of exterior walls) and the specific task being undertaken.

Construction noise associated with the Proposed Action is expected to be similar to noise generated by other residential construction projects in the city. Increased noise level caused by construction activities can be expected to be more significant during early excavation phases of construction and would be of relatively short duration. Increases in noise levels caused by delivery trucks and other construction vehicles would not be significant.

Construction noise is regulated by the *New York City Noise Control Code* and by the Environmental Protection Agency noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emissions standards; that, except under exceptional circumstances, construction activities be limited to weekdays between the hours of 7:00 AM and 6:00 PM; and that construction material be handled and transported in such a manner as not to create unnecessary noise. In addition, whenever

possible, appropriate low noise emission level equipment and operational procedures can be utilized to minimize noise and its effect on adjacent uses.

Thus, while there may be short periods of time when noise is greater than the Noise Control Code, these regulations would be followed in such a matter that no significant adverse noise impacts would be expected to result from the Proposed Action.

Effect of Construction on Historic Resources

In order to determine whether the projected development has the potential to affect nearby off-site historic or architectural resources, the study area was screened for historic and architectural resources. No historic or architectural resources were identified within the 400-foot study area. Therefore, adverse construction-related impacts are not expected to any historic resource in the vicinity of the rezoning area.

Conclusion

Construction-related activities are not expected to have any significant adverse impacts on traffic, air quality, noise, historic resources, or hazardous materials conditions as a result of the Proposed Action.

APPENDICES

APPENDIX A – SITE PLAN AND ZONING ANALYSIS

BUILDING DEPARTMENT NOTES

1. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS BEFORE ANYCONSTRUCTION WORK IS STARTED.

2. AT LEAST 24 HOURS WRITTEN NOTICE SHALL BE GIVEN TO THE COMMISSIONER PRIOR TO COMMENCEMENT OF ANY WORK SEC. C26-118.5

3. LINTELS SUPPORTING MASONRY WALLS OVER 4'-0" SHALL BE FIRE PROTECTED WITH MATERIALS HAVING THE REQUIRED FIRE RESISTIVE RATING OF THE WALL SUPPORTED SEC, C26-502.4.

4. SUSPENDED CEILINGS SHALL HAVE HANGERS AND SUPPORTING GRIDS OF NON- COMBUSTIBLE MATERIALS, SEC C26-504.12

5. INTERIOR FINISHES TO COMPLY WITH SEC, C26-504.10 AND TABLE 5-4.

6. ALL PARTITIONS ENCLOSING TENANT SPACES AND EXIT CORRIDORS SHALL BE CONSTRUCTED OF 5/8" SHEET ROCK FIRE CODE "C" TWO LAYERS ON EACH SIDE OF 3 5/8" METAL STUDS. PARTITIONS SEPARATING TENANTS AND PUBLIC HALL PARTITIONS SHALL BE CARRIED THRU TO UNDERSIDE OF ROOF ABOVE.

7. WHERE NON-COMBUSTIBLE PIPES AND CONDUITS PASS THROUGH RATED CONSTRUCTION, THE AREA OF SUCH OPENING MAY NOT EXCEED 25 SQ. IN. IN ANY 100 SQ. FT. OF WALL OR FLOOR AREA. THE SPACE BETWEEN THE PIPE AND ITS SLEEVE OR OPENING MAY NOT EXCEED 1/2" AND WILL BE PACKED WITH NON-COMBUSTIBLE MATERIAL SUCH AS MINERAL WOOL SEC.27-343.

8. CONCEALED SPACES WITHIN PARTITIONS, WALLS, FLOORS, ROOFS, STAIRS, FURRING, PIPE SPACES, ETC., THAT WOULD PERMIT PASSAGE OF FLAME, SMOKE, FUMES, OR HOT GASES FROM ONE FLOOR TO ANOTHER, OR FROM ONE CONCEALED AREA TO ANOTHER, SHALL BE FIRESTOPPED TO FORM AN EFFECTIVE DRAFT BARRIER OR SHALL BE FILLED WITH NON-COMBUSTIBLE MATERIAL SEC. 27-345.

9. PLUMBING VENTS SHALL EXTEND ABOVE ROOF AS PER SEC. P109.4(A).

10. ALL ELECTRICAL OUTLETS TO MEET ALL REQUIREMENTS OF THE NYC ELECTRICAL

11. THE CONTRACTOR MUST OBTAIN A CERTIFICATE OF OCCUPANCY UPON COMPLETION OF ALL WORK ON THIS PLAN TO COMPLY WITH THE BUILDING CODE SUB ARTICLE 121.0 CODE.

12. CONTROLLED INSPECTION ITEMS:
THE FOLLOWING ITEMS OF WORK SHALL BE SUBJECT TO CONTROLLED INSPECTION MADE WITNESSED BY OR UNDER DIRECT SUPERVISION OF AN ARCHITECT OR ENGINEER RETAINED BY THE OWNER WHO SHALL BE ACCEPTABLE TO THE ARCHITECT.
A. TEST REPORT AND CERTIFICATE OF INSPECTION SHALL BE FILED WITH THE BUILDING DEPARTMENT.
B. ALL MATERIALS, ASSEMBLIES AND METHOD OF CONSTRUCTION REGULATED BY THE CODE AND NOT LISTED ABOVE SHALL BE SUBJECT TO SEMI CONTROLLED INSPECTION BY THE PERSON SUPERINTENDING THE CONSTRUCTION.
C. SIGNED COPIES OF ALL TESTS AND INSPECTION REPORTS SHALL BE FILED THROUGH THE ARCHITECT WITH THE DEPT.

13. DUCT FIRE RETARDING – DUCTS TO BE FIRE RETARDED AS PER PLANS AND TO BE FIRESTOPPED AT EACH TIER WITH 2" MINERAL WOOL. CLEARANCE BETWEEN DUCTS AND SHEETROCK, MAINTAIN 1/2" CLEARANCE BETWEEN DUCTS AND SHEETROCK.
A. ADMINISTRATION
1. ALL MATERIALS, ASSEMBLIES, FORMS, METHODS OF CONSTRUCTION, AND SERVICE EQUIPMENT SHALL MEET THE FOLLOWING REQUIREMENTS:
a) IT SHALL HAVE BEEN ACCEPTABLE PRIOR TO THE EFFECTIVE DATE OF THE CODE BY THE BOARD, OR
b) SHALL HAVE BEEN ACCEPTED FOR USE UNDER THE PRESCRIBED CODE TEST METHODS BY THE COMMISSIONER, OR
c) APPROVED BY THE BOARD OF STANDARDS AND APPEALS, OR BY THE M.E.A. DIVISION OF THE BUILDING DEPARTMENT.
2. AT LEAST 24 HOURS WRITTEN NOTICE SHALL BE GIVEN TO THE COMMISSIONER BEFORE THE COMMENCEMENT OF WORK.
B. INSPECTION REQUIREMENTS
1. THE FOLLOWING ITEMS OF WORK SHALL BE SUBJECT TO CONTROLLED INSPECTION, MADE AND WITNESSED BY OR UNDER THE DIRECT SUPERVISION OF AN ARCHITECT OR ENGINEER RETAINED BY THE OWNER WHO SHALL BE ACCEPTABLE TO THE ARCHITECT. TEST REPORT AND CERTIFICATE OF INSPECTION SHALL BE FILED WITH THE BUILDING DEPT.
a) FIRESTOPPING [504.7 (C)]:
1)HOLLOW PARTITIONS AND F2)DUCT AN URRED SPACESD SPAC
2)DUCT AND PIPE SPACES
2. ALL MATERIALS, ASSEMBLIES AND METHODS OF CONSTRUCTION REGULATED BY THE CODE AN NOT LISTED ABOVE SHALL BE SUBJECT TO SEMI CONTROLLED INSPECTION BY THE PERSON SUPERINTENDING THE CONSTRUCTION. SIGNED COPIES OF ALL TEST AND INSPECTION REPORTS SHALL BE FILED THROUGH THE ARCHITECT WITH THE BUILDING DEPT.
C. FIRE PROTECTION CONSTRUCTION REQUIREMENTS
1. ALL MATERIALS OR ASSEMBLIES REQUIRED TO HAVE A FIRE RESISTANCE RATING SHALL COMPLY WITH THE FOLLOWING:
a) IT SHALL CONFORM WITH THE NFBU "FIRE RESISTANCE RATING", OR
b) IT SHALL HAVE BEEN TESTED IN ACCORDANCE WITH THE ASTM E-199 "STANDARD METHODS OF FIRE TESTS OF BUILDING CONSTRUCTION AND
c) IT SHALL HAVE BEEN ACCEPTABLE PRIOR TO THE EFFECTIVE DATE OF THE CODE.
2. OPENING PROTECTIVES INCLUDING FRAMES, SELF-CLOSING DEVICES AND HARDWARE SHALL COMPLY WITH ASTM E-108, "STANDARD METHODS OF FIRE TEST OF DOOR ASSEMBLIES" AND ASTM E-163.
3. INTERIOR FINISH: MATERIAL SHALL BE CLASSIFIED IN ACCORDANCE WITH THE SURFACE FLAME-SPREAD RATING OBTAINED AS PRESCRIBED IN ASTM E-84 "STANDARD METHOD OF TEST FOR SURFACE BUILDING CHARACTERISTICS OF BUILDING MATERIALS." INTERIOR FINISH SHALL BE GROUPED INTO THE CLASSES OF THESE SCHEDULES:

INTERIOR FINISH CLASS	/FLAME SPREAD CLASS
A	0-25
B	26-75
C	76-225
D	OVER 225

INTERIOR FINISH EXCEPT FINISH FLOORING AND FLOOR COVERING, WALL COVERINGS LESS THAN 0.036" IN TOTAL THICKNESS, SHALL HAVE A FLAME SPREAD RATING NOT GREATER THAN THAT LISTED.

SPECIAL NOTES

1. THE OWNER/CONTRACTOR TO NOTIFY THE ARCHITECT OF ANY DISCREPANCIES IN THE PLANS, INCLUDING FIELD CONDITIONS, CONSTRUCTION DETAILS AND OR SPECIFICATIONS PRIOR TO THE COMMENCEMENT OF ANY WORK.

2. THE BUILDING SHALL BE SUFFICIENTLY BRACED AT ALL TIMES DURING THE COURSE OF CONSTRUCTION TO SATISFY RAIN, SNOW OR WIND LOADS.

3. CONTRACTOR TO PERFORM TEST PITS TO VERIFY THE DEPTH OF FOOTINGS OF THE ADJACENT BUILDINGS. CONTRACTOR TO SUBMIT THE DEPTH (ELEVATION) OF THE FOOTINGS TO THE ARCHITECT.

4. CONTRACTOR TO MONITOR ALL EXCAVATION USING MECHANICAL EQUIPMENT. NO USE OF MECHANICAL EQUIPMENT WITHIN 3'-0" OF ADJACENT FOUNDATION.

5. WITHIN 3'-0" OF ADJACENT FOUNDATION TO BE EXCAVATED BY HAND AND REPAIR ADJACENT FOUNDATION AS REQUIRED TO INSURE STRUCTURAL STABILITY OF ADJACENT BUILDING.

6. THE OWNER AND OR CONTRACTOR SHALL ADHERE TO NEW YORK CITY DEPARTMENT OF BUILDINGS RULE 1 RCNY § 52-01 AS STATED IN THE NEW YORK CITY BUILDING CODE.
THE OWNER AND OR CONTRACTOR SHALL RETAIN A SITE ENGINEER TO PROVIDE ON-SITE CONTROLLED INSPECTIONS DURING ALL TIMES OF CONSTRUCTION OPERATIONS FOR THE FOLLOWING:
1. ENSURING ENGINEER IS ON SITE
2. EXCAVATION DEPTH
3. PUMPING OPERATIONS
4. PILE DRIVING OPERATIONS
5. SHEETING/SHORING/BRACING
6. ANGLE OF REPOSE
7. FORMS BRACING
8. UNDERPINNING
9. GROUND WATER
10. WORK AS PER PLAN

ZONING CALCULATIONS

Existing one family dwelling with home occupation (accesory use) on Basement, See Exisisting certificate of occupancy No, Q128608 dated 5-1-59

AREA OF LOT: = 7'022.20 SF

OPEN SPACE AND FLOOR AREA REGULATIONS: (as per 23-10)
MAX. F. A. R.: 0.50, MAX. & MIN. O. S. : 150% (as per 23-141(a)
AREA OF LOT: = 7'022.20 SF
MAX. RES. F. A. : 7'022.20 SF x 0.50 = 3'511.1 SF

FLOOR AREA BREAKDOWN:

	Floor area
Bas	1'587 SF
First Floor	1'750 SF
Second Floor	775 SF
Attic	260
Total	4'372 SF

Exist. Non-complying FA: 4'372 SF > Permitted 3'511 SF

MIN. REQ'D O. S.: 150% (as per 23-141)
REQ'D OPEN SPACE: 4'372 SF x 1.5 = 6'558 SF
EXIST. OPEN SPACE: 7'022.20 SF – 1'750= 5'272.2 SF

Exist. Non-complying O.S.P : 5'272.2 SF > Required 6'558 SF

MAX NUMBER OF DWELLING UNITS OR ROOMING UNITS: (as per 23-22)
1900 SF for Dwelling Unit
MAX. RES. F. A. : 7'022.20 SF x 0.50 = 3'511.11 SF
3511.11 SF / 1900 SF = 1.8 => One (1) Dwelling Permitted
Proposed Dwellings: One (1) Dwellings

YARD REGULATIONS:
MINIMUM REQUIRED FRONT YARDS: (as per 24-34 and 23-45)
Required: 15'-0" Provided: 10.33' – 13.52 Exist. non-complying

MINIMUM REQUIRED SIDE YARDS: (as per 24-35 and 23-461 (b))
Required: Two (2) 8'-0" & 5'-0" Provided: Two (2) Provided

PERMITTED ACCESSORY OFF-STREET PARKING SPACES: 25-16
Maximum spaces for single-family detached residences no more than three off-street parking spaces shall spaces shall be provided for a single-family detached residence

REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES: (as per 25-20)
Required: 100% of Total Dwelling Units
1 x 100% = 1 Residential Spaces Required

25-62 Size and loction of spaces
In all districts, as indicated, for all (accessory) off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space.

