equity environmental engineering
A Division of GZA

80-01 Broadway Commercial Overlay

Environmental Assessment Statement

Address: 80-01 Broadway and 81-11 Pettit Avenue Queens, New York

Block 1509, Lot 1, p/o lot 17, p/o lot 6.

CEQR Reference: 23DCP159Q

ULURP Reference: 240075ZMQ

Lead Agency:
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Prepared for:
GWY Realty Inc

Prepared by:
Equity Environmental Engineering, a Division of GZA

Date Submitted:
October 23, 2023

Equity Environmental Engineering, *a Division of GZA*
55 Lane Road | Fairfield, NJ 07004
104 West 29th St, 10th Fl | New York, NY 10001
www.gza.com | www.equityenvironmental.com | GZA LinkedIn

Table of Contents

EAS SHORT FORM i
1 Project Description 1
1.1 Introduction 1
1.2 Background and Site History 1
1.3 Description of the Surrounding Area 2
1.4 Description of the Affected Area 3
1.5 Description of the Proposed Project 4
1.6 Action(s) Necessary to Facilitate the Project 4
1.7 Purpose and Need 4
1.8 Analysis Framework 5
2 Environmental Review 10
2.1 Land Use, Zoning, and Public Policy 11
2.1.1 Land Use 11
2.1.2 Zoning 14
2.1.3 Public Policy 18
2.2 Historic and Cultural Resources 20
2.2.1 Architectural Resources 21
2.2.2 Archaeological Resources 26
2.2.3 Conclusion 27
2.3 Air Quality 28
2.3.1 Mobile Sources 28
2.3.2 Stationary Sources 29
2.4 Noise 37
2.4.1 Initial Impact Screening 42
2.4.2 Noise Monitoring Results 43
2.4.3 Conclusion 50
2.5 Neighborhood Character 52
2.5.1 Preliminary Analysis 52
2.5.2 Conclusion 56
2.6 Construction 57
2.6.1 Conclusion 60

Appendices:

Appendix A: Agency Correspondence

Appendix B: Architectural Plans

Appendix C: Air Quality Backup

Appendix D: Noise Backup

EAS SHORT FORM

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* 80-01 Broadway Commercial Overlay

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
23DCP159Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
240075ZMQ	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY Department of City Planning (DCP)			NAME OF APPLICANT GWY Realty Inc		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, EARD			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Maxim Gladkiy GZA GeoEnvironmental Inc.		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 104 W 29th St, New York		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10001
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 917-215-2975	EMAIL maxim.gladkiy@gza.com	

5. *Project Description*

The Applicant, GWY Realty Inc, seeks a zoning map amendment (the Proposed Action) from the City Planning Commission to rezone Queens Block 1509, Lot 1 and p/o Lots 17 and 6 from an R7A to an R7A/C2-4 zoning district. The Proposed Action would bring the existing legally non-conforming commercial properties within the Project Area into conformance. Applicant-owned Block 1509, Lot 1 comprises Projected Development Site 1. While the Applicant does not have any plans to redevelop the properties on the Applicant-owned Lot 1, the Proposed Action would afford them the flexibility to invite new tenants into their currently non-conforming commercial space in the future.

For the purposes of RWCDS, it is assumed that the Applicant-owned Projected Development Site 1 (Lot 1) would be developed as follows:

- The two-story mixed-use building with ground-floor commercial uses and community facility use on the second floor would remain as it exists.
- The one-story commercial building and the one-story building occupied by a post office are expected to be enlarged with a total of 9,104-GSF of second-floor commercial space.
- The rear access alley and small parking area with approximately 6 parking spaces for commercial and community facility uses would remain.

In total, under With-Action conditions, the Projected Development Site 1 would contain 26,910 GSF (25,875-ZSF, 1.43 FAR) of floor area including 19,525 GSF (18,774 ZSF, 1.04 FAR) of commercial spaces, and 7,385 GSF (7,101 ZSF, 0.39 FAR) of community facility uses. The overall height of the structure would remain 25.68 feet. All currently legal nonconforming commercial uses would be brought into conformance. No new curb cuts would be proposed.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 4	STREET ADDRESS 80-01 Broadway
TAX BLOCK(S) AND LOT(S) Block 1509, Lots 1, p/o 6, and p/o 17		ZIP CODE 11373
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Affected Area is bounded by the northern portions of lots 6 and 17 to the north; Pettit Avenue to the east; Broadway Avenue to the south; and Baxter Avenue to the west.		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R7A		ZONING SECTIONAL MAP NUMBER 9d

