City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT SHORT FORM • FOR UNLISTED ACTIONS ONLY

Please fill out, print and submit to the appropriate agency (see instructions)

PART I: GENERAL INFORMATION

1. ***Does 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**

2. ***Project Name*** Richmond Avenue Rezoning

3. ***Reference Numbers***

CEQR REFERENCE NUMBER (To Be Assigned by Lead Agency)	BSA REFERENCE NUMBER (If Applicable)
11DCP072R	
ULURP REFERENCE NUMBER (If Applicable))	OTHER REFERENCE NUMBER(S) (If Applicable) (e.g. Legislative Intro, CAPA, etc)
110106ZMR	

4a. *Lead Agency Information*

NAME OF LEAD AGENCY: NYC Department of City Planning

NAME OF LEAD AGENCY CONTACT PERSON: Robert Dobruskin

ADDRESS: 22 Reade Street

CITY: New York | STATE: NY | ZIP: 10007

TELEPHONE: 212-720-3423 | FAX: 212-720-3495

EMAIL ADDRESS: rdobrus@planning.nyc.gov

4b. *Applicant Information*

NAME OF APPLICANT: Mr. Hashim Araj

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON: Hiram A. Rothkrug, EPDSCO

ADDRESS: 55 Water Mill Road

CITY: Great Neck | STATE: NY | ZIP: 11021

TELEPHONE: 718-343-0026 | FAX: 516-487-2439

EMAIL ADDRESS: hrothkrug@epdsco.com

5. ***Project Description:***

The proposed project is seeing a Zoning Map Amendment to change the existing zoning from R3X and R3-1 to R3X/C1-2 and R3-1/C1-2.

6a. *Project Location: Single Site* *(for a project at a single site, complete all the information below)*

ADDRESS: 1582-1592 Richmond Avenue | NEIGHBORHOOD NAME: Bulls Head

TAX BLOCK AND LOT: Block 2236, Lots 56, 61; Block 1580, Lot 22 | BOROUGH: Staten Island | COMMUNITY DISTRICT: 2

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS: Southwest and northwest corners of Richmond Avenue and Merrill Avenue

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF ANY: R3X, R3-1 | ZONING SECTIONAL MAP NO: 20d

6b. *Project Location: Multiple Sites* *(Provide a description of the size of the project area in both City Blocks and Lots. If the project would apply to the entire city or to areas that are so extensive that a site-specific description is not appropriate or practicable, describe the area of the project, including bounding streets, etc.)*

N/A

7. ***REQUIRED ACTIONS OR APPROVALS*** *(check all that apply)*

City Planning Commission: YES ☑ NO ☐

- ☐ CITY MAP AMENDMENT
- ☑ ZONING MAP AMENDMENT
- ☐ ZONING TEXT AMENDMENT
- ☑ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)
- ☐ CONCESSION
- ☐ UDAAP
- ☐ REVOCABLE CONSENT
- ☐ ZONING CERTIFICATION
- ☐ ZONING AUTHORIZATION
- ☐ HOUSING PLAN & PROJECT
- ☐ SITE SELECTION — PUBLIC FACILITY
- ☐ FRANCHISE
- ☐ DISPOSITION — REAL PROPERTY

ZONING SPECIAL PERMIT, SPECIFY TYPE:

- ☐ MODIFICATION OF
- ☐ RENEWAL OF
- ☐ OTHER

Board of Standards and Appeals: YES ☐ NO ☑

- ☐ SPECIAL PERMIT

EXPIRATION DATE MONTH DAY YEAR

- ☐ VARIANCE (USE)
- ☐ VARIANCE (BULK)

SPECIFY AFFECTED SECTION(S) OF THE ZONING RESOLUTION

5. PROJECT DESCRIPTION

The proposed project seeks to amend Zoning Sectional Map 20d as it pertains to the proposed Rezoning Area, by extending a C1-2 commercial overlay onto the existing R3X and R3-1 zoning districts mapped on the property. This would allow the Applicant to redevelop his property (Block 2236, Lots 56 & 61) with a proposed Use Group 6 local retail commercial development. The Applicant seeks to construct a one-story, 6,440 square foot structure and 21 accessory parking spaces. The two existing residential structures on the site, one of which remains in residential occupancy and the other of which is currently occupied by office uses, would be demolished in order to facilitate the proposed development. The proposed rezoning would also allow for future commercial uses in the existing non-applicant owned building located on Block 1580, Lot 22. No new construction is anticipated on this property.

City Planning Commission (CPC) approval is required for the granting of the proposed Zoning Amendment. The proposed C1-2 overlays would allow for the development of local retail uses on properties located in an area with many other commercial uses.

Department of Environmental Protection: YES ☐ NO ☑ IF YES, IDENTIFY:

Other City Approvals: YES ☐ NO ☑

☐ LEGISLATION
☐ FUNDING OF CONSTRUCTION; SPECIFY:
☐ POLICY OR PLAN; SPECIFY:
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL *(not subject to CEQR)*
☐ 384(b)(4) APPROVAL
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) *(not subject to CEQR)*
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ FUNDING OF PROGRAMS; SPECIFY:
☐ PERMITS; SPECIFY:
☐ OTHER; EXPLAIN

State or Federal Actions/Approvals/Funding: YES ☐ NO ☑ IF "YES," IDENTIFY:

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

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 11×17 inches in size and must be folded to 8.5×11 inches for submission*

☑ Site location map ☑ Zoning map ☑ Photographs of the project site taken within 6 months of EAS submission and keyed to the site location map
☑ Sanborn or other land use map ☑ Tax map ☐ For large areas or multiple sites, a GIS shape file that defines the project sites

PHYSICAL SETTING *(both developed and undeveloped areas)*

Total directly affected area (sq. ft.):	Type of Waterbody and surface area (sq. ft.):	Roads, building and other paved surfaces (sq. ft.)
58,846 SF	None	53,446 SF

Other, describe (sq. ft.): Approximately 5,400 SF landscaped area

9. *Physical Dimensions and Scale of Project* *(if the project affects multiple sites, provide the total development below facilitated by the action)*

Size of project to be developed: 6,440 SF (gross sq. ft.)

Does the proposed project involve changes in zoning on one or more sites? YES ☑ NO ☐

If 'Yes,' identify the total square feet owned or controlled by the applicant: 18,446 Total square feet of non-applicant owned development: 40,400

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 disturbance (if known):

Area: 6,440 SF sq. ft. (width × length) Volume: 6,440 SF cubic feet (width × length × depth)

DESCRIPTION OF PROPOSED USES *(please complete the following information as appropriate)*

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	None	6,440 SF	None	None
Type (e.g. retail, office, school)	None units	Retail	None	None

Does the proposed project increase the population of residents and/or on-site workers? YES ☑ NO ☐ Number of additional residents? Number of additional workers?

Provide a brief explanation of how these numbers were determined: 20 new workers are anticipated (3 workers per 1,000 SF of retail space)

Does the project create new open space? YES ☐ NO ☑ If Yes (sq. ft)

Using Table 14-1, estimate the project's projected operational solid waste generation, if applicable: 1,580 (79 lbs. x 20 new employees) (pounds per week)

Using energy modeling or Table 15-1, estimate the project's projected energy use: 1,392,972,000 (6,440 sf commercial use) (annual BTUs)

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:

The No-Action scenario for the project site consists of the three existing buildings within the proposed rezoning area with no increase in floor area. The existing residential uses in the building owned by the applicant on Block 2236, lot 56 would remain. The existing commercial office uses in the building owned by the applicant on Block 2236, lot 61 would vacate the premises, as the property's current R3X and R3-1 zoning does not permit commercial uses, and the building would be occupied by community facility uses. The existing community facility uses in the non-applicant owned property on Block 1580, lot 22 would remain.

10. *Analysis Year* *CEQR Technical Manual Chapter 2*

ANTICIPATED BUILD YEAR (DATE THE PROJECT WOULD BE COMPLETED AND OPERATIONAL): 2014	ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 6 months
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? YES ☑ NO ☐	IF MULTIPLE PHASES, HOW MANY PHASES:
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:	

11. *What is the Predominant Land Use in Vicinity of Project?* *(Check all that apply)*

☑ RESIDENTIAL ☐ MANUFACTURING ☑ COMMERCIAL ☑ PARK/FOREST/OPEN SPACE ☐ OTHER, Describe:

PART II: TECHNICAL ANALYSES

INSTRUCTIONS: The questions in the following table refer to the thresholds for each analysis area in the respective chapter of the CEQR Technical Manual.

- 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.
- Often, a 'Yes' answer will result in a preliminary analysis to determine whether further analysis is needed. For each 'Yes' response, consult the relevant chapter of the CEQR Technical Manual for guidance on providing additional analyses (and attach supporting information, if needed) to determine whether detailed analysis is needed. Please note that a 'Yes' answer does not mean that an EIS must be prepared—it often only means that more information is required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant either to provide additional information to support this Short EAS Form or complete a Full EAS Form. For example, if a question is answered 'No,' an agency may request a short explanation for this response. In addition, if a large number of the questions are marked 'Yes,' the lead agency may determine that it is appropriate to require completion of the Full EAS Form.