3 parking space x 300 = 900 Sf feet

23-12 Driveways, private streets, open accesory off-street parking spaces, provided that the total area occupied by all these items does not exceed the percent of the total required open space on the zoning lot as follows.

(1) 50% in R1, R2

REQ'D OPEN SPACE: 6'558 x0.5 = 3,279
Actual required open space not used for parking is 2'157 Sqf

2'088 < 2'157 ok!

LEGEND

- DROP ARCH OR CONDITION ABOVE
- EXISTING PARTITION
- EXISTING FOUNDATION WALL
- NEW NON-RATED INTERIOR PARTITION WITH 2"x4" WOOD STUDS @ 16" O.C. WITH 5/8" TYPE X GYPSUM BOARD ON BOTH SIDES.
- NEW 2-HOUR RATED INTERIOR PARTITION WITH 2"x4" WOOD STUDS @ 16" O.C. WITH TWO LAYERS OF 5/8" TYPE X GYPSUM BOARD ON EACH SIDE
- NEW 1-HOUR RATED CHASE PARTITION WITH TWO ROWS OF 2"x4" WOOD STUDS @ 16" O.C. – ONE LAYER OF ⅝" TYPE X GYPSUM BOARD ON EACH SIDE

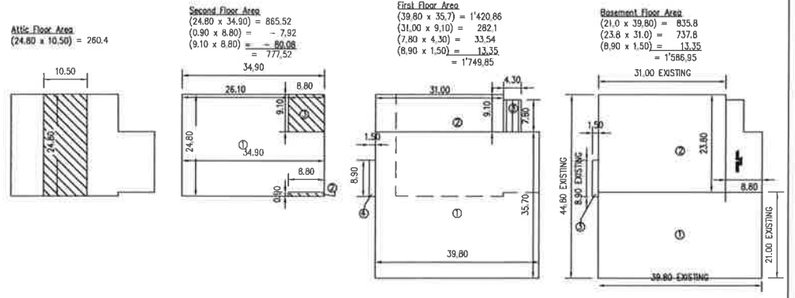
ENERGY COMPLIANCE

TO THE BEST OF MY KNOWLEDGE, BELIEF AND PROFESSIONAL JUDGMENT, THESE PLANS AND SPECIFICATIONS ARE EXEMPT FROM THE ENERGY CONSERVATION CONSTRUCTION CODE OF NEW YORK BECAUSE OF AN ALTERATION BUT NOT ASISBTANCIAL ALTERATION, PER CHAPTER 1, (SECTION 101.4.1.1) OR RENEWABLE ENERGY USAGE IN BUILDINGS PER BUILDING (SECTION 101.4.1.2)

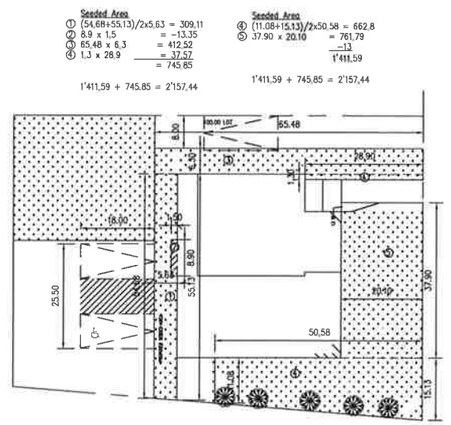
SYMBOLS

- INDICATES VIEW NUMBER / INDICATES SHEET NUMBER.
- INDICATES SECTION NUMBER. / INDICATES SHEET NUMBER.
- INDICATES DETAIL NUMBER / INDICATES DIRECTION OF VIEW / INDICATES SHEET NUMBER.
- INDICATES REVISION NUMBER
- S.D. / C.O. NEW YORK CITY APPROVED TYPE COMBINATION SMOKE AND CARBON MONOXIDE DETECTOR HARD WIRED WITH SECONDARY BATTERY BACK-UP AS PER SECTION 28-02 (d)(1) – PROVIDED IN EVERY DWELLING UNIT WITHIN 15'-0" OF THE ENTRANCE TO EACH BEDROOM.
- MECHANICAL VENT 50 CFM MIN OR AS NOTED ON PLANS
- A.D. OUTSIDE AREA DRAIN
- F.D. FLOOR DRAIN
- WINDOW NUMBER (SEE SCHEDULE)
- DOOR NUMBER (SEE SCHEDULE)

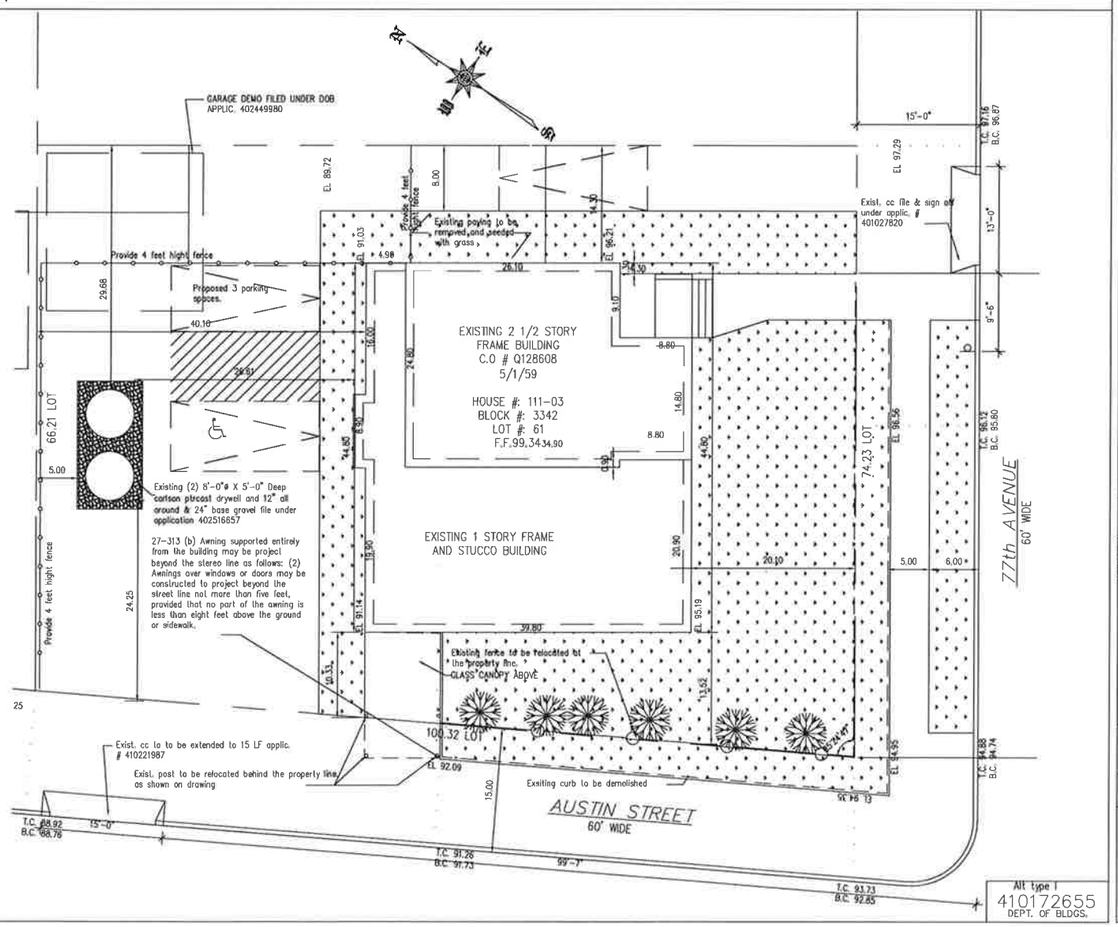
AREA BREAKDOWN



SEEDED AREA CALCULATIONS



PLOT PLAN



Alt type I
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DEPT. OF BLDGS.

Architecture
Interior Design
Code Consultant
Building Dept. Expediting

Gerald J. Caliendo, R.A., A.I.A.
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THE ARCHITECT SHALL NOT HAVE CONTROL OR CHARGE OF AND SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, DEVIATIONS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK, NOR SHALL HE ACTS OR OMISSIONS OF THE CONTRACTOR, SUBCONTRACTORS OR ANY OTHER PERSONS PERFORMING ANY OF THE WORK, OR FOR THE FAILURE OF THEM TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. ALL DIMENSIONS SHOWN ON DRAWINGS ARE NOT TO BE SCALED. GERALD J. CALIENDO ARCHITECT, P.C. AND ITS PRINCIPAL/EMPLOYEES WERE NOT RETAINED FOR ANY CONSTRUCTION SUPERVISION.

SEAL:

DRAWING TITLE: PLOT PLAN, ZONING CALCULATION, GENERAL NOTES, LEGEND AND SIMBOLS

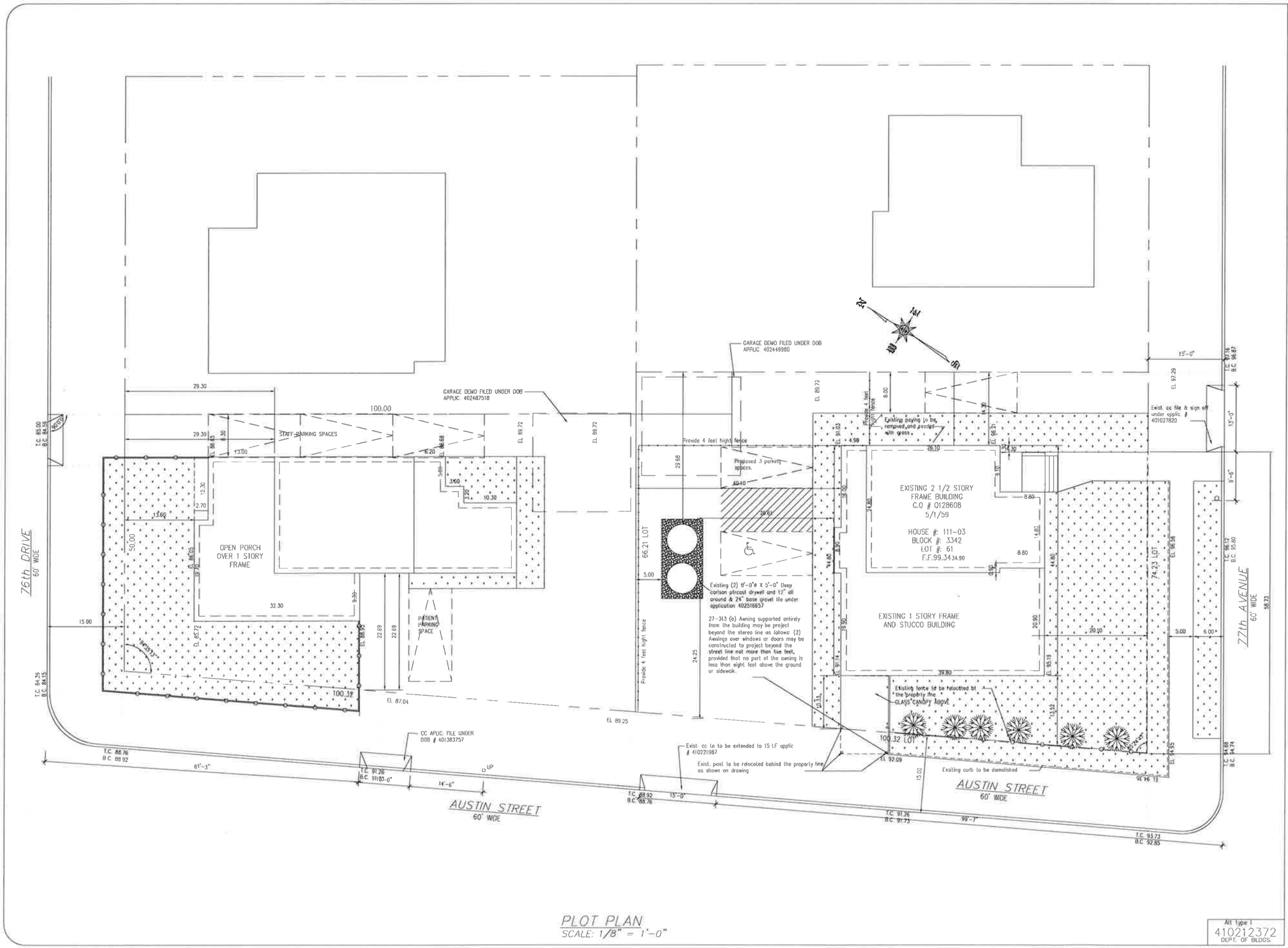
PREMISES: 111-03 77th AVENUE Queens, New York

NO.	DATE	REVISION

DRAWN BY: ML
CHECKED BY: GJC
JOB NO.: 08000
SCALE: AS NOTED
DATE: 10-15-10

DRAWING No.:

A-01



PLOT PLAN
SCALE: 1/8" = 1'-0"

All Type I
410212372
DEPT. OF BLDGS.

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Architect, P.C.