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 ☐ Cogeneration Facility ☐ Title V Permit

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION ☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING ☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES ☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL ☐ PERMITS, specify:
☐ OTHER, explain:

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.): 30,572 Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 30,572 Other, describe (sq. ft.):

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): 26,910
NUMBER OF BUILDINGS: 3 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 8,746; 12,220; 5,944
HEIGHT OF EACH BUILDING (ft.): 25.68; 25.68; 25.68, NUMBER OF STORIES OF EACH BUILDING: 2; 2; 2

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: 18,125
The total square feet not owned or controlled by the applicant: 12,447

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: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 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.)		19,525	7,385	

Type (*e.g.,* retail, office, school)	units	Local Retail	Post Office	

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

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: NUMBER OF ADDITIONAL WORKERS: 27

Provide a brief explanation of how these numbers were determined: Retail: 1 worker per 333.3 GSF

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): 2027

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS:

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Com. Facility

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		
○ **Early Childhood Programs:** 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)	☐	☒
○ **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)	☐	☒
○ **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)	☐	☒
○ **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 project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☐	☒
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		

	YES	NO
(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 Protection Plan Project Tracking 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) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) 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?	☐	☒
(d) 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 the Hazardous Materials Appendix (including nonconforming uses)?	☐	☒
(e) 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?	☐	☒
(f) 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)?	☐	☒
(g) 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?	☐	☒
(h) 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?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☐
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?	☐	☒
(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?	☐	☒

	YES	NO
(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): Incremental: 2157.86		
○ 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): Incremental: 1,969,195.20		
(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, bus trips, or 50 Citywide Ferry Service ferry 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), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ 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, or Citywide Ferry Service landing?	☐	☐
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) See EAS Section …	☐	☐
(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 114 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?	☐	☒
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;	☒	☐

	YES	NO
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. No significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, and therefore a public health analysis is not warranted		
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. No significant unmitigated adverse impact is found in any CEQR analysis areas related to neighborhood character. Additionally, the proposed project would not result in impact to any of the constituent elements of neighborhood character when considered together.		
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
Maxim Gladkiy	10/23/2023

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:

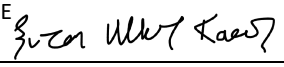
☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental 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	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Evren Ulker-Kacar, AICP	October 27 , 2023

SIGNATURE 

NEGATIVE DECLARATION

Statement of No Significant Effect

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

Reasons Supporting this Determination

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

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The Applicant, GWY Realty Inc., seeks a Zoning Map Amendment (the Proposed Action) to rezone Queens Block 1509, Lot 1 and parts of (p/o) Lots 17 and 6 (the Project Area) from an R7A to an R7A/C2-4 zoning district in the Elmhurst neighborhood of Queens, Community District 4. The Proposed Action is sought to bring the existing legal nonconforming commercial uses on Lot 1 into conformance. While the Applicant does not have any plans to redevelop the properties on the Applicant-owned Lot 1, the Proposed Action would afford them the flexibility to invite new tenants into their currently non-conforming commercial space in the future.

For the purposes of a conservative analysis, this EAS assumes that the Proposed Actions would facilitate the development of an additional 9,104 gross-square-feet (gsf) of commercial use on Lot 1 (Projected Development Site 1). In total, with the existing development on Lot 1, Projected Development Site 1 would include 19,525-gsf of commercial use and 7,385-gsf of community facility use, with a total of 26,910-gsf. The two-story building would be 25.68 feet tall, and all existing legal nonconforming commercial uses would be brought into conformance. The EAS land use and zoning analyses concludes that the density and uses permitted by the Proposed Action would be consistent with nearby residential and mixed-use buildings, and that the proposed C2-4 commercial overlay would align with the existing commercial character of this section of Broadway. The Proposed Action would also not conflict with plans or public policies concerning the Project Area or greater EAS Study Area. Therefore, the EAS concludes that the Proposed Action would not have significant adverse impacts on land use, zoning, or public policy.

Air Quality and Noise

An (E) designation (E-745) related to air quality and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The air quality and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in significant adverse impacts related to air quality or noise.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Max Marinoff at +1 212-720-3621.