	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 or zoning that is different from surrounding land uses and/or zoning? Is there the potential to affect an applicable public policy? If "Yes", complete a preliminary assessment and attach.	✓	
(b) Is the project a large, publicly sponsored project? If "Yes", complete a PlaNYC assessment and attach.		✓
(c) 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) Does the proposed project exceed any of the thresholds outlined in Table 6-1 of Chapter 6?		✓
4. *OPEN SPACE*: *CEQR Technical Manual Chapter 7*		
(a) Would the proposed project change or eliminate existing open space?		✓
(b) Is the proposed project within an underserved area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island? If "Yes," would the proposed project generate 50 or more additional residents?		✓
If "Yes," would the proposed project generate 125 or more additional employees?		✓
(c) Is the proposed project in a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island? If "Yes," would the proposed project generate 300 or more additional residents?		✓
If "Yes," would the proposed project generate 750 or more additional employees?		✓
(d) If the proposed project is not located in an underserved or well-served area, would the proposed project generate: 200 or more additional residents?		✓
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; is listed or eligible for listing on the New York State or National Register of Historic Places; or is within a designated or eligible New York City, New York State, or National Register Historic District?		✓
If "Yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
7. *URBAN DESIGN:* *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 that is not currently allowed by existing zoning?		✓
8. *NATURAL RESOURCES:* *CEQR Technical Manual Chapter 11*		
(a) Is any part of the directly affected area within the Jamaica Bay Watershed? If "Yes," complete the Jamaica Bay Watershed Form.		✓
(b) 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 project would affect any of these resources.		✓
9. *HAZARDOUS MATERIALS:* *CEQR Technical Manual Chapter 12*		
(a) Would the project allow commercial or residential use in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?		✓
(b) Does the project site have existing institutional controls (*e.g.* (E) designations or a Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?		✓
(c) Would the project require soil disturbance in a manufacturing zone or any development on or near a manufacturing zone 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 where underground and/or aboveground storage tanks (*e.g.* gas stations) are or were on or near the site?		✓
(f) Would the project result in renovation of interior existing space on a site with potential compromised air quality, vapor intrusion from on-site or off-site sources, asbestos, PCBs or lead-based paint?		✓
(g) Would the project result in development on or near a government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, municipal incinerators, coal gasification or gas storage sites, or railroad tracks and rights-of-way?		✓
(h) Has a Phase I Environmental Site Assessment been performed for the site? If 'Yes," were RECs identified? Briefly identify:		✓
10. *INFRASTRUCTURE:* *CEQR Technical Manual Chapter 13*		
(a) Would the proposed project result in water demand of more than one million gallons per day?		✓
(b) Is the proposed project located in a combined sewer area and result in at least 1,000 residential units or 250,000 SF or more of commercial space in Manhattan or at least 400 residential units or 150,000 SF or more of commercial space in the Bronx, Brooklyn, Staten Island or Queens?		✓
(c) Is the proposed project located in a separately sewered area and result in the same or greater development than that listed in Table 13-1 of Chapter 13?		✓
(d) Would the project involve development on a site five acres or larger where the amount of impervious surface would increase?		✓
(e) Would the project involve development on a site one acre or larger where the amount of impervious surface would increase and 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?		✓
(f) Is the project 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 WWTP 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) 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?		✓

	YES	NO
12. *ENERGY:* *CEQR Technical Manual Chapter 15*		
(a) 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 of Chapter 16?		✓
(b) If "Yes," conduct the screening analyses, attach appropriate back up data as needed for each stage, and answer the following questions:		
(1) 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, "Transporation," for information.*		
(2) 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?		✓
(3) 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 of Chapter 17?		✓
(b) *Stationary Sources:* Would the proposed project result in the conditions outlined in Section 220 of Chapter 17?	✓	
If 'Yes,' would the proposed project exceed the thresholds in the Figure 17-3, Stationary Source Screen Graph? (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-designations or a 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, a power plant, or would fundamentally change the City's solid waste management system?		✓
(b) If "Yes," would the proposed 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 of 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-designations or a Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?		✓
17. *PUBLIC HEALTH:* *CEQR Technical Manual Chapter 20*		
(a) Would the proposed project warrant a public health assessment based upon the guidance in Chapter 20?		✓
18. *NEIGHBORHOOD CHARACTER:* *CEQR Technical Manual Chapter 21*		
(a) Based upon the analyses conducted for the following technical areas, check yes if any of the following technical areas required 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		✓
If "Yes," explain here why or why not an assessment of neighborhood character is warranted based on the guidance of in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		

		YES	NO
19.	***CONSTRUCTION IMPACTS:*** *CEQR Technical Manual Chapter 22* Would the project's construction activities involve (check all that apply):		
	• Construction activities lasting longer than two years;		✓
	• Construction activities within a Central Business District or along an arterial or major thoroughfare;		✓
	• Require 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 community facilities or disruption in its service;		✓
	• Activities within 400 feet of a historic or cultural resource; or		✓
	• Disturbance of a site containing natural resources.		✓
	If any boxes are checked, explain why or why not a preliminary construction assessment is warranted based on the guidance of 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 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

Environmental Consultant (APPLICANT/SPONSOR) of Mr. Hashim Araj (NAME THE ENTITY OR OWNER)

the entity which seeks the permits, approvals, funding or other governmental action described in this EAS.

Check if prepared by: ☑ APPLICANT/REPRESENTATIVE or ☐ LEAD AGENCY REPRESENTATIVE (FOR CITY-SPONSORED PROJECTS)

Hiram A. Rothkrug, EPDSCO

APPLICANT/SPONSOR NAME:

SIGNATURE:

LEAD AGENCY REPRESENTATIVE NAME:

DATE: 11/6/13

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 of 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 effect on the environment. 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.

	Potential Significant Adverse Impact	
IMPACT CATEGORY	**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 Impacts		✓

2. Are there any aspects of the project relevant to the determination whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the project may have a significant impact on the environment.

3. ***LEAD AGENCY CERTIFICATION***

Deputy Director, Environmental Assessment and Review Division	New York City, Department of City Planning
TITLE	LEAD AGENCY
Celeste Evans	Celeste Evans
NAME	SIGNATURE