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SEAL:

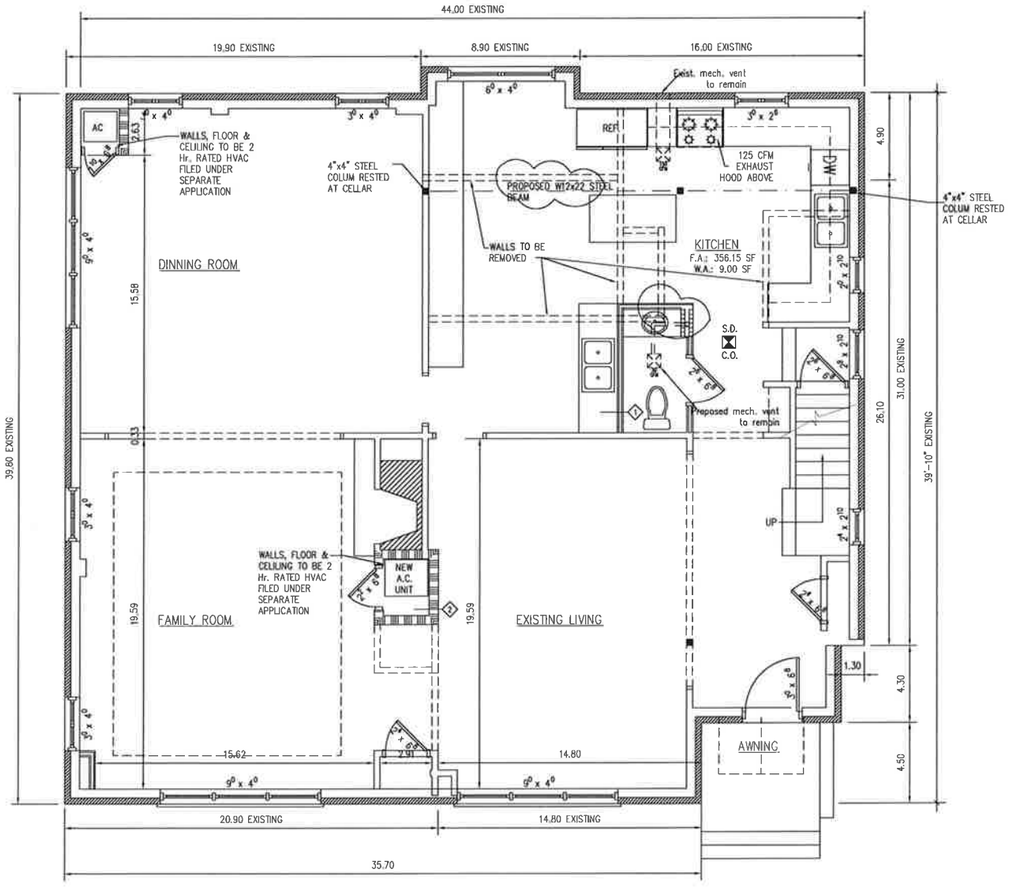
DRAWING TITLE:
PLOT PLAN, ZONING CALCULATION
GENERAL NOTES, LEGEND AND SIMBOLS

PREMISES:
111-04 76th DRIVE
Queens, New York

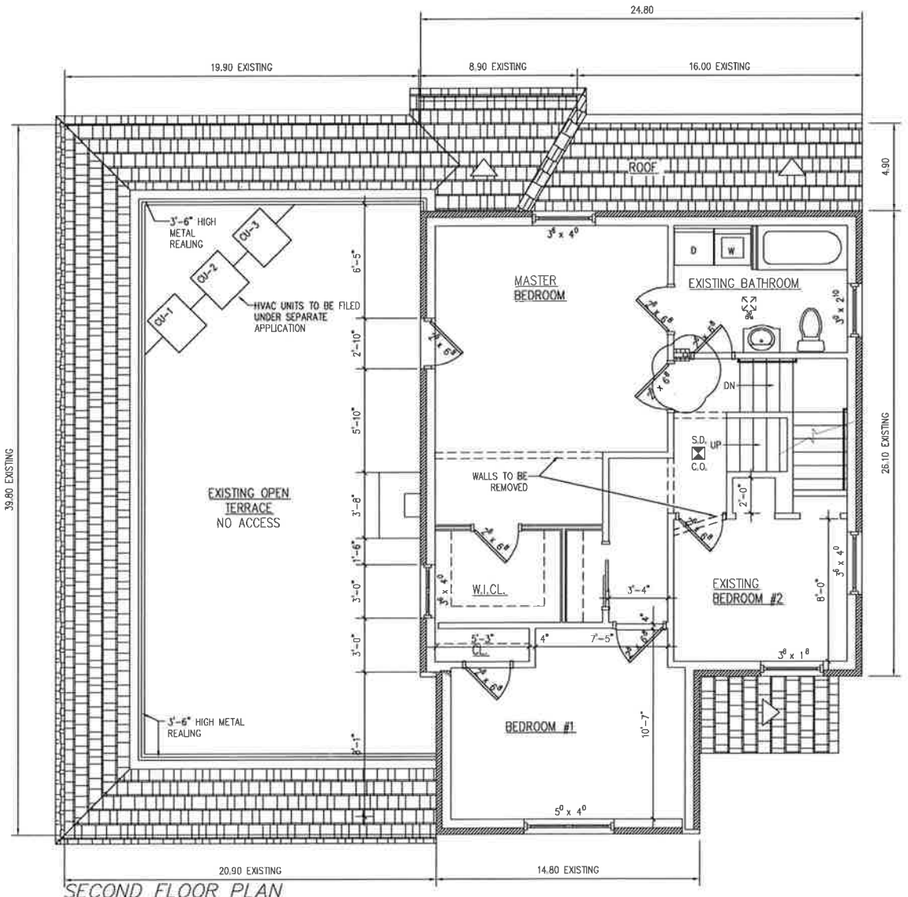
DRAWN BY:	C.O.
CHECKED BY:	G.J.C
JOB NO:	08003
SCALE:	AS NOTED
DATE:	04-15-08

NO.	DATE	REVISION

DRAWING No.:
A-02



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

420127829
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SEAL:

DRAWING TITLE: FIRST FLOOR PLAN & SECOND FLOOR PLAN

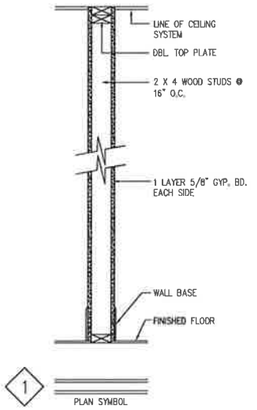
PREMISES: 111-03 77th AVENUE QUEENS, NY

NO.	DATE	REVISION
1	11-15-10	AUDIT OBJECTIONS

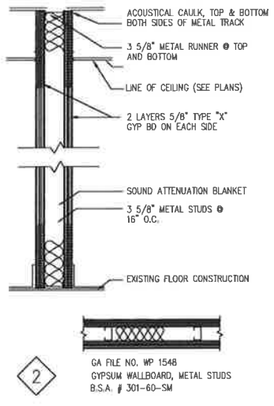
DRAWN BY: S.G./ml
CHECKED BY: G.J.C
JOB NO.: 08071
SCALE: AS NOTED
DATE: 01-04-10

DRAWING No.: 2 OF 3

A-002.01

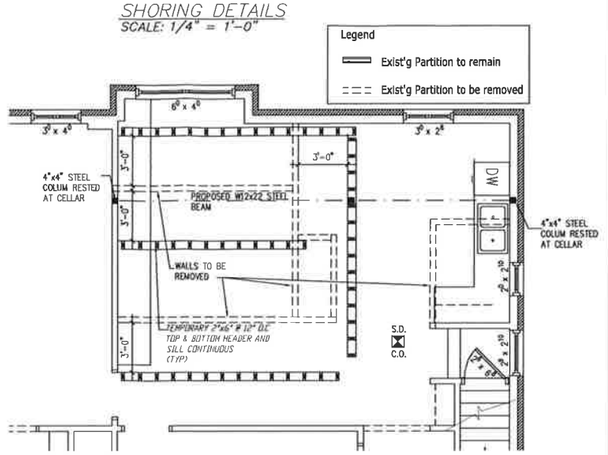


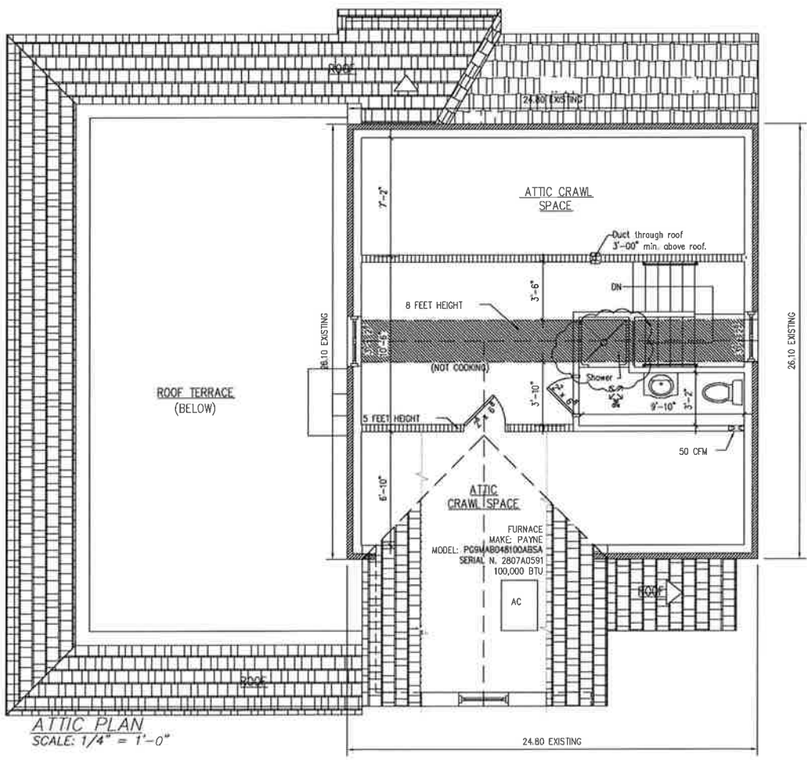
NON-RATED PARTITION
SCALE: 1" = 1'-0"



TWO HOUR RATED PARTITION
SCALE: 1 1/2" = 1'-0"
METAL STUDS

SHORING DETAILS
SCALE: 1/4" = 1'-0"





ATTIC PLAN
SCALE: 1/4" = 1'-0"

GENERAL DEMOLITIONS NOTES

STRUCTURAL STABILITY TO COMPLY WITH 1 RCNY 16-01
TO MAINTAIN INSPECTION REPORT OF STRUCTURAL STABILITY & MIN OF TWO SITE VISITS

1. THIS WORK IS SUBJECT TO THE PROVISIONS OF SPECIFICATIONS, INCLUDING GENERAL, SPECIFIC, AND SUPPLEMENTAL REQUIREMENTS. ALL WORK SHALL CONFORM TO THE NEW YORK CITY BUILDING CODE, LATEST EDITION.
2. ALL ASBESTOS REMOVAL AND DISPOSAL SHALL BE PERFORMED PRIOR TO ANY DEMOLITION OR CONSTRUCTION WORK AS PER SPECIFIC REQUIREMENTS, SECTION 1A.14 – ASBESTOS REMOVAL.
3. CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH CONDITIONS PRIOR TO COMMENCING WORK. ALL DIMENSIONS AND CONDITIONS ARE TO BE VERIFIED IN FIELD. CONTRACTOR SHALL NOTIFY ARCHITECT OF ANY DISCREPANCIES FROM THE CONTRACT DOCUMENTS AND AWAIT INSTRUCTIONS FROM THE ARCHITECT.
4. CONTRACTOR FOR THE DEMOLITION WORK SHALL COORDINATE HIS WORK WITH ALL OTHER CONTRACTORS.
5. CONTRACTOR SHALL PROVIDE A TEMPORARY SIDEWALK BRIDGE FOR THE DURATION OF CONSTRUCTION CONTRACT WORK AS SPECIFIED UNDER SECTION 1A.
6. CONTRACTOR SHALL PROVIDE TEMPORARY SUPPORTS FOR EXISTING STRUCTURES AS REQUIRED BY DEMOLITION WORK OR NEW CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR THE STRUCTURAL INTEGRITY OF THE EXISTING BUILDING. TEMPORARY BRACING AND SHORING SHALL BE AS PER SECTION C-26-1905 OF THE NEW YORK CITY BUILDING CODE.
7. ALL UNDERGROUND UTILITY SERVICES SHALL BE PROTECTED.
8. REMOVE ALL EXISTING TEMPORARY MASONRY, SHEET METAL, AND WOOD SECURITY CLOSURES AT ALL COURTS, YARDS, STOREFRONTS, DOORS, AND WINDOWS.
9. REMOVE ALL EXISTING DEBRIS WITHIN THE PROPERTY LINES.
10. REMOVE ALL EXISTING TREES AND VEGETATION WITHIN THE PROPERTY LINES UNLESS INDICATED TO REMAIN.
11. THE CONTRACTOR MUST NOT REMOVE ANY STRUCTURAL ELEMENTS (WOOD JOISTS, STEEL COLUMNS AND BEAMS, MASONRY AND CONCRETE WALLS AND FLOORS) WITHOUT THE APPROVAL OF H.P.D. STAFF ENGINEERS.
12. NO STRUCTURAL ELEMENT IS TO BE REMOVED UNLESS THE STRUCTURE IT SUPPORTS IS FULLY SHORED AND BRACED SUCH SHORING AND BRACING IS TO REMAIN UNTIL THE NEW SUPPORTS ARE COMPLETED TO THE SATISFACTION AND APPROVAL OF THE H.P.D. ARCHITECT OR ENGINEER. CONTRACTOR SHALL PROVIDE SHORING AND BRACING AT ALL NEW OPENINGS IN EXISTING MASONRY WALLS. CONTRACTOR SHALL IMMEDIATELY REPORT ANY STRUCTURAL DEFECTS OR DEVIATIONS FROM THE CONTRACT DOCUMENTS TO THE ARCHITECT. DISCONNECT EXISTING BUILDING ELECTRIC SERVICE AND REMOVE ALL ASSOCIATED WIRING AND
13. EQUIPMENT AS PER SPECIFICATIONS, SECTION 2A – DEMOLITION.
14. REMOVE ALL EXISTING HEATING EQUIPMENT AND ASSOCIATED PIPING AS PER SPECIFICATIONS, SECTION 2A – DEMOLITION.
15. REMOVE ALL EXISTING PLUMBING AND ASSOCIATED EQUIPMENT AS PER SPECIFICATIONS, SECTION 2A – DEMOLITION.
16. REMOVE ALL EXISTING DOMESTIC WATER SYSTEM TO N.Y.C. WATER MAIN.
17. ALL STRUCTURAL STEEL COLUMNS AND BEAMS ARE 'EXISTING TO REMAIN' UNLESS INDICATED AS NEW ON THE DRAWINGS.
18. CONTRACTOR SHALL REFER TO SPECIFICATIONS SECTION 2A – DEMOLITION, FOR THE FULL EXTENT OF DEMOLITION TO BE PERFORMED. ANY QUESTIONS CONCERNING THE EXTENT OF THE DEMOLITION WORK SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT

DEMOLITION BY HAND NOTES

(A) APPLICATION. THE PROVISION OF THIS SECTION SHALL NOT APPLY TO MECHANICAL MEANS OF DEMOLITION.