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE 10/27/2023
SIGNATURE Evren Ulker Kacar	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 10/30/2023
SIGNATURE	

Project Name: 80-01 Broadway Commercial Overlay
CEQR # 23DCP159Q
SEQRA Classification: Unlisted

Determination of Significance Appendix

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

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	Block 1509, Lot 1

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to air quality and noise, an (E) designation (**E-745**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

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

Air Quality

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

> ***Projected Development Site 1:*** *Any new commercial and/or community facility development and/or enlargement on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating and air conditioning (HVAC) system and hot water equipment, ensure that the HVAC system and/or the hot water equipment stack is located at the building's highest level and at a minimum of 28.68 feet above grade, and that the stack is located at least 45 feet from the northern lot line facing Layton Street and at least 60 feet from the eastern lot line facing Pettit Avenue to avoid any potential significant adverse air quality impact.*

Noise

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

> ***Projected Development Site 1:*** *To ensure an acceptable interior noise environment, future community facility and commercial office uses must provide a closed window condition with a minimum of 31 dB(A) window/wall attenuation on the facade facing Broadway and the facades facing Baxter Avenue and Pettit Avenue within 50 feet of Broadway, and a minimum of 28 dB(A) window/wall attenuation on the facade facing Baxter Avenue beyond 50 feet of Broadway to maintain an interior noise level not greater than 45 dB(A) for community facility uses or not greater than 50 dB(A) for commercial office use. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*