FIGURE 1-TAX MAP

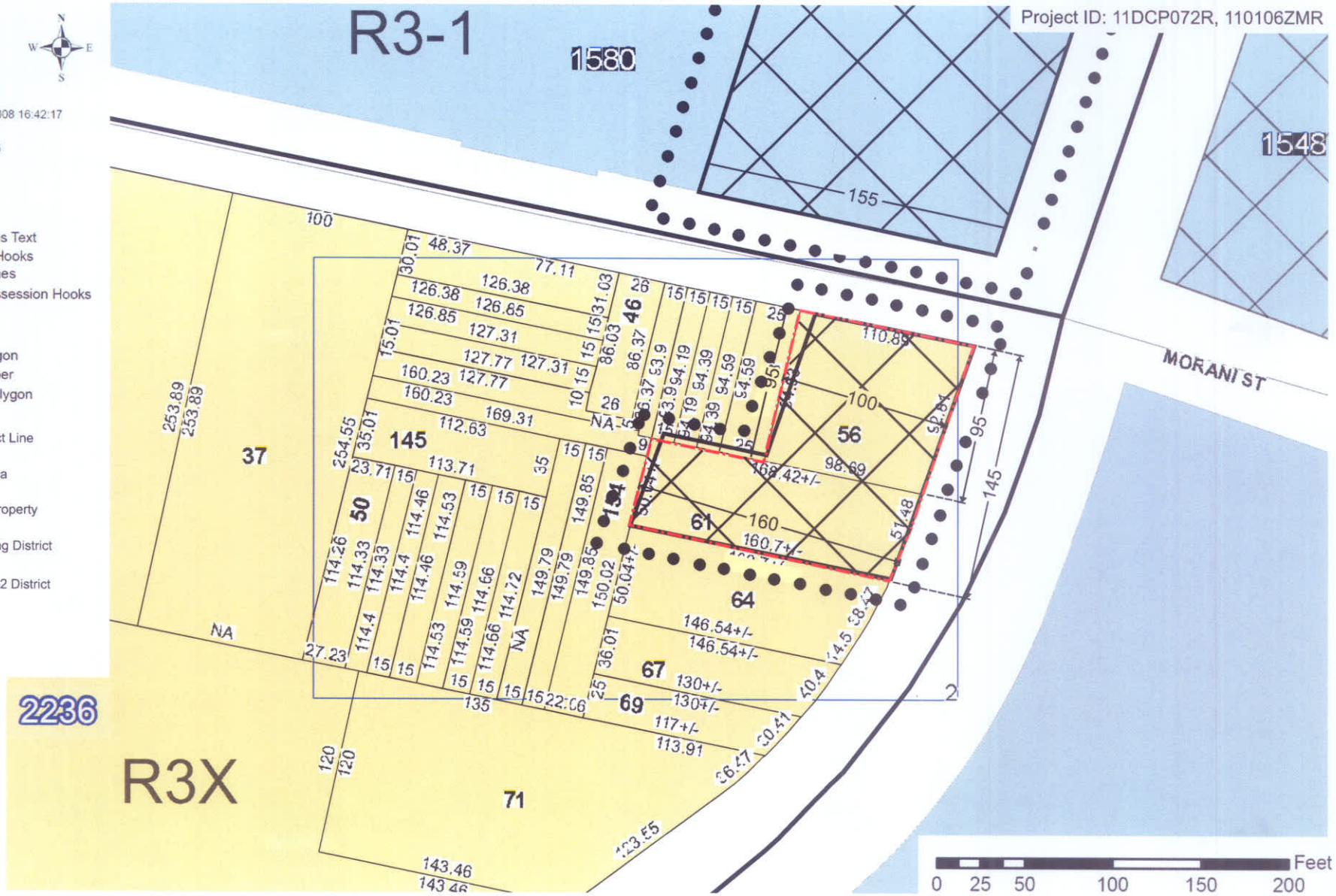


FIGURE 1A-TAX MAP
ADDITIONAL AREA TO BE REZONED
NOT UNDER CONTROL OF THE APPLICANT

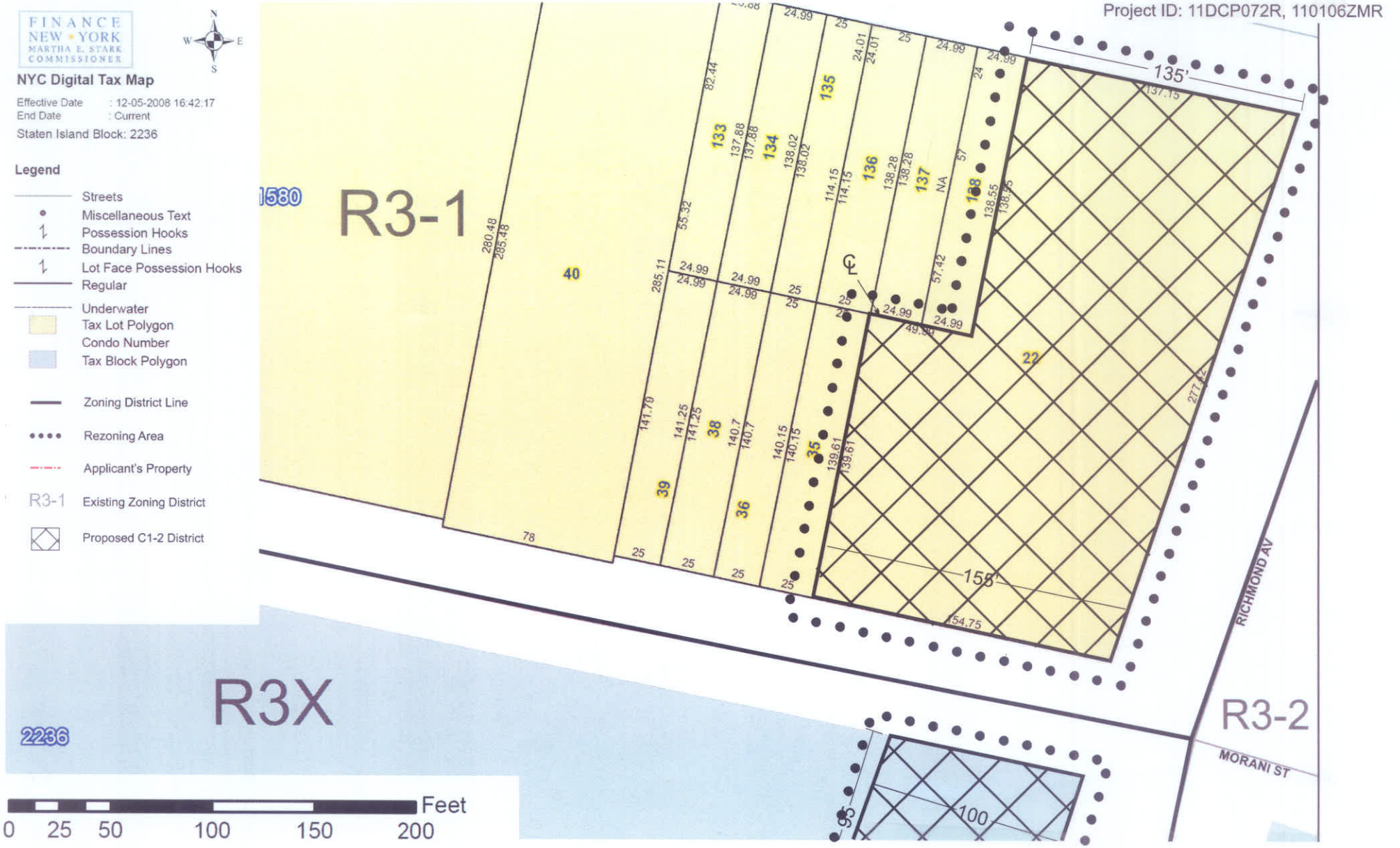


FIGURE 2
ZONING MAP

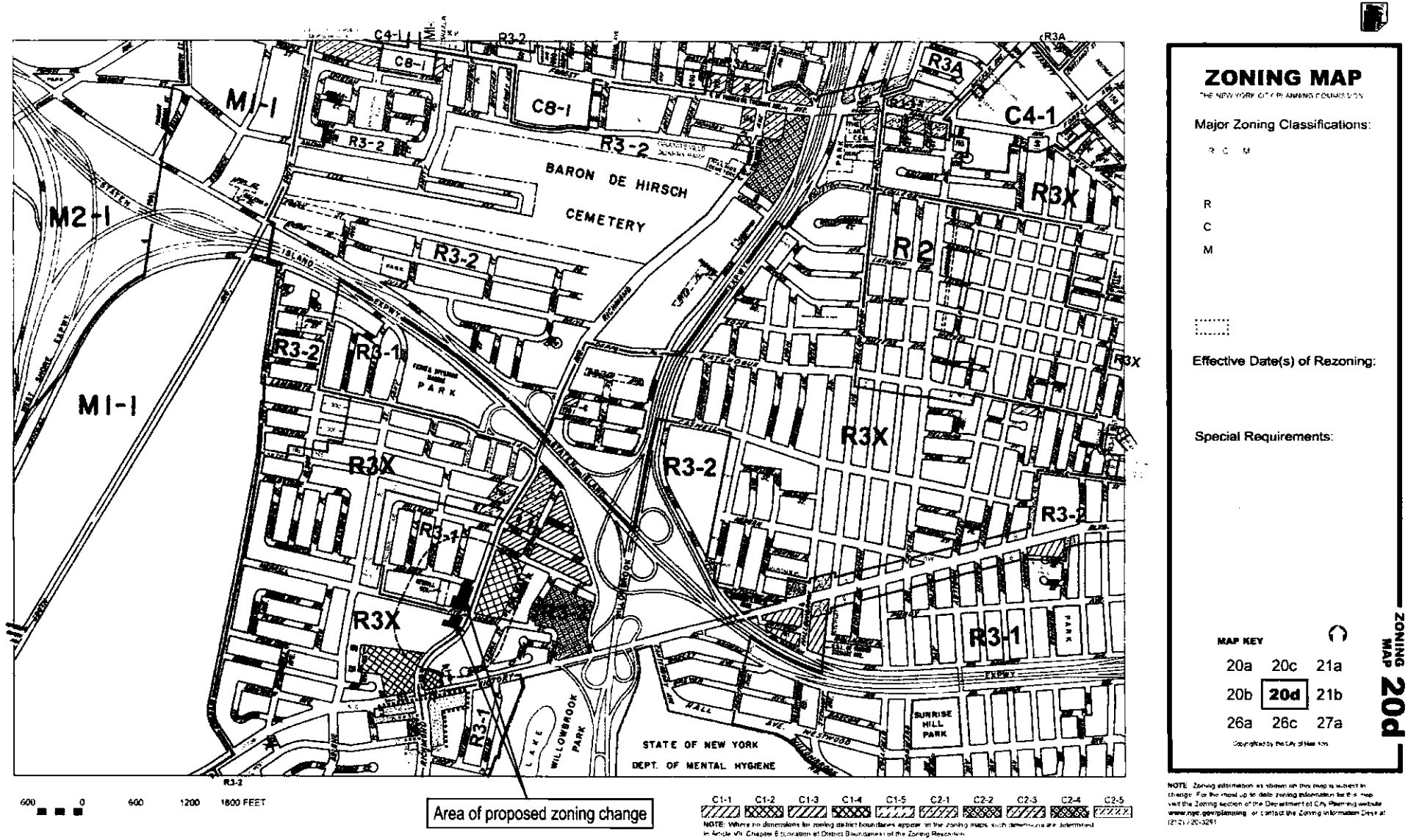
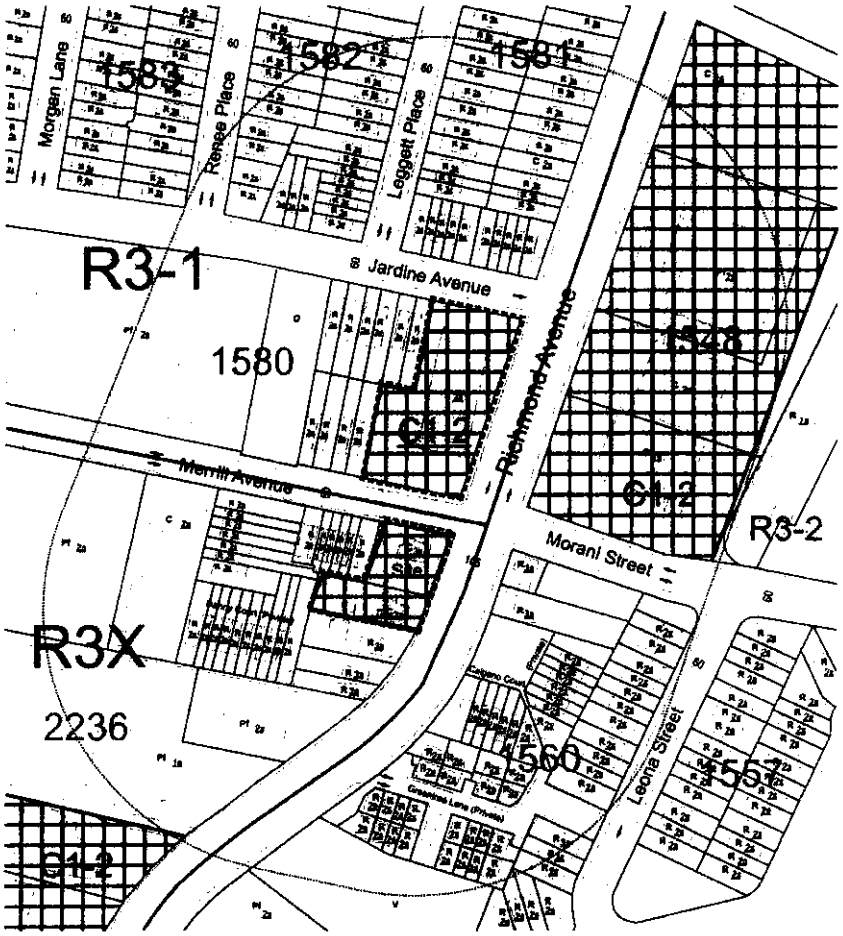


FIGURE 3
LAND-USE MAP

Area Map



Legend

- Building Footprint
- 1580 Tax Block
- 1s Building Height
- 400 Ft. Radius
- Applicant's Property
- Existing Zoning District Boundary
- Proposed Commercial Overlay Boundary
- R2A Existing Zoning District
- C1-2 Proposed Zoning District
- Street Direction

Existing Land Uses:

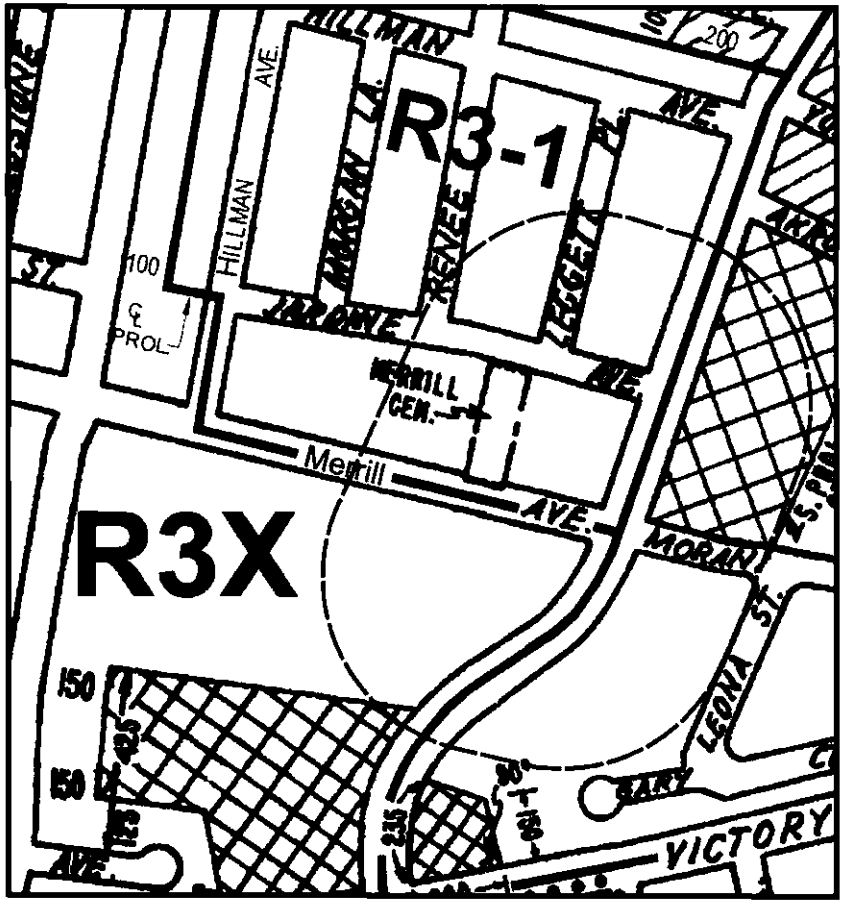
- R - Residential
- C - Commercial
- Pf - Public Facilities & Institutions
- O - Open Space/Park
- V - Vacant Land