(B) DEMOLITION OF WALLS AND PARTIONS. (1) THE DEMOLITION OF WALS AND PARTITIONS SHALL PROCEED IN A SYSTEMATIC MANNER AND ALL DEMOLITION WORK ABOVE EACH TIER OF FLOOR BEAMS SHALL BE COMPLETED BEFORE ANY DEMOLITION WORK IS PREFORMED ON THE SUPPORTS OF SUCH FLOOR BEAMS.

(2) MASONRY SHALL NOT BE LOOSENED NOR PERMITED TO FALL IN SUCH MASSES AS TO ENDANGER THE STRUCTURAL STABILITY OF ANY FLOOR OR STRUCTURAL SUPPORT WHICH SUCH MASONRY MAY STRIKE IN FALLING.

(3) WALLS, CHIMNEYS AND OTHER PARTS OF ANY BUILDING OR OTHER STRUCTURE SHALL NOT BE LEFT UNGARDED IN SUCH A CONDITON THAT SUCH PARTS MAY FALL, COLLAPSE OR BE WEAKENED BY WIND PRESSURE OR VIBRATION.

(4) EMPLOYERS SHALL NOT SUFFER OT PERMIT ANY PERSON TO WORK WHILE SUCH PERSON IS STANDING ON TOP OF A WALL OR ANY SIMILAR ELEVATED STRUCTURE OF SMALL AREA.

(5) IN THE DEMOLITION BY HAND OF EXTERIOR WALLS, ALL PERSONS PREFORMING SUCH WORK SHALL BE PROVIDED WITH SAFE FOOTING IN THE FORM OF SOUND FLOORING OR SCAFFOLDS CONSTRUCTED AND INSTALLED IN COMPLIANCE WITH THIS PART (RULE).

(6) WALLS OR PARTITIONS WHICH ARE BEING DEMOLISHED BY HAND SHALL NOT BE LEFT STANDING MORE THAN ONE STORY OR 15 FEET, WHICHEVER IS LESS, ABOVE THE UPPERMOST FLOODN WHICH PERSONS ARE WORKING. SUCH WALLS OR PARTITIONS SHALL BE REMOVED BEFORE THE AGGREGATE AREA OF THE OPENINGS EXCEEDS 25 PERCENT OF THE TOTAL FLOOR AREA.

(C) INSPECTION. DURING HAND DEMOLITION OPERATIONS, CONTINUING INSPECTIONS SHALL BE MADE BY DESIGNATED PERSONS AS THE WORK PROGRESSES TO DETECT ANY HAZZARDS TO ANY PERSON RESULTING FROM WEAKENED OR DETERIORATED FLOORS OR WALLS OR FROM LOOSENED MATERIAL. PERSONS SHALL NOT BE SUFFERED OR PERMITTED TO WORK WHERE SUCH HAZARDS EXIST UNTILL PROTECTION HAS BEEN PROVIDED BY SHORING, BRACING OR OTHER EFFECTIVE MEANS.

(D) BOARDING OF WALL OPENINGS. WHERE WINDOWS AND OTHER EXTERIOR WALL OPENING S IN BUILDING OR OTHER STRUCTURES BEING DEMOLISHED ARE MORE THAN 25 FEET IN HEIGHT ABOVE THE GROUND OR GRADE LEVEL AND ARE WITHIN 20 FEET OF ANY FLOOR OPENING USED FOR THE REMOVAL OF DEBRIS FROM THE FLOOR ABOVE, SUCH WINDOWS AND OTHER OPENINGS SHALL BE SOLIDLY BOARDED UP DURING DEMOLITION OPERATIONS TO PREVENT THE ACCIDENTAL PASSAGE OF DEBRIS.

(E) METHODS OF OPERATION. ON OF ANY BUILDING OR OTHER STRUCTURE IS BEING PREFORMED BY HAND, DEBIS, BRICKS AND OTHER MATERIAL SHALL BE REMOVED AS FOLLOWS:

(1) BY MEANS OF CHUTES CONSTRUCTED IN COMPLIANCE WITH THIS PART (RULE);

(2) BY MEANS OF BUCKETS OR HOISTS; OR

(3) THROUGH OPENINGS IN THE FLOORS OF THE BUILDING OR OTHER STRUCTURE IN COMPLIANCE WITH THIS SECTION.

(F) ACCESS TO FLOORS. THERE SHALL BE PROVIDED AT ALL TIMES SAFE ACCESS TO AND EGRESS FROM EVERY BUILDING OR OTHER STRUCTURE IN THE COURSE OF DEMOLITION. SUCH SAFE MEANS OF ACCESS AND EGRESS SHALL CONSIST OF ENTRANCES, HALLWAYS, STAIRWAYS OR LADDER RUNS SO PROTECTED AS TO SAFEGAURD THE PERSONS USING SUCH MEANS FROM THE HAZARDS OF FALLING DEBRIS OR MATERIALS.

(G) PROTECTION IN OTHER AREAS. EVERY FLOOR OR EQUIVLANT AREA WITHIN THE BUILDING OR OTHER STRUCTURE THAT IS SUBJECT TO HAZARD OR FALLING DEBRIS OR MATERIALS FROM ABOVE SHALL BE BOARDED UP TO PREVENT THE PASSAGE OF ANY PERSON THROUGH SUCH AREA, OR SHALL BE FENCED OFF BY SUBSTANTIAL SAFETY RAILING CONSTRUCTED AND INSTALED IN COMPLIANCE WITH THIS PART (RULE) AND PLACE NOT LESS THAN 20 FEET FROM THE PEREMITER OF SUCH FLOOR OPENING OR SUCH AREA SHALL BE PROVIDED WITH OVERHEAD PROTECTION IN THE FORM OF TIGHT PLANKING AT LEAST TWO INCHES THICK FULL SIZE, EXTERIOR GRADE PLYWOOD AT LEAST THREE-QUARTERS OF AN INCH THICK OR MATERIAL OF EQUIVLANT STRENGTH.

(H) DEMOLITION OF STRUCTURAL STEEL BY HAND. STEEL CONSTRUCTION SHALL BE DEMOLISHED COLUMN LENGTH BY COLUMN LENGTH AND FLOOR BY FLOOR. EVERY STRUCTURAL MEMBER WHICH IS BEING DISMEMBERED SHALL NOT BE UNDER ANY STRESS OTHER THAN ITS OWN WEIGHT AND SUCH MEMBER SHALL BE CHAINED OR LASHED INTO PLACE TO PREVENT ITS UNCONTROLED SWINGING OR DROPPING. LARGE STRUCTURAL MEMBERS SHALL NOT BE THROWN OR DROPPED FROM THE BUILDING OR OTHER STRUCTURE, BUT CAREFULLY LOWERED. WHERE A DERRICK IS USED IN THE DEMOLITIONOF BUILDINGS OR OTHER STRUCTURES OF SKELETAL STEEL CONSTRUCTION, THE FLOOR UPON WHICH THE DERRICK RESTS SHALL BE COMPLETLY PLANKED OVER WITH PLANKING OF ADEQAUTE SIZE. WHERE OTHER METHODS ARE USED, THE PERSONS ENGAGED IN THE DISMANTLING OF THE STEEL MEMBERS SHALL BE PROTECTED BY SOLIDLY PLANKED FLOORING NO LESS THAN TWO INCHES THICK FULL SIZE OR SOUND FLOOR ARCHES NOT MORE THAN TWO SOTRIES OR 30 FEET, WHICHEVER IS LESS, BELOW AND DIRECTLY UNDER THAT PORTION OF ANY TIER OF BEAMS WHERE SUCH PERSONS ARE AT WORK.

(I) DEMOLITION OF FLOOR ARCHES. BEFORE DEMOLISHING ANY FLOOR ARCHES, DEBRIS OAND OTHER MATERIALS SHALL BE REMOVED FROM SUCH ARCH AND FROM ADJACENT FLOOR AREAS. PLANKS NOT LESS THAN TWO INCHES THICK BY NINE INCHES IN CROSS SECTION SHALL BE PROVIDED FOOR AND SHALL BE USED BY THE PERSONS TO STAND ON WHILE BREAKING DOWN FLOOR ARCHES BETWEEN BEAMS. SUCH PLANKS SHALL BE SO LOCAITED AS TO PROVIDE SAFE SUPPORTS FOR SUCH PERSONS SHOULD THE ARCHES BETWEEN THE BEAMS COLLAPSE. ANY OPEN SPACE BETWEEN SUCH PLANKS SHOULD NOT EXCEED 16 INCHES.

(J) FLOOR OPENINGS. (1) PERMISSABLE AGGREGATE AREA. DURING THE DEMOLITION OFF ANY BUILDING OR OTHER STRUCTURE BY HAND, THE AGGREGATE AREA OF SUCH OPENINGS IN THE FLOOR IMMEDIATLY BENEATH THE FLOOR SHALL NOT EXCEED 25 PERCENT OF THE TOTAL AREA OF SUCH FLOOR.

(2) REQUIRED PROTECTION. (I) EVERY OPPENING USED IN THE REMOVAL OF DEBRIS OR MATERIALS ON EVERY FLOOR NOT CLOSED TO ACCESS, EXCEPT THE TOP WORKING FLOOR, SHALL BE PROVIDED WITH AN ENCLOSURE FROM FLOOR TO CEILING EQUIVLENT TO THAT AFFORDED BY PLANKING NOT LESS THAN TWO INCHES THICK FULL SIZE. SUCH ENCLOSURE SHALL BE SOLID EXCPT FOR PORTIONS OPENEABLE FOR LOOSENING BLOCKED DEBIS. ALTERNATIVLY, THE OPENING SHALL BE FENCED OFF BY A SUBSTANTIAL SAFETY RAILING CONSTRUCTED AND INSTALLED AT LEAST 2 FEET FROM THE PEREMITER OF THE OPENING AND OTHERWISE IN COMPLIANCE WITH THIS PART (RULE) AND PLACED NOT LESS THAN 20 FEET FROM THE PERIMITER OF SUCH OPENING. EVERY OPENING NOT USED FOR THE REMOVAL OF DEBRIS OR OTHER MATERIALS IN ANY FLOOR TO WHICH ACCESS IS PERMITED SHALL BE PROTECTED BY A SOLID ENCLOSURE AS DESCRIBED ABOVE, BY A SUBSTANTIAL SAFETY RAILING CONSTRUCTED AND INSTALLRF AT LEAST TWO FEET FROM THE OPENING AND OTHERWISE IN COMPLIANCE WITH THIS PART (RULE) OR SUCH OPENING SHALL BE SOLIDLY PLANKED OVER WITH PLANKS NOT LESS THAN TWO INCHES THICK FULL SIZE.
(II) OPENINGS IN THE TOP OR WORKING FLOOR MORE THAN 16 INCHES IN LEAST DIMENSION SHALL BE PROTECTED ON ALL SIDES, EXECPT THE SIDE AT WHICH DEBIS OR OTHER MATERIALS IS DEPOSITED, BY A SUBSTANTIAL SAFETY RAILING CONSTRUCTED SND INSTALLED AT LEAST TWO FEET FROM THE PERIMETER OF THE OPENING AND OTHERWISE IN COMPLIANCE WITH THIS PART (RULE) OR BY ROPE NOT LESS THAN FIVE-EIGHTS INCHE IN DIAMETER OR AN EQUIVILANT CHAIN PLACED NOT LESS THAN TWO FEET FROM THE PERIMETER OF THE OPENING. SUCH ROPE OR CHAIN SHALL BE LESS THAN 36 INCHES NOR MORE THAN 42 INCHES ABOVE THE FLOOR SURFACE. THE PORTION OF ANY FLOOR OPENING ADJACENT ANF IMMEDIATLY BELOW A POINT WHERE PERSONS ARE EMPLOYED IN ANY WORK UPON A WALL OR EQUIVALENT STRUCTURE SHALL BE PROVIDED WITH SOLID FLOORING NOT LESS THAN FIVE FEET IN WIDTH MEASURED FROM THE INSIDE FACE OF SUCH WALL OR EQUIVLANT STRUCTURE. SUCH FLOORING SHALL CONSIST OF PLANKING NOT LESS THAN TWO INCHES THICK FULL SIZE, EXTERIOR GRADE PLYWOOD NOT LESS THAN THREE-QUARTERS INCH THICK OR MATERIAL OF EQUIVLANT STRENGTH.

(K) STORAGE OF MATERIALS. (1) GENERAL.

(I) MATERIALS SHALL NOT BE STORED ON CATCH PLATFORMS, SCAFFOLD PLATFORMS, FLOORS OR STAIRWAYS OF ANY BUILDING OR OTHER STRUCTURE BEING DEMOLISHED, EXCEPT THAAT ANY SUCH FLOOR MAY BE USED FOR THE TEMPORARY STORAGE OF MATERIALS WHEN SUCH FLOOR MAY BE USED FOR THE TEMPOARY STORAGE OF MATERIALS WHEN SUCH FLOOR IS OF STRENGTH AS TO SAFELY SUPPORT THE LOAD TO BE IMPOSED.