Figure 1.1-1: Site Location Map

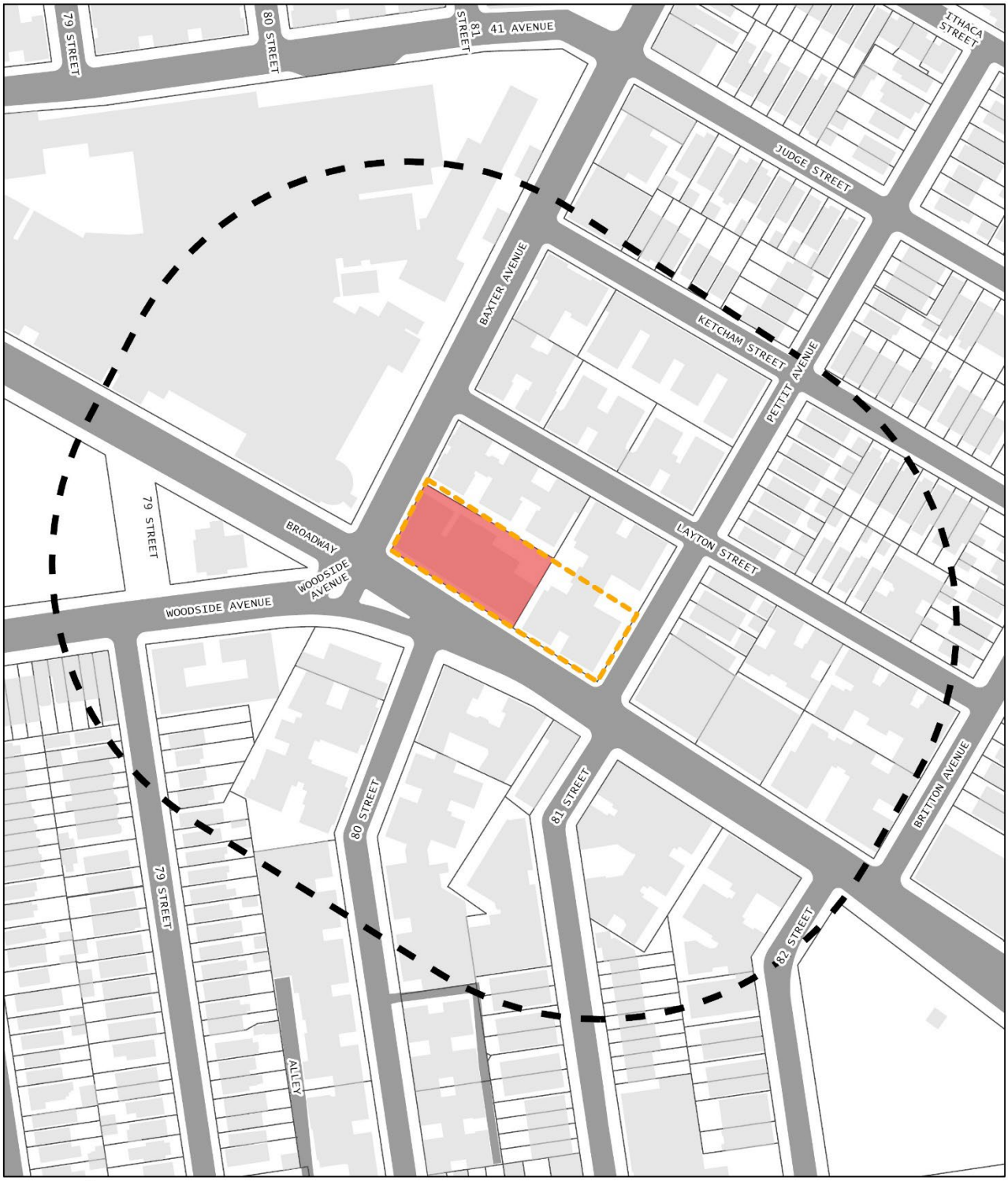


Figure 1.1-2: Existing Land Use Map



Figure 1.1-3: Zoning Sectional Map

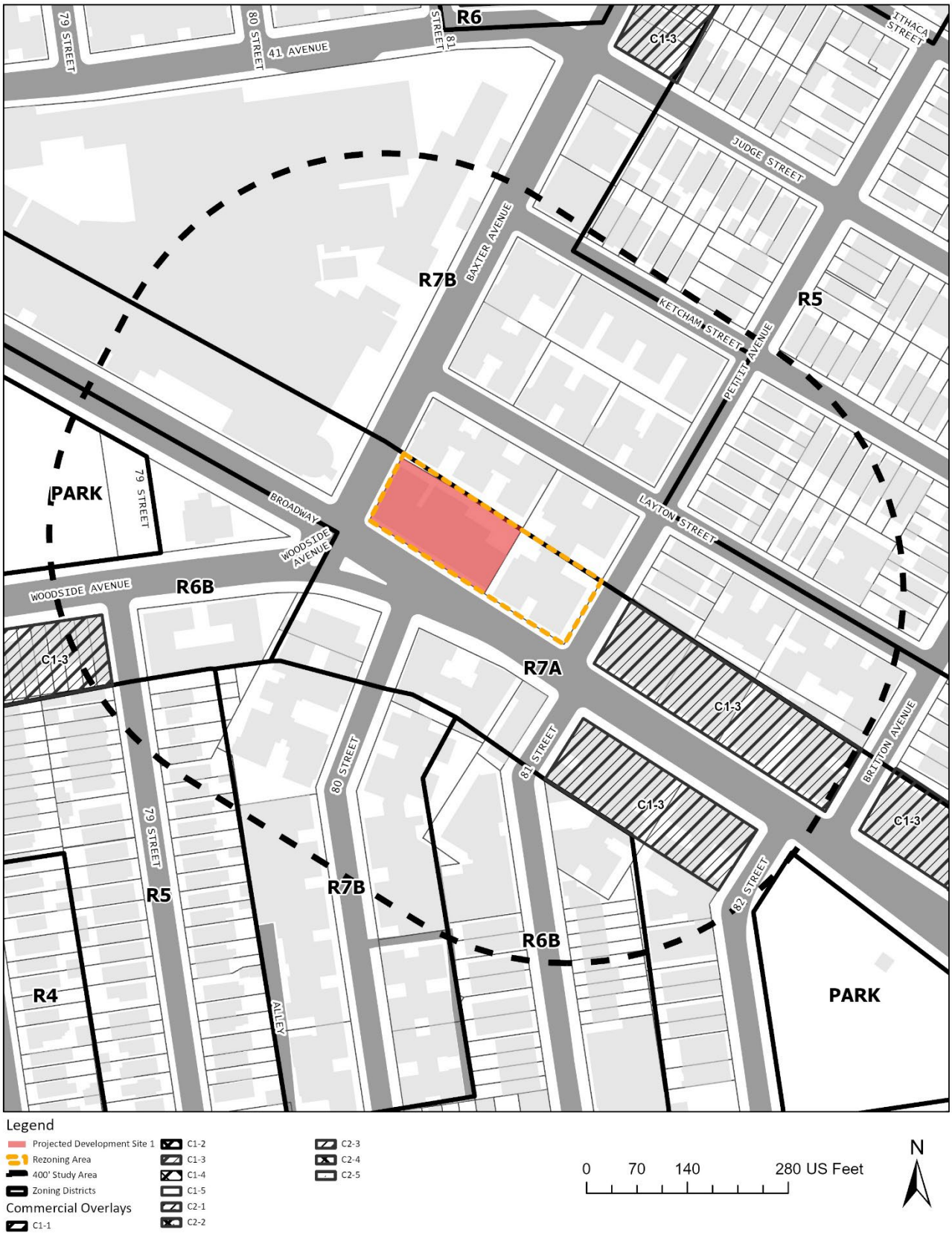


Figure 1.1-4: Zoning Change Map



Existing R7A Zoning District

Proposed R7A/C2-4 Zoning District