North

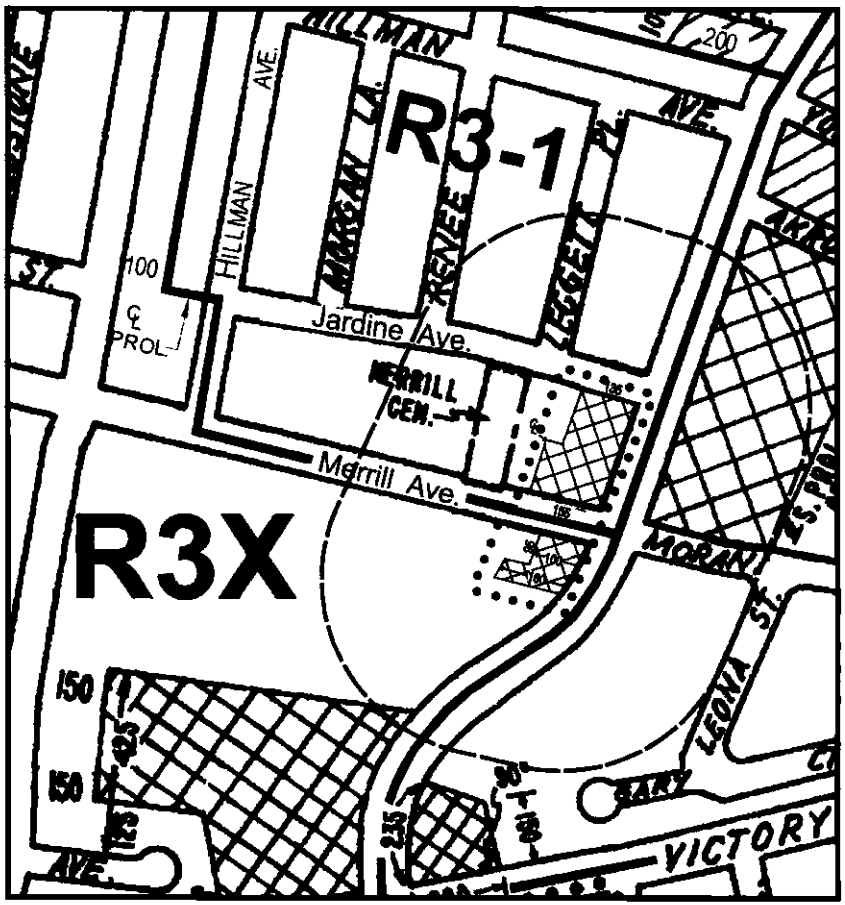
Scale: 1" = 150'

FIGURE 4
EXISTING & PROPOSED ZONING

Zoning Change Map



Existing Zoning



Proposed Zoning

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

FIGURE 5
PROPOSED SITE PLAN

LEGEND

- [ ] LEGAL GRADE
- ( ) EXISTING GRADE
- < > PROP. GRADE
- EXIST'G SANITARY PIPING
- PROP. YARD DRAIN
- UTILITY POLE
- FIRE HYDRANT
- PROP. ENTRANCE
- NEW SHRUB - ABELIAX GRANDIFLORIA (glossy abelia)
- NEW TREE - CERCIS CANADENSIS (redbud tree)
- EXISTING TREE TO REMAIN
- NEW STREET TREE
- EXISTING TREE TO BE REMOVED

TREE PLANTING REQ'TS

PARKING AREA SHALL BE SCREENED AT THE STREET LINE BY A PERIMETER LANDSCAPED AREA AT LEAST SEVEN FEET IN WIDTH MEASURED PERPENDICULAR TO THE STREET LINE. ONE TWO-INCH CALIPER TREE SHALL BE PROVIDED FOR EVERY 25 FEET OF OPEN PARKING AREA STREET FRONTAGE.

AS PER SECTION 37-421 (b) (3), NO PERIMETER TREES ALONG THE STREE FRONTAGE ARE REQUIRED BECAUSE OF STREET TREE LOCATION

AS PER SECTION 37-421 (b) (2), SHRUBS MUST BE PLANTED EVERY 24" ON CENTER FOR PERIMETER SIDE WALK FRONTAGE, AND AS PER SECTION 37-422, NO INTERIOR LANDSCAPING IS REQUIRED.

RICHMOND AVE - FRONTAGE = 148.65 FT. / 25 FT. = 6 TREES REQ'D.
MERRILL AVE - FRONTAGE = 110.84 FT. / 25 FT. = 4 TREES REQ'D.

REFERENCE DATA

BLOCK	2236
LOT	56 + 61
ZONE	C1-2
MAP NO.	20d
USE GROUP	6
LOT AREA	18,446.10 S.F.

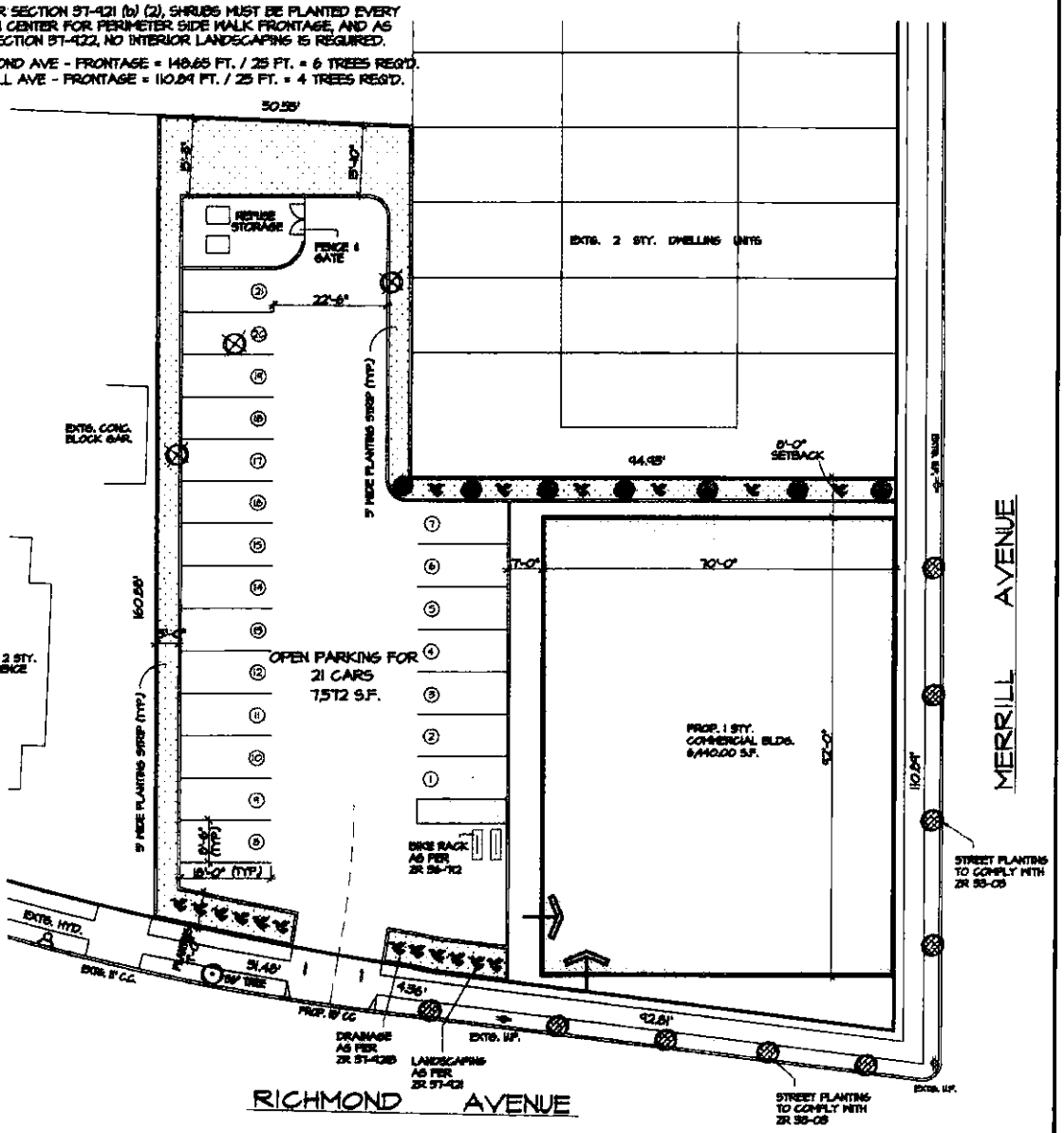
NORTH

ZONING COMPUTATIONS

LOT AREA	18,446.10 S.F.
PROP. 1st FLR. AREA	6,440.00 S.F.
TOTAL FLOOR AREA	6,440.00 S.F.
FLOOR AREA RATIO	6,440.00 S.F. / 18,446.10 S.F. = .35 < 1.00 _ OK