(II) STORAGE AREAS SHALL NOT INTERFERE WITH ACCES TO ANY STAIRWAY OR PASSAGEWAY USED BY ANY PERSON AS A MEANS OF INGRESS OR EGRESS. SUITABLE BARRACADES SHALL BE PROVIDED TO PREVENT STORED MATERIALS FROM SLIDING OR REBOUNDING ANTO ANY AREA WHERE A PERSON IS LOCATED OR PASSING. ALL MATERIALS SHALL BE SAFELY PILED IN SUCH LOCATIONS AS WILL NOT INTERFERE WITH ANY WORK OPERATIONS NOR PRESENT ANY HAZARD TO ANY PERSON EMPLOYED AT OR FREQUENTING THE DEMOLITION SITE.

(2) STORAGE OF DEBRIS OR MATERIALS IN CELLARS. WHEN DEBRIS OR MATERIALS ARE STORED IN THE CELLAR OR BASEMENT OF ANY BUILDING OR OTHER STRUCTURE BEING DEMOLISHED SUCH DEBRIS OR MATERIALS SHALL NOT BE IN PILES WHICH EXTEND HIGHER THAN THE TOP OF THE FOUNDATION WALL. THE PERSON IN CHARGE OF THE DEMOLITION OPERATIONS SHALL PROVIDE SHEET PILING, SHOIRING, BRACING OR SUCH OTHER MEANS AS MAY BE NECCESARY TO INSURE THE STABILITY OF SUCH FOUNDATION WALLS AND TO PREVENT ANY SUCH WALL FROM COLLAPSING DUE TO THE ACCUMULATED DEBRIS OR MATERIALS.

(L) SAFE FOOTING REQUIRED. ANY PERSON WORKING ABOVE THE FIRST FLOOR OR GROUND LEVEL IN THE DEMOLITION OF ANY BUILDING OR OTHER STRUCTURE SHALL NOT BE SUFFERED OR PERMITTED TO USE ACCUMULATED DEBRIS OR PILED MATERIALS AS A FOODTING IN THE PREFORMANCE OF HIS WORK. EVERY PERSON SHALL BE PROVIDED WITH SAFE FOOTING CONSISTING OF SOUND FLOORING, PLANKING NOT LESS THAN TWO INCHES THICK IN FULL SIZE, ADEQUATLY SUPPORTED EXTERIOR GRADE PLYWOOD AT LEAST THREE-QUATERS INCH THICK OR MATERIAL OF EQUIVALENT STRENGTH.

(M) CATCH PLATFORM REQUIRED. DURING THE DEMOLITION OF ANY EXTRIOR MANSONRY WALL OR A ROOF FROM A POINT MORE THAN 74 FEET ABOVE THE ADJOINING GROUND, GRADE OR EQUIVALENT LEVEL WHERE PERSONS ARE EXPOSED TO FALLING DEBRIS, MATERIALS OR OBJECTS, A CATCH PLATFORM SHALL BE CONSTRUCTED AND INSTALLED IN COMPLIANCE WITH THIS PART (RULE). SUCH CATCH PLATFORM SHALL BE LOCATED NO MORE THAN 20 FEET BELOW THE WORKING LEVEL.

EXCEPTIONS: (1) A CATCH PLATFORM IS NOT REQUIRED WHERE A CHIMNEY IS BEING DEMOLISHED

(2) A CATCH PLATFORM IS NOT REQUIRED WHERE A SCAFFOLD, CONSTRUCTED AND INSTALLED IN COMPLIANCE WITH THIS PART (RULE), PROVIDE EQUIVALENT PROTECTION.

420127829
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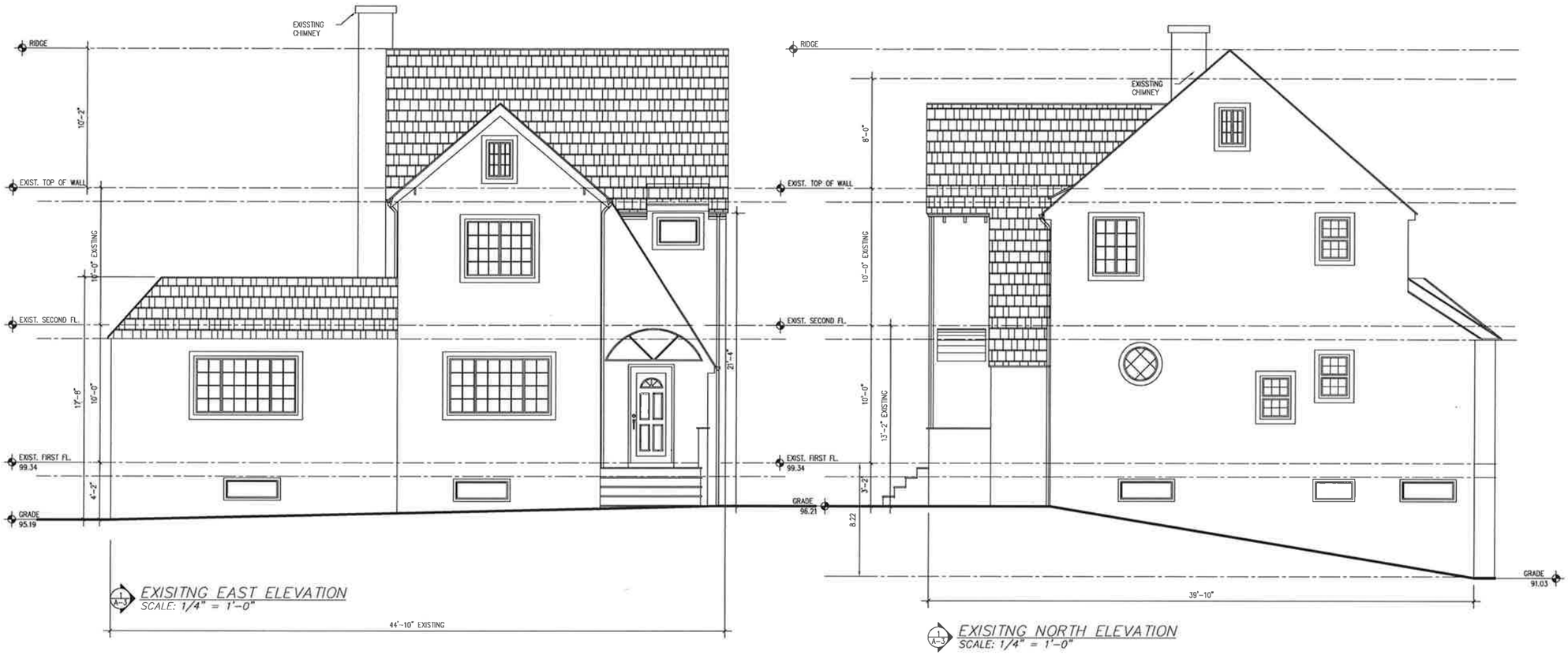
PREMISES: 111-03 77th AVENUE QUEENS, NY

DRAWN BY:	CHECKED BY:	JOB NO:	SCALE:	DATE:
S.G./ml	C.J.C	08071	AS NOTED	01-04-10

NO.	DATE	REVISION
1	11-15-10	AUDIT OBJECTIONS
2	05-15-11	AS-BUILT CONDITIONS
3	7-20-12	AS-BUILT CONDITIONS

DRAWING No.: 3 OF 3

A-003.03



EXISITNG EAST ELEVATION
SCALE: 1/4" = 1'-0"

EXISITNG NORTH ELEVATION
SCALE: 1/4" = 1'-0"

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PREMISES: 111-03 77th AVENUE
Queens, New York

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C.O.	GJC	08071	AS NOTED	12-28-09

NO.	DATE	REVISION

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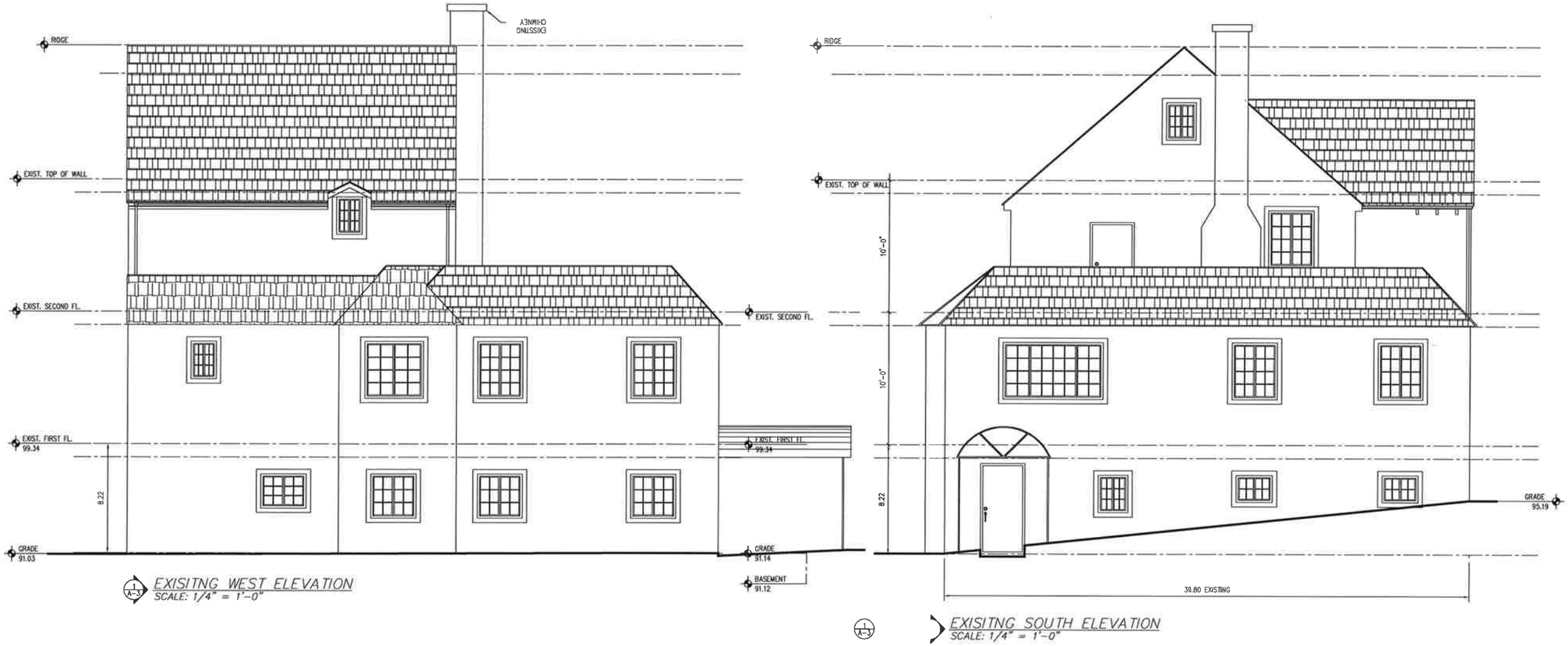
A-04



EXISITNG WEST ELEVATION
SCALE: 1/4" = 1'-0"

EXISITNG SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

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PREMISES: 111-03 77th AVENUE
Queens, New York

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A-05

APPENDIX B- NYC LPC CORRESPONDENCE

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New York, NY 10007

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ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-Q
Project: AUSTIN STREET REZONING
Date received: 8/25/2017

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 111-04 76 DRIVE, BBL: 4033420001
2) ADDRESS: 111-03 77 AVENUE, BBL: 4033420061
3) ADDRESS: 111-08 76 DRIVE, BBL: 4033420004



9/7/17

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Gina Santucci, Environmental Review Coordinator

File Name: 32736_FSO_DNP_08282017.doc

APPENDIX C- PHASE I ESA

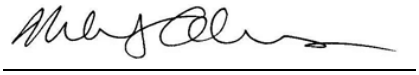
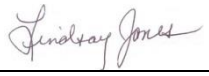
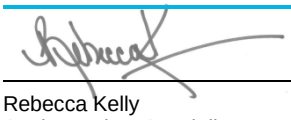
Phase I Environmental Site Assessment
111-03 77th Avenue / 111-04 76th Drive
Forest Hills, New York

Able Orthopedic & Sports Medicine

60546597

May 2018

Quality information

Prepared by	Checked by	Approved by
		
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Executive Summary

Able Orthopedic & Sports Medicine (Able) contracted with AECOM Technical Services, Inc. (AECOM) to perform a Phase I Environmental Site Assessment (ESA) at the subject property currently occupied by two buildings used as medical offices and residential dwellings located at 111-03 77th Avenue and the contiguous lot at 111-04 76th Drive, Forest Hills, Queens County, New York. This assessment was conducted as part of the potential rezoning of the subject property. This Phase I ESA was performed in general conformance with the scope and limitations of the American Society for Testing and Materials (ASTM) Standard Practice Designation E 1527-13 for ESAs. Exceptions to, or deletions from, this practice are described in this report.

The subject property is defined herein as two contiguous lots with a combined size of approximately 12,400 square feet that are each developed with a three-story timber framed building and concrete block basement that were originally used as residential dwellings. Both buildings currently have medical offices on the first floor while the second and third floors are residential. According to the City of New York Department of Finance, the subject property is designated as Block 3342, Lots 1 and 61. During the site visit, no visual evidence of underground storage tanks (e.g., vent pipes, fill ports), potable water wells, monitoring wells, dry wells, clarifiers, septic tanks, or leach fields was observed on the subject property. A stormwater drain is present within the concrete paved parking area located between the buildings that is accessible from Austin Street. No visual evidence of discolored soil, water, or unusual vegetative conditions or odors was observed during the site visit.

The subject property is located within an area almost exclusively occupied by residential properties. The properties located adjacent to the northwest of the subject property beyond 76th Drive consist of residential dwellings and apartment buildings, while single family residential dwellings are located adjacent to the east and northeast. Single family residential dwellings are located beyond 77th Street to the southeast, while apartment buildings and the Ehrenreich-Austin Playground then the main line for the Long Island Rail Road (LIRR) are located beyond Austin Street to the west. Based on AECOM's site reconnaissance of the surrounding neighborhood, no off-site sources of concern were identified.

Historical research indicates the subject property had been vacant as early as 1902, and remained as such until 1932 when the current buildings along with storage / automobile sheds are present on Sanborn® Fire Insurance Maps. Other than the removal of two sheds sometime between 2006 and 2007, and the placement of concrete pavement between the two buildings sometime around the mid-1960s, no significant changes to either property have occurred.

The subject property was not identified in the site-specific environmental database report. A number of surrounding sites were identified in the environmental database search report. However, based on AECOM's review and analysis of the database listings, none of the surrounding sites are expected to present a recognized environmental condition (REC) to the subject property, based on their distance (generally greater than 500 feet), regulatory status (i.e. regulatory closure, no violations found), media impacted (soil only), and/or topographical position relative to the subject property (i.e. down-gradient or cross-gradient).

Based on the above-described activities, no RECs, controlled RECs (CRECs), historical RECs (HRECs) or de minimis conditions (DMCs) were identified in connection with the subject property.

1. Introduction

1.1 Purpose

This Phase I Environmental Site Assessment (ESA) was performed pursuant to AECOM's written proposal, dated February 19, 2018. This assessment was conducted as part of the proposed rezoning of the area in order to expand the current medical offices at the subject property. The purpose of this Phase I ESA is to provide the client with information for use in evaluating recognized environmental conditions (RECs) associated with the subject property.

Per the ASTM standard, potential findings can include RECs, including historical RECs (HRECs), controlled RECs (CRECs), and de minimis conditions (DMCs). A REC is defined by the ASTM standard 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." The term includes hazardous substances or petroleum products even under conditions in compliance with laws. HRECs are a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. CRECs are 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, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls. DMCs are those situations that do not present a material risk of harm to public health or the environment and generally would not be subject to enforcement action if brought to the attention of the regulating authority.

This assessment is based on a review of existing conditions, reported pre-existing conditions, and observed operations at the subject property and adjacent properties.

1.2 Scope of Work

The Phase I ESA included a site visit, regulatory research, historical review, and a review and an environmental database analysis of the subject property. In conducting the Phase I ESA, AECOM assessed the subject property for visible signs of possible contamination, researched public records for the subject property and adjacent properties (as applicable), and conducted interviews with persons knowledgeable about the subject property.

This project was performed in general accordance with ASTM Standard Practice Designation E 1527-13 and AECOM's proposal, dated February 19, 2018. Conclusions reached in this report are based upon the assessment performed and are subject to limitations set forth in Sections 1.3, 1.4, and 1.5 below.

1.3 Study Limitations

This report describes the results of AECOM's Phase I ESA to identify the presence of contamination-related liabilities materially affecting the subject facility and/or property. In the conduct of this assessment, AECOM assessed the presence of such problems within the limits of the established scope of work as described in our proposal.

As with any due diligence assessment, there is a certain degree of dependence upon oral information provided by facility or site representatives, which is not readily verifiable through visual

observations or supported by any available written documentation. AECOM shall not be held responsible for conditions or consequences arising from relevant facts concealed, withheld, or not fully disclosed by facility or site representatives at the time this assessment was performed. In addition, the findings and opinions expressed in this report are subject to certain conditions and assumptions, which are noted in the report. Any party reviewing the findings of the report must carefully review and consider all such conditions and assumptions.

This report and all field data and notes were gathered and/or prepared by AECOM in accordance with the agreed upon scope of work and generally accepted engineering and scientific practice in effect at the time of AECOM's assessment of the subject property. The statements, findings and opinions contained in this report are only intended to give approximations of the environmental conditions at the subject property.

As specified in the ASTM standard (referred to below as "this practice"), it is incumbent the client and any other parties who review and rely upon this report understand the following inherent conditions surrounding any Phase I ESA:

- Uncertainty Not Eliminated - No ESA can wholly eliminate uncertainty regarding the potential for REC in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for REC in connection with a property, and this practice recognizes reasonable limits of time and costs. (Section 4.5.1 of the ASTM standard)
- Not Exhaustive - "All appropriate inquiry" does not mean an exhaustive assessment of a clean property. There is a point at which the cost of information obtained outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of transactions. One of the purposes of this practice is to identify a balance between the competing goals of limiting the costs and time demands inherent in performing an ESA and the reduction of uncertainty about unknown conditions resulting from additional information. (Section 4.5.2 of the ASTM Standard)
- Comparison with Subsequent Inquiry - ESAs must be evaluated based on the reasonableness of judgments made at the time and under the circumstances in which they were made. Subsequent ESAs should not be considered valid standards to judge the appropriateness of any prior assessment based on hindsight, new information, use of developing technology or analytical techniques, or other factors. (Section 4.5.4 of the ASTM Standard)

A similar set of inherent limitations exist in cases where the Phase I ESA included a screening-level assessment of vapor migration or vapor encroachment; such an assessment is a required part of a Phase I ESA when the ASTM E1527-13 standard is employed. According to the ASTM E2600-15 Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions, the following limitations apply:

- Uncertainty Not Eliminated in Screening - No vapor encroachment screen (VES) can wholly eliminate uncertainty regarding the identifications of vapor encroachment conditions (VECs) in connection with the target property. (Section 4.5.1)
- Not Exhaustive - The guide is not meant to be an exhaustive screening. There is a point at which the cost of information obtained outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of real estate transactions. One of the purposes of this guide is to identify a balance between the competing goals of limiting the costs and time demands inherent in performing a VES and the reduction of uncertainty about unknown conditions resulting from additional information. (Section 4.5.2)

- Comparison with Subsequent Investigations - It should not be concluded or assumed that an investigation was not adequate because the investigation did not identify any VECs in connection with a property. The VES must be evaluated based on the reasonableness of judgments made at the time and under the circumstances in which they were made. Subsequent VESs should not be considered valid bases to judge the appropriateness of any prior screening if based on hindsight, new information, use of developing technology or analytical techniques, or similar factors. (Section 4.5.4)

This report was prepared pursuant to an agreement between Able Orthopedic & Sports Medicine (Client) and AECOM and is for the exclusive use of the Client. No other party is entitled to rely on the conclusions, observations, specifications, or data contained herein without first obtaining AECOM's written consent and provided any such party signs an AECOM-generated Reliance Letter. A third party's signing of the AECOM Reliance Letter and AECOM's written consent are conditions precedent to any additional use or reliance on this report.

The passage of time may result in changes in technology, economic conditions, site variations, or regulatory provisions, which would render the report inaccurate. Reliance on this report after the date of issuance as an accurate representation of current site conditions shall be at the user's sole risk.

1.4 Site-Related Limiting Conditions

Neither of the roofs of the buildings were inspected during the course of this assessment. AECOM's evaluation of the subject property focused on areas where hazardous substances are handled. The site contact did not report any hazardous materials associated with the roofs. Based on this information, this particular site-related limiting condition is not expected to have a significant limitation to this assessment.

1.5 Data Gaps/Data Failure

The following data failure/data gaps were encountered during the course of this assessment:

- As specified in the agreed upon scope of work, a title search and environmental lien search were not conducted as part of this ESA. However, based upon historical data collected from other sources, this data gap is not expected to impact the results of this assessment. In addition, the user was not aware of environmental liens or activity use limitations (AULs) that have been placed on the subject property.
- Per ASTM, past owners, operators, and occupants of the subject property who are likely to have material information regarding the potential for contamination at the subject property shall be contacted to the extent that they can be identified and that the information likely to be obtained is not duplicative of information already obtained from other sources. AECOM was unable to interview past owners and/or operators at the subject property. However, based upon historical data collected from other sources, this data gap is not expected to impact the results of this assessment.
- Per the agreed scope-of-work and the ASTM Standard, information related to certain site-specific items should be provided by the ESA report user to AECOM. To assist the user in gathering information that may be material to identifying RECs, AECOM provided the Client (the users) with the User Questionnaire from the ASTM Standard; at this time the completed form has not been returned for inclusion in this report. However, this data gap is not expected to represent a significant limitation to this investigation given the historical use of the subject property.

- As of the date of this report, AECOM has not received any responses to Freedom of Information Act (FOIA) requests made to the Fire Department of the City of New York (FDNY), or the New York State Department of Environmental Conservation (NYSDEC). However, based upon historical data collected from other sources, this data gap is not expected to impact the results of this assessment.

2. Site Description

2.1 Site Location and Parcel Description

The subject property is located east of Austin Drive between 76th Drive and 77th Avenue approximately 675 feet east of Queens Boulevard. The subject property is accessed from Austin Street to the west, 76th Drive to the north, and 77th Avenue to the south.

According to the City of New York Department of Finance, the subject property is designated as Block 3342, Lots 1 (111-04 76th Drive) and 61 (111-03 77th Avenue). The location of the subject property is illustrated on Figure 1 - Site Location Map.

2.2 Site Ownership

According to the City of New York Department of Finance, Block 3342, Lot 1 is owned by M&K Management LLC and Block3342, Lot 61 is owned by Makani IV Realty LLC.

2.3 Site Visit

Mr. Stephen Wright with AECOM's 100 Red Schoolhouse Road, Chestnut Ridge, New York office visited the subject property on March 26, 2018. During the site visit, Mr. Wright interviewed Mr. Miguel Torres, Medical Assistant with Able Orthopedic and Sports Medicine who also accompanied Mr. Wright during his inspection of the subject property. Site-related limiting conditions encountered during this assessment were previously summarized in Section 1.4.

The site visit methodology consisted of walking over accessible areas of the subject property, including the building interiors and exteriors, the perimeter, and the portions of the surrounding area. The following sections summarize the results of the site visit.

2.3.1 Site and Facility Description

The subject property is defined herein as two contiguous lots with a combined size of approximately 12,400 square feet that are each developed with a three-story timber framed building and concrete block basement that were originally used as residential dwellings. Both buildings currently have medical offices on the first floor (orthopedic at 111-04 76th Road, pain management at 111-03 77th Avenue), while the second and third floors are residential. The subject property is defined by the off-site, adjacent sidewalks and landscaped areas along 77th Avenue to the southeast, Austin Street to the southwest, 76th Drive to the northwest, and the adjacent residential properties to the east and northeast. During the site visit, no visual evidence of underground storage tanks (e.g., vent pipes, fill ports), potable water wells, monitoring wells, dry wells, clarifiers, septic tanks, or leach fields was observed on the subject property. A stormwater drain is present within the concrete paved parking area located between the buildings that is accessible from Austin Street.

No visual evidence of discolored soil, water, or unusual vegetative conditions or odors was observed during the site visit. The general layout of the subject property is illustrated on Figure 2 - Site Plan and Representative Site Photographs are provided in Appendix A.

2.3.2 Surrounding Properties

The area surrounding the property is occupied almost entirely by residential properties. The properties located adjacent to the northwest of the subject property beyond 76th Drive consist of

residential dwellings and apartment buildings, while single family residential dwellings are located adjacent to the east and northeast. Single family residential dwellings are located beyond 77th Street to the southeast, while apartment buildings and the Ehrenreich-Austin Playground then the main line for the Long Island Rail Road (LIRR) are located beyond Austin Street to the west. No sensitive receptors (i.e. day care centers, schools, hospitals, water bodies) are located adjacent to the subject property.

2.3.3 Petroleum Products and Hazardous Materials

Approximately 10 gallons of paint along with cleaning products were present in the basement of 111-04 76th Road. Janitorial cleaning products were also located in a storage room located in the basement of both buildings. Additional household cleaners and hazardous materials were present within the residential areas of the subject property.

2.3.4 Polychlorinated Biphenyls

Polychlorinated biphenyls (PCB)-containing dielectric fluids have been widely used as coolants and lubricants in transformers, capacitors, and other electric equipment due to their insulating and nonflammable properties. Based on the age of the subject property (pre-1979), the potential exists for PCBs to be present on site. However, no hydraulic equipment (transformers, trash compactors, lifts) was observed on the subject property during the site visit.

2.3.5 Aboveground Storage Tanks

Aboveground storage tanks (ASTs) were not observed during the site visit. In addition, no ASTs were listed in the site-specific environmental database report reviewed by AECOM, or otherwise identified during AECOM's review of historical aerial photographs.

2.3.6 Underground Storage Tanks

Visual evidence of underground storage tanks (USTs) (e.g., vent pipes, fill ports) was not observed during the site visit. In addition, no USTs were listed in the site-specific environmental database report, or otherwise identified during AECOM's review of historical documents.

2.3.7 Solid Waste

Solid waste consisting of general household and office trash generated from the two buildings was observed to be placed in trash cans in a fenced area adjacent to the northeast side of 111-04 76th Avenue. The trashed is picked up on a weekly basis by Waste Management.

2.3.8 Hazardous Waste

No evidence of hazardous waste generation was observed at the subject property, and the site contact reported no such activities. In addition, the subject property was not listed as a generator of hazardous waste in the site-specific database report.

Biohazards consisting of sharps are stored in special containers located in the basement of each building. The waste sharps are removed by Stericycle located the Bronx, New York.

2.3.9 Water

The subject property receives its potable water supply from the New York City Department of Environmental Protection (NYCDEP).

2.3.10 Wastewater

Wastewater discharges at the subject property include effluent from human consumptive use of the subject property restrooms and sinks, which, according to site contact, discharge directly to the NYCDEP combined sewer system.

2.3.11 Stormwater

Two stormwater drains were observed in the parking lot within the subject property at the time of AECOM's site reconnaissance. An additional stormwater drain was located at the entrance to 111-03 77thn Avenue. Stormwater is expected to flow into the combined sewers maintained by the NYCDEP Austin Street.

2.3.12 Heating and Cooling

Heating to both buildings at the subject property is supplied by natural gas furnaces. The natural gas is supplied by National Grid. Central air conditioning units are located on the roof of each building on the subject properties.