PARKING COMPUTATIONS

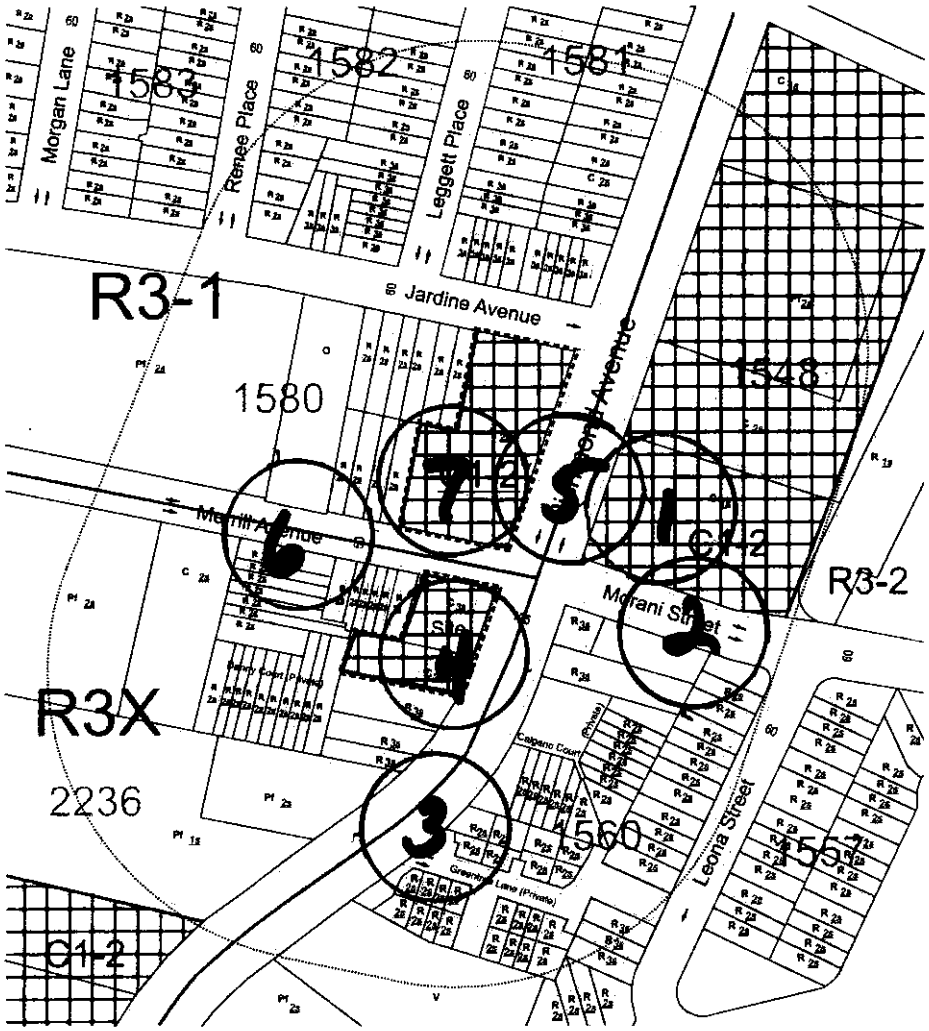
REQ'D SPACES	6,440.00 S.F. / 300 S.F. PER SPACE = 21 SPACES
REQ'D HANDIC'D SPACES	5% OF 21 SPACES = 1 TOTAL



1582 RICHMOND AVE	REV. 08/08/12	JOSEPH M. MORACE, A.I.A. ARCHITECT	DATE: 4/3/12
SITE PLAN		3195 RICHMOND ROAD, S.I., N.Y. 10306 (718) 979-3086	SCALE: N.T.S.
			JOB: 958

FIGURE 6
PHOTOGRAPHS

Area Map



Legend

- Building Footprint
- 1580 Tax Block
- 1s Building Height
- 400 Ft. Radius
- Applicant's Property
- Existing Zoning District Boundary
- Proposed Commercial Overlay Boundary
- R2A Existing Zoning District
- C1-2 Proposed Zoning District
- Street Direction

Existing Land Uses:

- R - Residential
- C - Commerical
- Pf - Public Facilities & Institutions
- O - Open Space/Park
- V - Vacant Land

North

Scale: 1" = 150'

0 20 50 100

Prepared for Eric Palatnik PC, by Urban Cartographics

2

OVV-4940

4

MAXIMA

2

RICHMOND AVENUE REZONING

ENVIRONMENTAL ASSESSMENT STATEMENT

INTRODUCTION

Based on the analysis and the screens contained in the Environmental Assessment Statement Short Form, the analysis areas that require further explanation include land use, zoning, and public policy (including waterfront revitalization), urban design, air quality, and construction impacts as further detailed below. The subject heading numbers below correlate with the relevant chapters of the *CEQR Technical Manual.*

4. LAND USE, ZONING AND PUBLIC POLICY

Reasonable Worst Case Development Scenario (RWCDS)

Future No-Action Scenario

Without the proposed action, the existing applicant owned buildings on Block 2236, lots 56 and 61 would remain but any illegal use would be removed and replaced with a use that is consistent with existing zoning. Absent the proposed action, no significant additional development would be likely to occur on the project site (RWCDS). Under the existing R3X zoning mapped on the applicant owned portion of the proposed rezoning area, each lot could be developed to a maximum residential FAR of 0.6 or a community facility FAR of 1.0. Both lots 56 and 61 on Block 2236 are developed with older residential structures of substantial size with an existing FAR of 0.22 on lot 56 and 0.31 on lot 61. It is not likely that these obsolete structures would be expanded for residential or community facility uses. Therefore, the Future No-Action Scenario on the project site would consist of the existing buildings with no increase in floor area. The existing residential uses in the building owned by the applicant on Block 2236, lot 56 would remain. The existing commercial office uses in the building owned by the applicant on Block 2236, lot 61 would vacate the premises, as the property's current R3X and R3-1 zoning does not permit commercial uses, and the building would be occupied by community facility uses.

Under the existing R3-1 zoning mapped on the non-applicant owned property, the lot could be developed to a maximum residential FAR of 0.6 or a community facility FAR of 1.0. Lot 22 is developed with a relatively new building occupied by medical offices with an existing FAR of 0.62. When this building was built in 1996, the medical offices were a conforming use. In 2004, a citywide text amendment was approved to limit the size of as-of right medical facilities to 1,500 square feet to maintain the residential character in 1- and 2-family residential districts. It is not likely that this structure would be expanded as that would require the addition of a third story to the building as well as the provision of additional parking on the lot. The lot is almost totally covered by the existing building and parking lot and little space exists for the provision of additional parking.

The Future No-Action Scenario is presented in Table 4-1 below. The increment between the Future No-Action and Future With-Action Scenarios is also shown in the table.

Future With-Action Scenario

The proposed rezoning would extend a C1-2 commercial overlay over the entire project site. The existing underlying R3X and R3-1 zoning of the property would not be changed under the proposed action.

The proposed rezoning would facilitate the development of an approximately 6,440 square foot, one-story commercial building on the applicant owned portion of the project site (RWCDS) which would be limited to Use Group 6 local retail uses as permitted by the proposed C1-2 commercial overlay. The proposed development would also include 21 accessory parking spaces which would be accessed via one two-way curb cut onto Richmond Avenue. The development would require the demolition of the two existing residential structures on the project site. The proposed rezoning would also allow for future commercial uses in the existing non-applicant owned building located on Block 1580, Lot 22. No new construction is anticipated on this property.

The Future With-Action Scenario is presented in Table 4-1 below. The increment between the Future No-Action and Future With-Action Scenarios is also shown in the table.

LAND USE

In order to assess the potential for project related impacts, the land use study area has been defined as the area located within a 400-foot radius of the site, which is the area within which the proposed rezoning has the potential to affect land uses or land use trends. The 400-foot radius study area is generally bounded on the north by an area between Jardine and Hillman Avenues, on the south by an area between Merrill Avenue/Morani Street and Victory Boulevard, on the east by Leona Street, and on the west by an area between Richmond Avenue and Arlene Street. Various sources have been used to prepare a comprehensive analysis of land use, zoning, and public policy characteristics of the area, including field surveys, studies of the neighborhood, census data, and land use and zoning maps.

Site Description

The applicant owned portion of the project site is identified as Tax Block 2236, Lots 56 and 61 located at the southwest corner of Merrill Avenue and Richmond Avenue in the Bulls Head neighborhood of Staten Island. The site totals 18,446 square feet in land area and has approximately 111 feet of frontage along Merrill Avenue and approximately 149 feet of frontage along Richmond Avenue. The property's existing zoning allows residential and community facility uses.

Table 4-1

Future No-Action Scenario, Future With-Action Scenario, and Increment Change

Parameter	Future No-Action	Future With-Action	Increment
Zoning Lot Size (SF)			
-Applicant (B 2236, L 56, 61)	18,446 SF	18,446 SF	0 SF
-Non-Applicant (B 1580, L 22)	40,400 SF	40,400 SF	0 SF
GSF Above Grade			
-Applicant	4,792 SF	6,440 SF	+1,648 SF
-Non-Applicant	25,000 SF	25,000 SF	0 SF
GSF Below Grade			
-Applicant	0 SF	0 SF	0 SF
-Non-Applicant	25,000 SF	25,000 SF	0 SF
Total GSF			
-Applicant	4,792 SF	6,440 SF	+1,648 SF
-Non-Applicant	50,000 SF	50,000 SF	0 SF
Commercial GSF			
-Applicant	0 SF	6,440 SF	+6,440 SF
-Non-Applicant	0 SF	0 SF	0 SF
Community Facility GSF			
-Applicant	2,610 SF	0 SF	-2,610 SF
-Non-Applicant	50,000 SF	50,000 SF	0 SF
Residential GSF			
-Applicant	2,182 SF	0 SF	-2,182 SF
-Non-Applicant	0 SF	0 SF	0 SF
Manufacturing GSF			
-Applicant	0 SF	0 SF	0 SF
-Non-Applicant	0 SF	0 SF	0 SF
# of Residential Units			
-Applicant	2 DUs	0 DUs	-2 DUs
-Non-Applicant	0 DUs	0 DUs	0 DUs
# of Accessory Parking Spaces			
-Applicant	17 spaces	21 spaces	+4 spaces
-Non-Applicant	31 spaces	31 spaces	0 spaces
Accessory Parking GSF			
-Applicant	N/A - at-grade	N/A - at-grade	0 SF
-Non-Applicant	N/A - at-grade	N/A - at-grade	0 SF
Building Height (in feet)			
-Applicant	35 FT	21 FT	-14 FT
-Non-Applicant	21 FT	21 FT	0 FT

- Lot 56, which contains approximately 10,106 square feet of land area, is developed with a two-story and attic, 2,182 square foot residential structure currently containing two occupied dwelling units. This building does not have any outstanding NYC Department of Buildings (DOB) violations and is fully compliant. The lot also contains seventeen accessory parking spaces.

- Lot 61, which contains approximately 8,340 square feet of land area, is developed with a two-story and attic, 2,610 square foot residential structure which is occupied by two offices including a dentist on the first floor, and an Allstate insurance business on the 2nd floor. These uses are not allowed under the property's existing zoning. This building has one open DOB/ECB violation related to construction.

The non-applicant owned portion of the project site is identified as Tax Block 1580, Lot 22 located at the northwest corner of Merrill Avenue and Richmond Avenue across Merrill Avenue from the applicant owned portion of the site described above. The site totals 40,400 square feet in land area and has approximately 155 feet of frontage along Merrill Avenue, approximately 277 feet of frontage along Richmond Avenue, and approximately 135 feet of frontage along Jardine Avenue. Lot 22 is developed with a two-story, 25,000 square foot building housing medical offices. Accessory parking for 31 cars is also provided on this property.