3. Environmental Setting

3.1 Topography

According to the United States Geological Survey (USGS) topographic map of the subject property area (Lynbrook, NY quadrangle map) and a review of the Google Earth application, the elevation of the subject property is approximately 99 feet above mean sea level (msl). Based on a review of these technical resources and AECOM's site visit, the subject property appears to have a downward slope toward the northwest.

3.2 Soil/Geology

Site-specific geologic information was not identified during the course of this assessment. Though the subject property has never been developed other than being used as a parking lot, the environmental database report indicates that the subject property is underlain with Urban Land, which is considered to be historic fill of unknown origin and is typically covered by streets, parking lots, buildings, and other structures of urban areas.

According to geologic information obtained from the United States Geological Survey, the soils underlying the surface soils at the subject site likely consists of unconsolidated strata of clay, silt, sand and gravel of late Cretaceous and Late Pleistocene ages. This consolidated material lies on crystalline bedrock of Ordovician age consisting of granitic gneiss of the Hartland Formation.

3.3 Groundwater/Hydrology

Site-specific hydrologic information was not identified during the course of this assessment. Based on the topographic gradient in the area of the subject property, the groundwater flow beneath the subject property and in the surrounding area is anticipated to flow in a northerly direction. Based on a review of area review of the topographic map, groundwater is anticipated to be present at a depth between 30 to 40 feet below ground surface (bgs). However, the actual groundwater flow direction and depth in the vicinity of the subject property cannot be determined without site-specific groundwater monitoring well data.

4. Site and Area History

Historical information for the subject property and surrounding properties is based on AECOM's review and analysis of the following historical sources:

- Aerial photographs dated 1924, 1951, 1954, 1961, 1966, 1985, 1994, 2006, 2011, and 2015;
- Sanborn® Fire Insurance Maps (Sanborn Maps) dated 1902, 1914, 1932, 1950, 1972, 1981, 1983, 1986, 1988, 1989, 1991 – 1995, 1999, 2001, 2002, and 2004 – 2006;
- Topographic maps dated 1897, 1898, 1900, 1947, 1957, 1966, 1979, 1994, and 2013;
- City directories for the years 1922, 1934, 1939, 1945, 1950, 1962, 1967, 1970, 1976, 1983, 1991, 1996, 2000, 2005, 2010 and 2014; and
- Online Property Information reviewed via the City of New York Department of Finance (NYCDOF) and the City of New York City Department of Buildings (NYCDOB) websites.

In addition, an interview was conducted with Mr. Miguel Torres, Medical Assistant with Able Orthopedic and Sports Medicine.

4.1 Subject Property

Historical research indicates the subject property was vacant as early as 1902, and remained as such until 1932 when the current buildings along with storage / automobile sheds are present on Sanborn Maps. Other than the removal of the two sheds sometime between 2006 and 2007 (based on aerial photographs) and the placement of concrete pavement between the two lots sometime around the mid-1960s, no significant changes to either property have occurred.

4.2 Off-site Properties

NORTH

The adjacent properties to the north as of 1902 were either vacant or undeveloped and remained as such through 1914, with the exception of the adjoining roadway to the northwest which was evident by 1914. By 1924, a few residential dwellings are present along with what appears to be properties used for agricultural purposes. Between 1924 and 1932 the current single family residential dwellings were constructed. There have been relatively little, if any, changes to these properties since 1932.

EAST

The adjacent properties to the east as of 1902 were either vacant or undeveloped and remained as such through 1914. Between 1914 and 1932 the current single family residential dwellings were constructed. There have been relatively little, if any, changes to these properties since 1932.

SOUTH

The adjacent properties to the south as of 1902 were either vacant or developed and remained as such through 1914, with the exception of the adjoining roadways to the southeast and southwest which were evident by 1914. The rail line for the Long Island Rail Road (LIRR) is located approximately 200 to 300 feet south and southwest of the subject properties. By 1924, several unidentifiable buildings and structures are located to the south and southeast adjacent to the LIRR.

By 1932, properties to the south have been developed into residential apartment complexes identified as The Thomas Edison Apartments and the Valeria Arms and Apartment complex. There have been relatively little, if any, changes to these properties since 1932.

WEST

The adjacent properties to the west and northwest as of 1902 were either vacant or developed and remained as such through 1914, with the exception of the adjoining roadway to the west which was evident by 1914. By 1932, properties to the west had been developed into a residential apartment complexes identified as The Thomas Edison Apartments. By 1947, properties to the northwest were redeveloped as a playground (currently identified as the Ehrenreich-Austin Playground). There have been relatively little, if any, changes to these properties since 1947.

4.3 Previously Prepared Environmental Reports

AECOM inquired about existing environmental reports associated with the subject property. Previously prepared environmental reports were not identified during this assessment. The client indicated that no previous environmental assessments or reports associated with the subject property.

5. Database and Records Review

5.1 User Provided Information

Section 6 of the ASTM Standard states that certain tasks, which will help to determine the possibility of RECs associated with the subject property, are generally conducted by the ESA report user. This includes the following: reviewing title records for environmental liens or activity and land use limitations and considering awareness of any specialized knowledge (e.g., information about previous ownership or environmental litigation), experience related to RECs at the subject property, or significant reduction in the purchase price of the subject property. Per the agreed scope-of-work, information related to these items should be provided by the ESA report user to AECOM. The User Questionnaire from the ASTM Standard was not provided to the client at the time of this report was prepared. This data gap is not expected to represent a significant limitation to this investigation based on other documentation reviewed as part of the Phase I ESA.

5.2 Title Records/Environmental Liens

Per the agreed upon scope of work, a chain-of-title and an environmental lien search were not performed as part of this assessment.

5.3 Database Information

In accordance with the scope of work and ASTM Standard E-1527-13, a search of various governmental databases was conducted by EDR. The site-specific environmental database report was reviewed to evaluate if soil and or groundwater from an on-site and/or off-site sources of concern has the potential to impact the subject property. The database abbreviations are provided in the site-specific environmental database report.

The database report includes various reports detailing database information for each of the sites identified/geocoded within the specified radius. Additional sites were identified within the database report; however EDR was not able to map them to specific locations due to insufficient/contradicting address information. These sites were included in the database report as "orphan" sites. Based upon AECOM's review, there does not appear to be any significant concerns associated with any of the orphan sites. A summary of AECOM's review and analysis of the site-specific environmental database report is presented below. A copy of the database report is provided in Appendix B.

Based on AECOM's research, the subject properties are not located on or within a one-mile radius of tribal lands.

5.3.1 Subject Properties

The subject property was not identified in the site-specific environmental database report.

5.3.2 Surrounding Sites

According to the environmental database report, 198 sites were identified within their respective ASTM and/or EDR search distances from the subject property. Based on AECOM's review of these database listings, none of these sites are expected to present a REC to the subject property based on their distance from the subject property, regulatory status (i.e. closed, no violations found), media impacted (i.e. soil only), and/or topographical position from the subject property (i.e. down-gradient or cross-gradient).

5.4 Vapor Encroachment Screening

AECOM conducted a Tier 1 vapor encroachment screening (VES) as part of this assessment. This screening was conducted in general accordance with the ASTM E2600 *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions* dated October 2015. The objective of the VES was to determine if a VEC exists or if a VEC does not exist.

5.4.1 Subject Property

No on-site sources of vapor encroachment (e.g. UST, contaminated soil, groundwater plume, etc.) were identified during this assessment. Based on this information, a VEC due to an on-site source does not appear to exist.

5.4.2 Off-site

To conduct the VES of the nearby area, AECOM conducted a detailed review and analysis of the site-specific environmental database report with particular focus on the follow two types of sites:

1. Off-site properties that are impacted by chlorinated volatile organic compounds (VOCs) and/or semi-volatile-organic compounds (SVOCs) and are located within approximately 1,750 feet of the subject property, and
2. Off-site properties that are impacted by petroleum hydrocarbons and are located within approximately 525 feet of the subject property.

The following paragraph summarizes the results of AECOM's VES of the nearby area.

A review of the site-specific environmental database indicates that no chlorinated VOC/SVOC and 14 petroleum hydrocarbon impacted sites are located with the above-described radii of the subject property. However, all of the sites can be ruled out due to their regulatory status (i.e. regulatory closure has been issued), media impacted (i.e. soil only), and/or topographical position from the subject property (i.e. down-gradient or cross-gradient). Based on this information, it is AECOM's opinion that a VEC at the subject property due to an off-site source does not appear to exist.

5.5 Agency File Review

5.5.1 Local

AECOM submitted FOIA requests to the NYCDEP and Fire Department of the City of New York. Information received from the NYCDEP indicated that they had no records pertaining to the subject property.

As of the date of this report, a response to AECOM's FOIA request to the FDNY has not been received. Based on AECOM's research to date, AECOM does not anticipate the response (if any) from this agency to our FOIA request will significantly alter the conclusions or recommendations of this report. However, if information is received from this FOIA request that significantly impacts the conclusions of this report, this information will be forwarded upon receipt.

5.5.2 State

In addition, AECOM submitted a FOIA request to the NYSDEC and the NYSDOH. Information received from the NYSDOH indicated that they had no records pertaining to the subject property. As of the date of this report, a response to AECOM's FOIA request to the NYSDEC has not been

received. Based on AECOM's research to date, AECOM does not anticipate the response (if any) from this agency to our FOIA request will significantly alter the conclusions or recommendations of this report. However, if information is received from this FOIA request that significantly impacts the conclusions of this report, this information will be forwarded upon receipt.

AECOM also reviewed the following databases, in addition to those identified in Section 5.3.2:

- New York State Department of Environmental Conservation, Bulk Storage Database Search. The subject property was not identified in the database.
- New York State Department of Environmental Conservation, Spill Incident Database Search. The subject property was not identified in the database.

5.5.3 Federal

AECOM searched the U.S. EPA's Envirofacts and Superfund Enterprise Management System (SEMS) online databases. The SEMS database replaced the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) which has since been retired. SEMS includes the same data fields and content as CERCLIS. The Envirofacts database retrieves information obtained from 17 national systems, including the CERCLIS, Superfund program (NPL sites), hazardous waste sites, and potential hazardous waste sites. The subject property was not listed on either the Envirofacts or the SEMS databases.

6. Findings and Opinions

AECOM performed a Phase I ESA of the subject property in conformance with the scope and limitations of ASTM Practice E 1527-13, which meets the requirements of Title 40, Code of Federal Regulations Part 312 and is intended to constitute *all appropriate inquiry* for purposes of the landowner liability protections. Any exceptions to, or deletions from, this practice are described in Section 1.3 through 1.5 of this report.

The following sections summarize the findings and opinions of this Phase I ESA of the subject property.

6.1 Recognized Environmental Conditions

Based on the above-described activities, no RECs were identified in connection with the subject property.

6.2 Controlled Recognized Environmental Conditions

Based on the above-described activities, no CRECs were identified in connection with the subject property.

6.3 Historical Recognized Environmental Conditions

Based on the above-described activities, no HRECs were identified in connection with the subject property.

6.4 De Minimis Conditions

Based on the above-described activities, no de minimis conditions (DMCs) were observed at the subject property.

7. Conclusions

AECOM has performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E 1527-13 of 111-03 77th Avenue and the adjacent lot at 111-04 76th Drive, Forest Hills, Queens County, New York, the subject property. Any exception to, or deletions from, this practice are described in Sections 1.3 through 1.5 of this report. This assessment has revealed no evidence of RECs, HRECs, CRECs, or DMCs in connection with the subject property.

8. Environmental Professional Statement

Mr. Abrams was the Environmental Professional (EP) for this project. Mr. Abrams' EP statement is below and his resume is provided in Appendix C:

I declare that, to the best of our professional knowledge and belief, I meet the definition of an EP as defined in §312.10 of 40 Code of Federal Regulations (CFR) and that I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed all the appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Signature:  Date: May 10, 2018

9. References

9.1 Persons Interviewed

Torres, Miguel, Medical Assistant with Able Orthopedic and Sports Medicine, 76-55 Austin Street, Forest Hills, New York 11375. 718-475-6535. Provided site walk escort and limited site history of the subject properties during site visit on March 26, 2018.

9.2 Agencies Contacted

Environmental Protection Agency Envirofacts database - http://www.epa.gov/enviro/

Environmental Protection Agency Superfund Enterprise Management System (SEMS) database, https://cumulis.epa.gov/supercpad/cursites/srchsites.cfm .

Fire Department of the City of New York, Public Records Unit / Tanks Section, 9 MetroTech Center, Brooklyn, New York 11201-3857. (718) 999-2441 or 2442.

New York City Department of Buildings. Building permits accessed online at: http://www.nyc.gov/html/dob/html/home/home.html

New York City Department of Finance. Review of Digital Tax Maps. System accessed online at: http://www1.nyc.gov/subject property/finance/taxes/property-digital-tax-map.page

New York State Department of Environmental Conservation, Bulk Storage Database Search, bulk storage information pertaining to the subject property, retrieved online at http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=4

New York State Department of Environmental Conservation, Spill Incidents Database Search, spill information pertaining to the subject property, retrieved online at http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=2

New York State Department of Environmental Conservation, Office of General Counsel, 625 Broadway, Albany, New York 12233-1500.

New York State Department of Health, 59-17 Junction Boulevard, Corona, New York 11368.

9.3 Documents Reviewed

ASTM E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, dated November 2013. www.astm.org.

ASTM E2600-15, Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions, dated October 2015. www.astm.org.

Brock, Pamela Chase, and Brock, Patrick W.G. Geologic Map of New York City, dated October 2001. State University of New York at Stony Brook, www.geo.sunusb/reports/ny-city/full-map.png.

EDR 7.5 Minute Topographic Maps, prepared for 111-03 77th Avenue and 111-04 76th Drive, 1110377th Avenue, Forest Hills, NY 11375, dated March 22, 2018. Inquiry number 5229849.4.

Topographic Maps 1897, 1898, 1900, 1947, 1957, 1966, 1979, 1994, and 2013. Report prepared by Environmental Data Resources Inc., 6 Armstrong Road, Shelton, Connecticut 06484, (800) 352-0050, www.edrnet.com.

EDR Aerial Photos Decade Package prepared for 111-03 77th Avenue and 111-04 76th Drive, 1110377th Avenue, Forest Hills, NY 11375, dated March 22, 2018. Inquiry number 5229849.9. Aerial photographs dated 1924, 1951, 1954, 1961, 1966, 1985, 1994, 2006, 2011, and 2015. Report prepared by Environmental Data Resources Inc., 6 Armstrong Road, Shelton, Connecticut 06484, (800) 352-0050, www.edrnet.com.

EDR City Directory Abstract prepared for 111-03 77th Avenue and 111-04 76th Drive, 1110377th Avenue, Forest Hills, NY 11375, dated March 22, 2018. Inquiry number 5229849.5. City directories reviewed included 1922, 1934, 1939, 1945, 1950, 1962, 1967, 1970, 1976, 1983, 1991, 1996, 2000, 2005, 2010 and 2014. Report prepared by Environmental Data Resources Inc., 6 Armstrong Road, Shelton, Connecticut 06484, (800) 352-0050, www.edrnet.com.

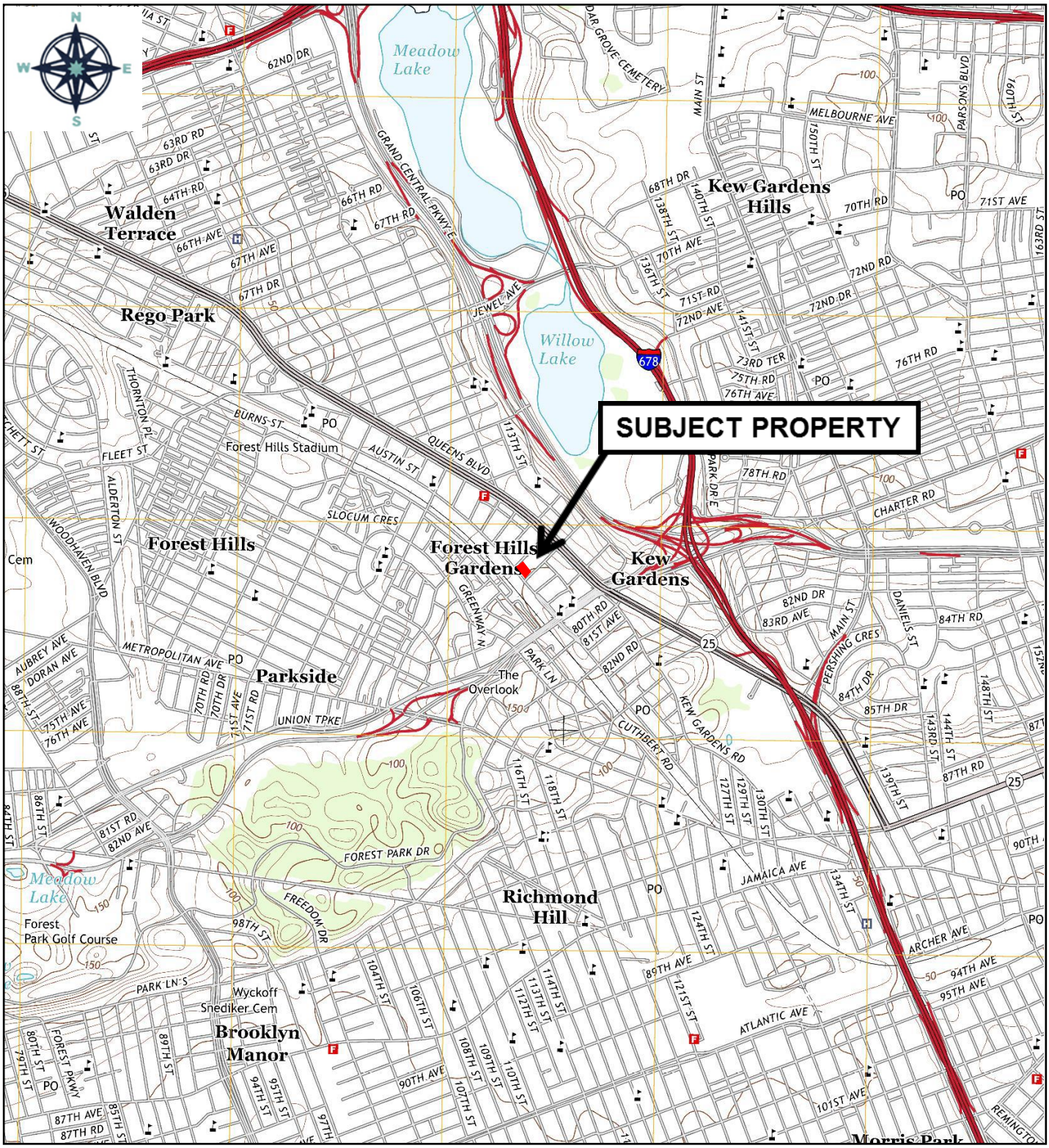
EDR Radius Map with GeoCheck®, prepared for 111-03 77th Avenue and 111-04 76th Drive, 1110377th Avenue, Forest Hills, NY 11375, dated March 21, 2018. Inquiry number 5229849.2s. Report prepared by Environmental Data Resources Inc., 6 Armstrong Road, Shelton, Connecticut 06484, (800) 352-0050, www.edrnet.com.

EDR Sanborn® Map Report, prepared for 111-03 77th Avenue and 111-04 76th Drive, 1110377th Avenue, Forest Hills, NY 11375, dated March 21, 2018. Inquiry number 5229849.3. Sanborn Maps dated 1902, 1914, 1932, 1950, 1972, 1981, 1983, 1986, 1988, 1989, 1991 – 1995, 1999, 2001, 2002, and 2004 – 2006. Report prepared by Environmental Data Resources Inc., 6 Armstrong Road, Shelton, Connecticut 06484, (800) 352-0050, www.edrnet.com.

Google Earth website, www.google.earth.com. This information was reviewed online by Mr. Nelson Abrams with AECOM on April 26, 2017.

Soren, Julian. Ground-Water Geohydrologic Conditions in Queens County, Long island, New York dated 1971. United States Geological Survey Water Supply Paper 2001-A.

Figures



Scale 1:24,000

JAMAICA, NY
7.5 Minute U.S.G.S. Quadrangles – 2013

AECOM

Figure 1
Site Location Map
111-03 77th Avenue and
111-04 76th Drive
Forest Hills, New York

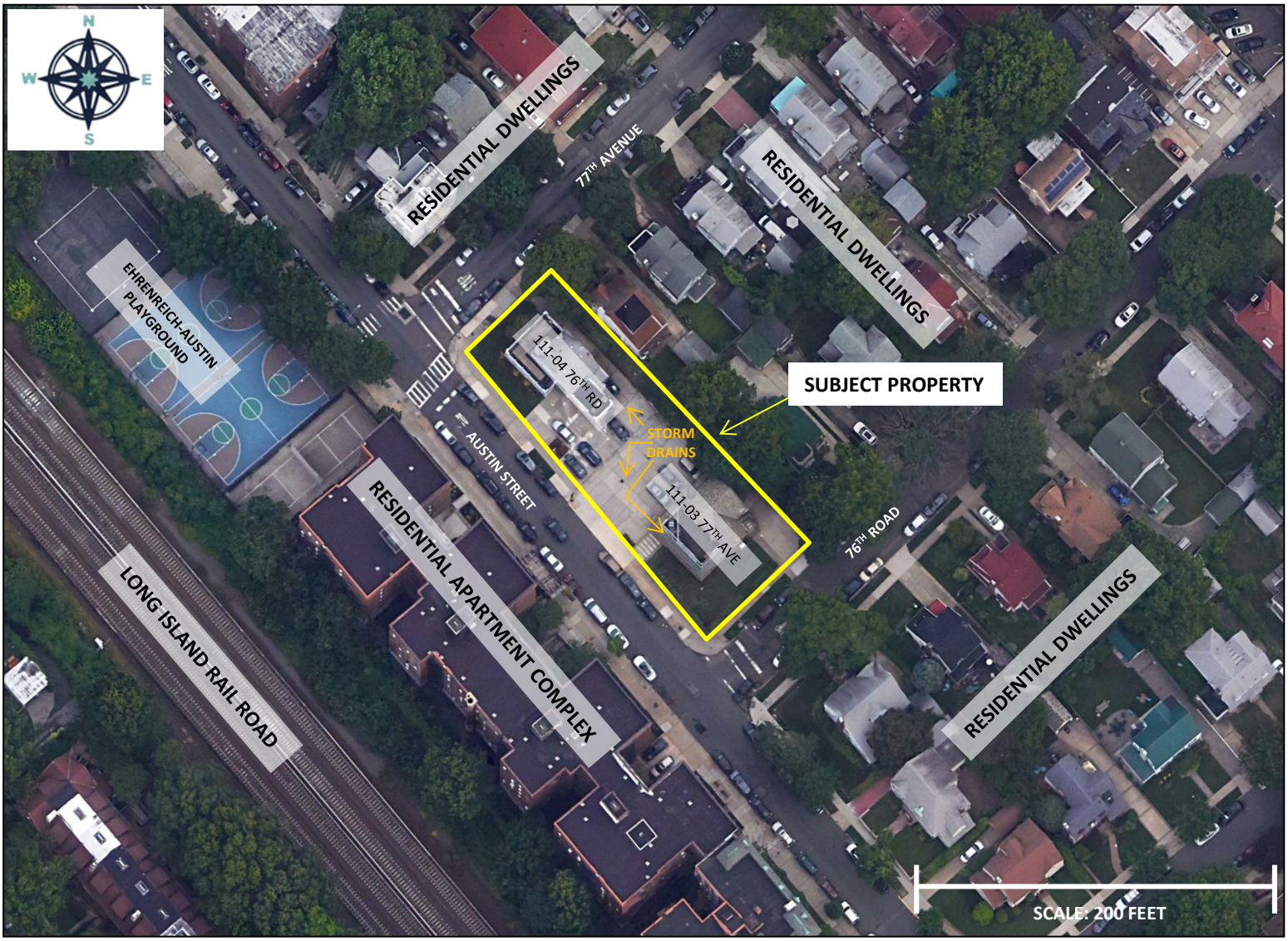


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Figure 2
Site Plan
111-03 77th Avenue and
111-04 76th Road
Forest Hills, New York

APPENDIX D- (E) DESIGNATION

Project Name: 76th Drive and Austin Street Rezoning
CEQR #: 19DCP023Q
SEQRA Classification: Unlisted

Appendix 4: (E) Designation

To ensure that there would be no significant adverse hazardous materials impacts associated with the proposed project, an E designation (E-522) for hazardous materials and noise will be placed on the project sites.

The E-designation requirements related to noise and hazardous materials would apply to:

Projected Development Site 1:
Block 3342 Lot 1
Block 3342 Lot 61

Hazardous Materials

To ensure that there would be no significant adverse noise impacts associated with the proposed project, an E designation (E-522) will be placed on the Projected Development Site 1 (Block 3342 Lots 1 and 61) as follows:

> An (E) Designation for hazardous materials would be placed on the proposed development site (Block 3342, Lots 1 and 61) to ensure requirements pertaining hazardous materials are addressed during future redevelopment, which would impose pre- and post -construction requirements overseen by the New York City Office of Environmental Remediation (OER).
>
> A Remedial Investigation (RI would be conducted for the proposed development site that included the collection of soil, groundwater, and soil vapor samples with laboratory analysis for a full suite of analytical parameters Prior to such testing, an RI Work Plan and Health and Safety Plan (HASP) for the investigation would be submitted to OER for review and approval. Based on the results of the RI, a Remedial Action Work Plan (RAWP) and associated Construction Health and Safety Plan (CHASP) would be prepared for implementation during the subsurface disturbance associated with the Proposed Project. The RAWP and CHASP would address requirements for items such as: petroleum tank removal, dust control, and contingency measures should unforeseen petroleum tanks or soil contamination is encountered. The RAWP would also include any necessary requirements for vapor controls should the RI reveal the potential for soil vapor intrusion. The RAWP and CHASP would be subject to OER approval and, following construction, occupancy permits could only be issued once OER received documentation that the RAWP and CHASP were properly implemented.
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> Applicable regulatory requirements would be followed at the development site and the projected and potential development sites with oversight from OER, e.g., properly disposing of any excess soil; reporting to New York State Department of Environmental

Conservation (NYSDEC) any signs of a petroleum spill (removing and registering encountered tanks); and following applicable DEP requirements should dewatering be required. Demolition would be conducted in compliance with applicable regulatory requirements, e.g., for ACM, LBP, etc.

The (E) Designation program is administered by OER. Approval of a hazardous materials remedy by OER is required prior to the granting of building permits by the Department of Buildings. The text of the (E) Designation for hazardous materials is as follows:

- Task 1:
  The applicant submits to OER, for review and approval, a Phase 1 ESA for the Project Site along with a soil, soil gas and groundwater 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.
- Task 2:
  A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER. If remediation is indicated from the test results, a proposed 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. An OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and papproval prior to implementation. All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials. In addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed.

Noise

To preclude the potential for significant adverse impacts related to noise, an (E) designation would be incorporated into the rezoning proposal for Block 3342, Lots 1 and 61. E-522 has been assigned to this project. The text for the E-designation is as follows:

Block 3342, Lots 1 and 61 (Projected Development Site 1): In order to ensure an acceptable interior noise environment, future community facility uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all building's facades in order to maintain an interior noise level of 45 dBA. 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, central air conditioning or air conditioning sleeves containing air conditioners.

About AECOM
AECOM (NYSE: ACM) is a global provider of professional technical and management support services to a broad range of markets, including transportation, facilities, environmental and energy. With approximately 95,000 employees around the world, AECOM is a leader in all of the key markets that it serves. AECOM provides a blend of global reach, local knowledge, innovation, and technical excellence in delivering solutions that enhance and sustain the world's built, natural, and social environments.

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