Existing Conditions

The applicant owned portion of the project site, which totals 18,446 square feet of developed land as described above, occupies the northeast corner of Block 2236. The site adjoins a parcel developed with a two-story and attic residence (lot 64) to the south along Richmond Avenue and a row of attached three-story residences (lot 149 et al) to the west along Merrill Avenue. Two strip malls are located across Merrill Avenue/Morani Street from the project site along both sides of Richmond Avenue to the north (Block 1580, lot 22, which comprises the non-applicant owned portion of the project site, and Block 1548, lots 100 & 150). Two 2-story and attic residential structures (Block 1560, lots 53 and 55) and a parking lot (Block 1560, lot 50) in front of a row of attached 3-story dwellings are located across Richmond Avenue from the project site to the east near the corner of Morani Street. The residential building on lot 55 is no longer in residential use and is currently occupied by office uses.

The non-applicant owned portion of the project site, which totals 40,400 square feet of developed land as described above, occupies the western end of Block 1580. This property is adjoined to the west by two 2-story attached residences. The applicant owned portion of the project site lies across Merrill Avenue to the south, a strip mall is located across Richmond Avenue to the east, and two rows of three-story attached residences are located across Jardine Avenue to the north.

The remainder of the 400-foot radius area around the project site is developed primarily with attached two- and three-story residential homes. Large parcels developed with shopping centers and other commercial uses as well as community facilities, including a public school, two churches, a daycare center, and athletic fields associated with a Catholic High School, are located within 400 feet of the site.

Future No-Action Scenario

Without the proposed action, the existing applicant owned buildings on Block 2236, lots 56 and 61 would remain but any illegal use would be removed and replaced with a use that is consistent with existing zoning. The No-Action scenario for the project site consists of the three existing buildings within the proposed rezoning area with no increase in floor area. The existing residential uses in the building owned by the applicant on Block 2236, lot 56 would remain. The existing commercial office uses in the building owned by the applicant on Block 2236, lot 61 would vacate the premises, as the property's current R3X and R3-1 zoning does not permit commercial uses, and the building would be occupied by community facility uses. The existing community facility uses in the non-applicant owned property on Block 1580, lot 22 would remain.

Surrounding land uses within the immediate study area are expected to remain largely unchanged by the project build year of 2014. The 400-foot area surrounding the project site is developed with a stable residential community containing one- and two-family homes, offices, commercial retail shopping strips, and community facility uses. Few undeveloped parcels remain within the project study area. No significant new development or redevelopment in the area would therefore be expected.

Future With-Action Scenario

As explained under the RWCDS analysis above, the proposed rezoning would extend a C1-2 commercial overlay over the entire project site. The existing underlying R3X and R3-1 zoning of the property would not be changed under the proposed action.

The requested rezoning is necessary in order to allow the proposed development to proceed. The proposed extension of the C1-2 overlay onto the applicant owned site would enable the property owner to develop a currently underdeveloped parcel with an appropriate amount of local commercial floor area in an area containing many other commercial uses. Use Group 6 uses that could occupy the new building would include uses such as a barber shop/beauty parlor, a food store, a coffee shop, a clothing store, and/or professional office space. The rezoning would also allow for future commercial uses in the existing non-applicant owned building.

Richmond and Merrill Avenues, along which the project site is located, are both thoroughfares containing numerous commercial structures. In addition, five bus routes run past the project site along Richmond Avenue and another three bus routes travel close to

the property along Victory Boulevard. While residential uses also border the project site, additional commercial development at this location would not be inconsistent with the character of the area. The action would serve the needs of this area of Staten Island for commercial space and retail services with adequate parking, and would promote the development of the property in a fashion that would be compatible with and beneficial to adjacent and nearby residential uses.

No potentially significant adverse impacts related to land use are expected to occur as a result of the proposed action. Therefore, further analysis of land use is not warranted.

ZONING

Existing Conditions

The applicant owned portion of the project site is currently zoned R3X as is the 400-foot radius project study area to the south and west of the property. The non-applicant owned portion of the project site is currently zoned R3-1. The project study area to the north of Merrill Avenue and west of Richmond Avenue is zoned R3-1 while the area to the east of Richmond Avenue is zoned R3-2. A C1-2 commercial overlay is mapped over the R3-2 district along the east side of Richmond Avenue north of Merrill Avenue/Morani Street within the 400-foot radius area. Additional C1-2 commercial overlays are mapped over the R3X and R3-2 districts along the west and east sides of Richmond Avenue, respectively, north of Victory Boulevard just beyond the 400-foot radius area.

The R3X zoning district is mapped extensively in lower density neighborhoods, and only allows detached one- and two-family dwellings and community facility uses. The maximum residential FAR is 0.5 plus allowances up to a total FAR of 0.6 for additional floor area located beneath a sloping roof and for the provision of garage parking spaces. The maximum community facility FAR is 1.0. In addition, two parking spaces are required for a one-family dwelling and three parking spaces are mandated for a two-family dwelling in Lower Density Growth Management Areas such as Staten Island.

The R3-1 zoning district permits relatively small single- and two-family homes, which may be detached or semi-detached, and community facility uses. R3-1 districts are generally mapped to follow the existing patterns of development in several low density areas of the City. The maximum residential FAR in the R3 zone is 0.5 plus 0.1 as an attic allowance plus allowances for attic space, additional floor area located beneath a sloping roof, and for the provision of garage parking spaces. The maximum community facility FAR is 1.0. In addition, two parking spaces are required for each single-family dwelling and three parking spaces are mandated for two-family dwellings located in the R3-1 zone within Lower Density Growth Management Areas in Staten Island.

The R3-2 zoning district is the lowest density zone in which multiple dwellings are allowed. A variety of housing types, including garden apartments and rowhouses, are

common in this district. The maximum residential FAR in the R3 zone is 0.5 plus 0.1 as an attic allowance. The maximum community facility FAR is 1.0. In addition, two parking spaces are required for a one-family dwelling and three parking spaces are mandated for a two-family dwelling in Lower Density Growth Management Areas such as Staten Island.

C1 districts accommodate the retail and personal service shops needed in residential neighborhoods, and C1-2 districts are mapped as commercial overlays within residence districts, generally along major avenues. The maximum commercial FAR of the C1-2 overlay mapped in lower density residential districts (such as the R3-2 zone in which it is mapped in the vicinity of the project site) is 1.0. Residential uses are permitted within these overlays with residential bulk being governed by the provisions of the surrounding residential zone. Parking requirements vary by use within the C1-2 zone with one parking space required for each 300 square feet of general retail floor area. No loading spaces are required for the first 8,000 square feet of floor area, and one loading berth is required for the next 17,000 square feet of commercial retail floor area.

Future No-Action Scenario

As explained under the RWCDS analysis above, in the future and absent the action, the area proposed to be rezoned would continue to be governed by the provisions of the existing R3X and R3-1 zoning districts.

The NYC Department of City Planning (DCP) has identified Richmond Avenue to the south of the project site between Victory Boulevard and Travis Avenue as a commercial corridor that is located in a residential district. The City is proposing a Lower Density Growth Management Area Text Amendment and Commercial Corridor rezoning for this portion of Richmond Avenue as well as for several other similar areas in Staten Island. DCP states that many of the commercial uses in these areas exist because they are either grandfathered buildings built prior to the adoption of the 1961 zoning regulations or they were subsequently allowed through variances approved by the Board of Standards and Appeals. Many of the business owners in these areas delay or do not reinvest in these properties due to their uncertain futures.

Richmond Avenue between Victory Boulevard and Travis Avenue is currently zoned R3X, R3-1, and R3-2, and is characterized by retail and community facility uses with accessory parking lots and strip retail centers. The proposed commercial rezoning for this area would map C1-2 and C2-2 commercial overlays along Richmond Avenue which would allow commercial and mixed uses as-of-right.

Although the subject project site and 400-foot radius study area are not located within the proposed commercial rezoning area along Richmond Avenue, they are sited only a short distance to the north and have a very similar character.

Future With-Action Scenario

As explained under the RWCDS analysis above, the proposed rezoning would extend a C1-2 commercial overlay over the entire project site. The underlying R3X and R3-1 zoning of the property would not be changed under the proposed action.

The proposed extension of the C1-2 overlay onto the applicant owned portion of the project site would enable the property owner to develop a currently underdeveloped parcel with an appropriate amount of local commercial floor area. The development of a new commercial facility, limited by the C1 designation to a local neighborhood use, would permit development on the site to be consistent with the use and C1-2 zoning of the commercial properties immediately to the north as well as a short distance to the south of the subject premises. It would also permit a use that would be compatible with and beneficial to adjacent and nearby residential uses as well as being commercial rather than residential in character as are the office uses currently occupying the premises. The rezoning would also allow for future commercial uses in the existing non-applicant owned building. No new construction is anticipated on this property.

The proposed commercial development would be in conformance with the use and bulk provisions of the proposed C1-2 overlay. The proposed Use Group 6 neighborhood commercial retail use is a permitted use in the C1-2 zone. Relative to the bulk provisions of the proposed C1-2 zone, the RWCDS and the proposed development would have an overall FAR of 0.35 relative to the permitted FAR of 1.0 for C1-2 overlays mapped in R3X zoning districts. The proposed one-story, approximately 15-foot tall commercial building would fall well below the maximum height limit of 35 feet in the R3X zone. Accessory off-street parking is required for the proposed development at a ratio of one space per 300 square feet of general retail floor area. The proposed 6,440 square foot facility would therefore require the provision of 21 parking spaces which would be provided for the development. No loading spaces would be required as the proposed floor area of the development would not exceed 8,000 square feet.

No significant impacts to zoning patterns in the area would be expected. The proposed C1-2 overlay would be consistent with the C1 commercial overlay mapped to the north of the project site along Richmond Avenue across Merrill Avenue/Morani Street as well as nearby areas to the south of the site bordering Victory Boulevard. It would also be consistent with the C1 and C2 commercial overlays proposed to be mapped along Richmond Avenue a short distance to the south of the subject premises as discussed in the Future No-Action discussion above.

The proposed one-story building would be in scale with the commercial buildings to the north of the property which range from one- to two-stories in height. 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. The proposed zoning and associated development would not represent an objectionable use that could affect neighborhood character, but would comprise a use that is already located in the neighborhood.

Potentially significant adverse impacts related to zoning are not expected to occur as a result of the proposed action, and further assessment of zoning is not warranted.

PUBLIC POLICY

Existing Conditions

The Bulls Head neighborhood of Staten Island, which is located in Staten Island Community District 2, is primarily a one- and two-family residential community with substantial amounts of open space and vacant land as well as community facility and commercial uses. According to the 2010 U. S. Census, the population of the area, which includes other residential communities in central Staten Island, increased by 3.9 percent from 127,071 persons in 2000 to 132,003 people in 2010.

In addition to the zoning provisions discussed above, the project site is subject to the provisions of the City's Waterfront Revitalization Program (WRP), as the site and the project study area to the west are located within the City's Coastal Zone Boundary. No other public policies would apply to the proposed action as the project site, and the surrounding 400-foot radius study area are not located within the boundaries of any 197-a Community Development Plans or Urban Renewal Area plans, and also are not within a historic district, a critical environmental area, a significant coastal fish and wildlife habitat, a wildlife refuge, or a special natural waterfront area.

Future No-Action Scenario

In the future, without the action, any new development on the project site would continue to be governed by the provisions of the existing R3X and R3-1 zoning districts and the City's Waterfront Revitalization Program. No other public policy initiatives would pertain to the project site or to the 400-foot study area around the property by the project build year of 2014. In addition, no changes are anticipated to the zoning districts and zoning regulations or to any public policy documents relating to the project site or the surrounding 400-foot radius study area by the project build year.

Future With-Action Scenario

No impact to public policies would occur as a result of the proposed action. The proposed C1-2 overlay would be consistent with the existing C1-2 commercial overlay mapped along the east side of Richmond Avenue immediately to the north of the site and along both sides of Richmond Avenue a short distance to the south. It would also be consistent with the C1 and C2 commercial overlays proposed to be mapped along Richmond Avenue south of Victory Boulevard. The development anticipated to occur as a consequence of the proposed rezoning would provide 6,440 square feet of neighborhood oriented commercial retail

space on the project site which would be of benefit to the residents in the surrounding area. The project would be in scale with the surrounding development in that it would only be one-story in height, comparable to the one- and two-story commercial structures to the north and south of the property.

Waterfront Revitalization

The Waterfront Consistency Assessment Form and a narrative explaining how the proposed action would be consistent with WRP policies are attached to this document. The proposed action is consistent with WRP policies, and no potentially significant adverse impacts related to the WRP are anticipated as a result of the proposed action.

The action would be an appropriate development on the project site and would be a positive contribution to Staten Island Community District 2 and to the surrounding neighborhood. No potentially significant adverse impacts related to public policy are anticipated to occur as a result of the proposed action, and further assessment of public policy is not warranted.

For Internal Use Only:		WRP no.	
Date Received:		DOS no.	

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)*. The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

A. APPLICANT

1. Name: **Hiram A. Rothkrug, Director, EPDSCO**
2. Address: **55 Water Mill Road, Great Neck, NY 11021**
3. Telephone: **718-343-0026** Fax: **516-487-2439** E-Mail: **hrothkrug@epdsco.com**
4. Project site owner: **Mr. Hashim Araj**

B. PROPOSED ACTIVITY

1. Brief description of activity:
It is proposed to extend a C1-2 commercial overlay over an existing R3X and R3-1 zoning district. The rezoning would facilitate the construction of a one-story building containing approximately 6,440 square feet of floor area limited to local retail uses (Reasonable Worst Case Development Scenario) on the applicant owned portion of the project site. The proposed development would also include 21 accessory parking spaces which would be accessed via one, two-way curb cut on Richmond Avenue. The proposed rezoning would also allow for future commercial uses in the existing building on the non-applicant owned portion of the project site. No new construction is anticipated on this property.
2. Purpose of activity:
The proposed C1-2 overlay would allow for the development of local retail use on a site surrounded by commercial uses. The proposed action would enable the development of an appropriate amount of commercial floor area on a currently underdeveloped parcel. The project would serve the needs of this area of Staten Island for commercial space with adequate parking, and would promote the development of the property in a fashion that would be compatible with and beneficial to adjacent and nearby residential uses.

3.Location of activity: (street address/borough or site description):

Property located at the southwest corner of Richmond Avenue and Merrill Avenue (Block 2236, Lots 56 & 61) and the northwest corner of Richmond Avenue and Merrill Avenue (Block 1580, Lot 22), Staten Island, NY

Proposed Activity Cont'd

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:

   N/A

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).

   N/A

6. Will the proposed project require the preparation of an environmental impact statement?

   Yes _____ No **X** If yes, identify Lead Agency:

7. Identify **city** discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

   City Planning Commission zoning amendment.

C. COASTAL ASSESSMENT

Location Questions		Yes	No
1.	Is the project site on the waterfront or at the water's edge?		**X**
2.	Does the proposed project require a waterfront site?		**X**
3.	Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?		**X**

Policy Questions		Yes	No
The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations. Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.			
4.	Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1)		X
5.	Is the project site appropriate for residential or commercial redevelopment? (1.1)	X	
6.	Will the action result in a change in scale or character of a neighborhood? (1.2)		X

Policy Questions cont'd		Yes	No
7.	Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)		X
8.	Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)		X
9.	Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)		X
10.	Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)		X
11.	Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)		X
12.	Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)		X
13.	Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)		X
14.	Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)		X
15.	Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)		X
16.	Would the proposed project create any conflicts between commercial and recreational boating? (3.2)		X
17.	Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)		X
18.	Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)		X
19.	Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1)		X

	Policy Questions cont'd	Yes	No
20.	Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1 and 9.2)		X
21.	Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)		X
22.	Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)		X
23.	Would the action have any effects on commercial or recreational use of fish resources? (4.4)		X
24.	Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)		X
25.	Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)		X
26.	Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)		X
27.	Will any activity associated with the project generate nonpoint source pollution? (5.2)		X
28.	Would the action cause violations of the National or State air quality standards? (5.2)		X
29.	Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)		X
30.	Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)		X
31.	Would the proposed action have any effects on surface or ground water supplies? (5.4)		X
32.	Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)		X
33.	Would the action result in any construction activities that would lead to erosion? (6)		X
34.	Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)		X
35.	Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)		X
36.	Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)		X
37.	Would the proposed project affect a non-renewable source of sand? (6.3)		X
38.	Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)		X
39.	Would the action affect any sites that have been used as landfills? (7.1)		X
40.	Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)		X
41.	Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)		X
42.	Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)		X

Policy Questions cont'd

43.	Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)		X
44.	Would the action result in the provision of open space without provision for its maintenance? (8.1)		X
45.	Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)		X
46.	Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)		X
47.	Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)		X
48.	Does the project site involve lands or waters held in public trust by the state or city? (8.5)		X
49.	Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)		X
50.	Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)		X
51.	Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)		X
52.	Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)		X

D. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent Name: **Hiram A. Rothkrug, Director, EPDSCO**

Address: **55 Water Mill Road, Great Neck, NY 11021**

Telephone **718-343-0026**

Applicant/Agent Signature: 

Date: 10/3/13

Richmond Avenue Rezoning
Explanation of Consistency with Waterfront Policies

1. **Policy 1.1: Encourage commercial and residential redevelopment in appropriate coastal zone areas.**

The project site is an appropriate location for the proposed development and meets the criteria of Policy 1.1 as described below.

A. Criteria to determine areas appropriate for reuse through public and private actions include: the lack of importance of the location to the continued functioning of the designated Special Natural Waterfront Areas or Significant Maritime and Industrial Areas; the absence of unique or significant natural features or, if present, the potential for compatible development; the presence of substantial vacant or underused land; proximity to residential or commercial uses; the potential for strengthening upland residential or commercial areas and for opening up the waterfront to the public; and the number of jobs potentially displaced balanced against the new opportunities created by redevelopment.

Relative to Policy 1.1 A., the project site is not designated either as a Special Natural Waterfront Area (SNWA) or as a Significant Maritime and Industrial Area (SMIA) nor is it in close proximity to any areas so designated. The project site is located inland and does not border the shoreline. The applicant owned portion of the property is developed with two residential structures occupied by office uses and the non-applicant owned portion of the property is developed with a building housing medical offices. Neither property contains any unique or significant natural features. The project site is located in an area occupied by residential and commercial retail developments.

The proposed project would add to and strengthen the surrounding retail and residential community. Development of the proposed project would have no impact upon public access to the waterfront as the project site is not located along or near the waterfront. The proposed project would result in the loss of approximately eight jobs but is anticipated to result in the generation of approximately 20 new jobs.

B. Public actions, such as property disposition, Urban Renewal Plans, and infrastructure provision, should facilitate redevelopment of underused property to promote housing and economic development and enhance the city's tax base.

The proposed project would not involve any of the public actions noted under Policy 1.1 B. and therefore this policy does not apply to the proposed action.

10. URBAN DESIGN AND VISUAL RESOURCES

A preliminary urban design screening assessment for the proposed action is required because the proposed project would introduce a new building on the applicant owned portion of the project site that would not be allowed under the existing zoning of the property. As relevant to the proposed project and stated in the *CEQR Technical Manual*:

A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following:

1. *Projects that permit the modification of yard, height, and setback requirements;*

The proposed action would result in the demolition of the two existing residential buildings on the applicant owned portion of the project site and the construction of a new commercial building that would not meet the yard requirements of the existing R3X zoning of the site. The R3X zone requires that the front yard be at least as deep as an adjacent front yard and have a minimum depth of 10 feet. The existing two-story attached dwelling units adjacent to the project site along Merrill Avenue are setback approximately 30 feet from Merrill Avenue while the existing residential buildings on the project site and the adjacent residential structure along Richmond Avenue are setback approximately 20 feet from Richmond Avenue. The proposed commercial building that would be built with the mapping of the C1-2 overlay on the project site would be built to the property line along Merrill Avenue and as close as three feet from the property line along Richmond Avenue. The proposed development would therefore not comply with the front yard requirements of the R3X zone, and the proposed setbacks/yards would differ from the existing front yards of development on and adjacent to the project site.

Although the proposed commercial structure would essentially be built to the street lines of the project site, it is not anticipated that this would result in any adverse urban design impacts to the project site or the project study area. A similar commercial building on the non-applicant owned portion of the project site directly across Merrill Avenue is essentially built to the street line of Richmond Avenue. Therefore, the proposed project would be in keeping with new development trends in the area relative to urban design, and no adverse urban design impacts from the proposed action would be expected.

17. AIR QUALITY

Based on the responses provided in the EAS Form, the only potential air quality concern from the proposed project would pertain to stationary source air quality impacts. As listed in the *CEQR Technical Manual,* the project would use fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems. The development that would be facilitated by the proposed rezoning action would consist of a one-story, 6,440 square foot commercial building.

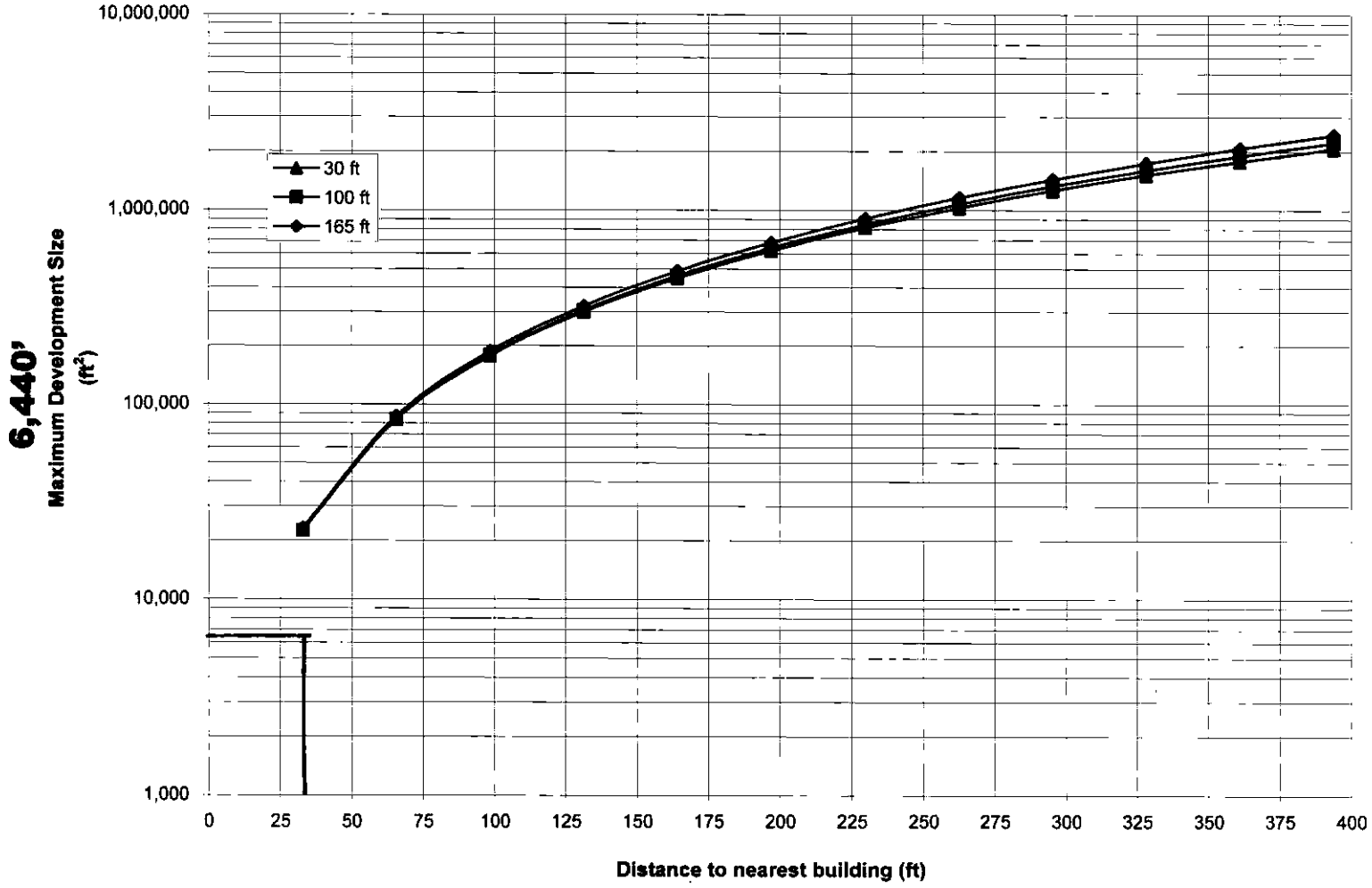
To assess air quality impacts associated with emissions from the project's heating and hot water systems, a screening analysis was performed using the methodology described in the *CEQR Technical Manual.* This methodology determines the threshold of development size below which the action would not have a significant impact.

Impacts from boiler emissions associated with the proposed commercial development are a function of fuel type, stack height, minimum distance from the source to the nearest building of concern, and square footage of the proposed development. The analysis is based on a proposed one-story, 6,440 square foot commercial retail building, 15 feet in height, with an emissions stack height of three feet higher than the building height (Hs=18 feet was chosen for analysis). The nearest sensitive receptor of the same or greater height than the proposed building is the two-story residential structure located adjacent to the site along Merrill Avenue (Block 2236, lot 149). This residential building would be located approximately 69 feet from the proposed building's stack. This location is based on the assumption that the new stack would be located 30 feet from the closest point of the lot line of lot 56 (the project site) to lot 149 facing the south east corner of Richmond and Merrill Avenues, per the R3X and R3-1 zoning rear yard minimum allotted distance.

The proposed building would screen out on the basis of Figure Appendix 17-6 (SO2 Boiler Screen – Commercial and Other Non-Residential Development – Fuel Oil #2). As shown on the attached Figure Appendix 17-6, at a distance of 30 feet from the stack, the proposed development would need to contain more than 20,000 square feet of floor area to be of concern to the adjacent residence. Therefore, the potential for significant adverse impacts due to boiler stack emissions from the proposed 6,440 square foot project is unlikely, and a detailed analysis of stationary source impacts is not required. In addition, the proposed commercial development would not be considered to be a sensitive use based on *CEQR Technical Manual* criteria, and the proposed project would therefore not experience any adverse stationary source air quality impacts from its surroundings.

Conditions associated with the project development would not result in any violations of ambient air quality standards. Therefore, the action would not result in any potentially significant adverse air quality impacts, and further assessment is not warranted.

FIG App 17-6
SO_2 BOILER SCREEN
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - FUEL OIL #2



6,440'

30'

19. NOISE

Framework of Noise Analysis

The proposed action would allow new commercial development in an area where vehicular traffic may be a significant source of ambient noise. The proposed retail use is not a significant noise generator. Additionally, project-generated traffic would not double vehicular traffic on nearby roadways, and therefore would not result in a perceptible increase in vehicular noise. This noise assessment is limited to an assessment of ambient noise that could adversely affect occupants of the development.

Noise Fundamentals

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

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents a sound pressure that is 10 times higher. However, humans do not perceive a 10-dB increase as 10 times louder. Instead, they perceive it as twice as loud. The following Table Noise-1 lists some noise levels for typical daily activities.

Table Noise-1: Noise Levels of Common Sources

Table 19-1 Noise Levels of Common Sources	
Sound Source	**SPL**
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Source: 2010 CEQR Technical Manual	

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

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

- 3-dBA change is the threshold of change detectable by the human ear;
- 5-dBA change is readily noticeable; and
- 10-dBA change is perceived as a doubling or halving of the noise level.

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

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity, level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.
- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.

The sound level exceeded during a given percentage of a measurement period is the percentile- exceeded sound level (LX). Examples include L10, L50, and L90. L10 is the A-weighted sound level that is exceeded 10% of the measurement period.

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

Measurement Location and Equipment
Because the predominant noise source in the area of the proposed project is vehicular traffic, noise monitoring was conducted during peak vehicular travel periods, 7:00-9:00 a.m., 12 p.m.-2 p.m., and 4-6 p.m. Pursuant to CEQR Technical Manual methodology, readings were conducted for 20-minute periods during each peak hour. The subject site is located at the south-west corner of the intersection of Merrill St. and Richmond Avenue. Noise monitoring was conducted using a Type 2 Larson-Davis LxT2 sound meter, with wind screen. The monitor was placed on a tripod at a height of approximately three feet above the ground, away from any other surfaces. The monitor was calibrated prior to and following each monitoring session. Two monitoring locations were used during the noise assessment. The first was at the center of the property line along Merrill St. and the second was at the corner of the property at the intersection of Merrill St. and Richmond Ave.

Measurement Conditions
Monitoring was conducted on a typical weekday, Thursday September 26, 2013, with dry weather and moderate wind speeds. Traffic volumes and vehicle classification were documented during the noise monitoring. The sound meter was calibrated before and after each monitoring session.

Existing Conditions
Based on the noise measurements taken at the project site, the predominant source of noise at the site is vehicular traffic on Richmond Road. Background noise was picked up by the noise readings. When the noise readings were taken, several ambulances passed by which explains the high Lmax (101 decibels , compared to an Lmax of 93.8 in the a.m. and 81.8 in the p.m.). A very high Lmax that only lasts for a short duration has the effect of raising the average noise level (Leq) while not really affecting the L10, which is the noise level that's exceeded 10% of the time. For the L10 it doesn't matter how loud things are at their max, what matters is the length of time that loud noises persist. In this case, it was a very loud noise source that didn't last very long. Although the noise meter is supposed to be paused

during atypical noise events, the ambulances came by so quickly that there wasn't time to pause the monitor, so the ambulance noise was accounted for.

Table Noise-2 contains the results for the measurements taken at the subject site.

Table Noise-2: Noise Levels at the corner of Merrill St. and Richmond Ave.

	Thursday, September 26, 2013 AM	Thursday, September 26, 2103 MD	Thursday, September 26, 2013 PM
Lmax	93.8	101.0	81.8
L5	77.1	75.6	75.0
L10	**74.7**	**72.2**	**73.2**
Leq	71.7	77.6	69.7
L50	67.5	66.1	66.7
L90	61.3	58.9	57.8
Lmin	56.0	53.2	51.5

Table Noise-2: Noise Levels along Merrill Ave.

	Thursday, September 26, 2013 AM	Thursday, September 26, 2013 MD	Thursday, September 26, 2013 PM
Lmax	76.3	84.7	71.2
L5	66.8	64.7	64.4
L10	**65.1**	**62.7**	**62.9**
Leq	62.0	61.9	60.3
L50	59.8	57.2	59.1
L90	55.9	52.0	53.8
Lmin	52.9	49.3	49.9

Traffic volumes and vehicle classifications during the noise monitoring sessions are presented in Table Noise-3.

Table Noise-3: Traffic Volumes and Vehicle Classifications (20-minute counts)

	AM		MD		PM	
	Corner Location	Merrill St. Location	Corner Location	Merrill St. Location	Corner Location	Merrill St. Location
Car/taxi	428	59	394	42	394	58
Light	222	14	217	25	246	39
Heavy truck	13	1	16	0	6	0
Bus	39	1	6	1	17	0
Mini Bus	10	5	5	1	10	0

The CEQR Technical Manual Table 19-2 contains noise exposure guidelines. For a commercial use such as would occur under the proposed action, an L10 between 70 and 80 dB(A) is identified as marginally unacceptable. The highest recorded L10 at the project was 74.7 during the morning period at the corner of Merrill St. and Richmond Ave. Therefore, window-wall noise attenuation of 31 dB(A) would be required according to the CEQR Technical Manual Table 19-3. Table 19- 3 indicates that, for residential or community facility development, 31 dB(A) of attenuation would be required where the ambient L10 noise level is between 73 and 76. Note A of this table states that required attenuation for commercial spaces would be 5 dB less. Therefore, 26 dB(A) would be required to ensure an acceptable indoor noise level for the proposed commercial use.