Figure 1.1-5: Tax Map

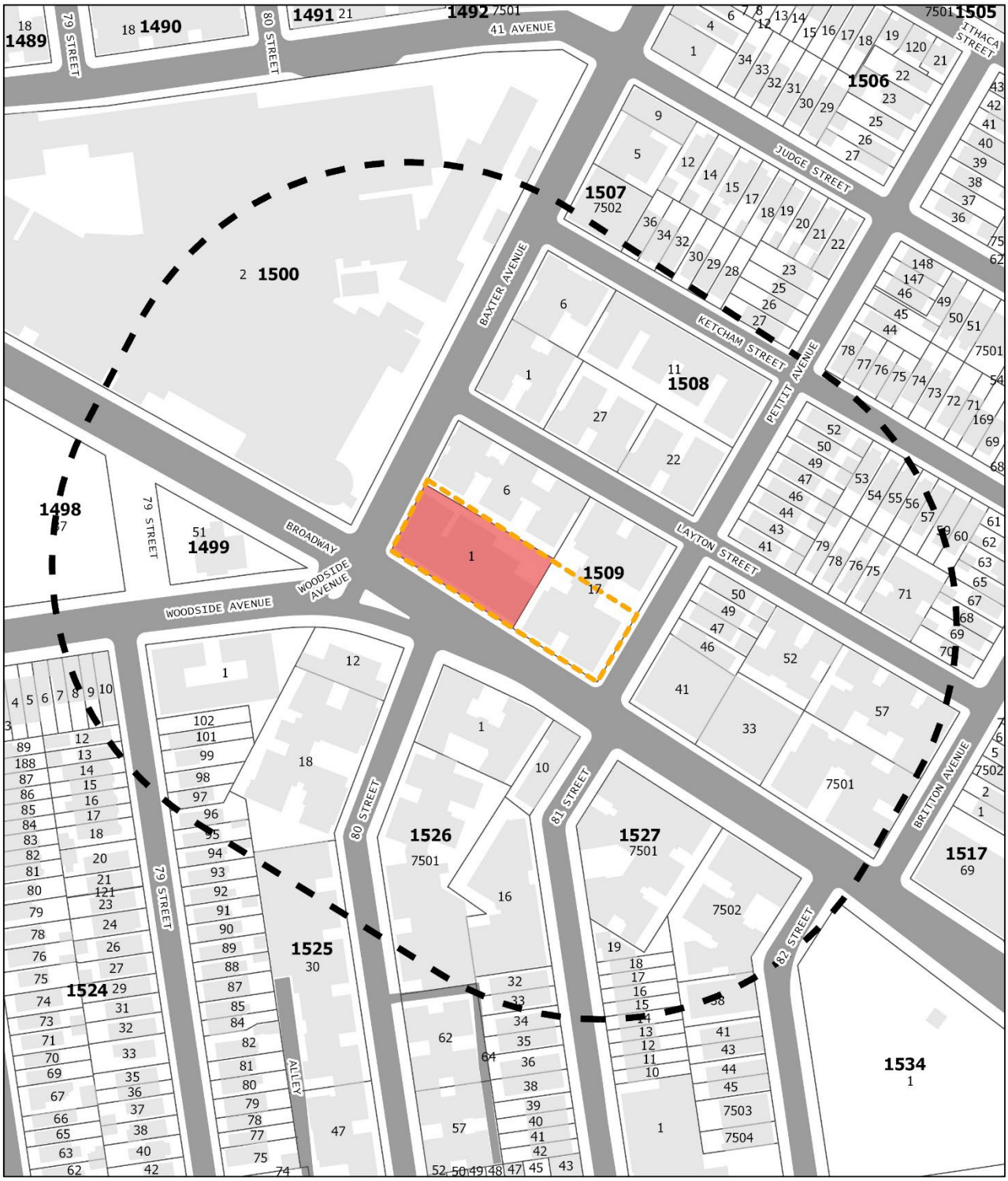


Figure 1.1-6: Site Photos (1)

80-01 Broadway Photos #1-3

01 View of the Site looking north across Broadway.



02 View from the Site looking south across Broadway.



03 View of Broadway looking west from the Site.



Photo Key

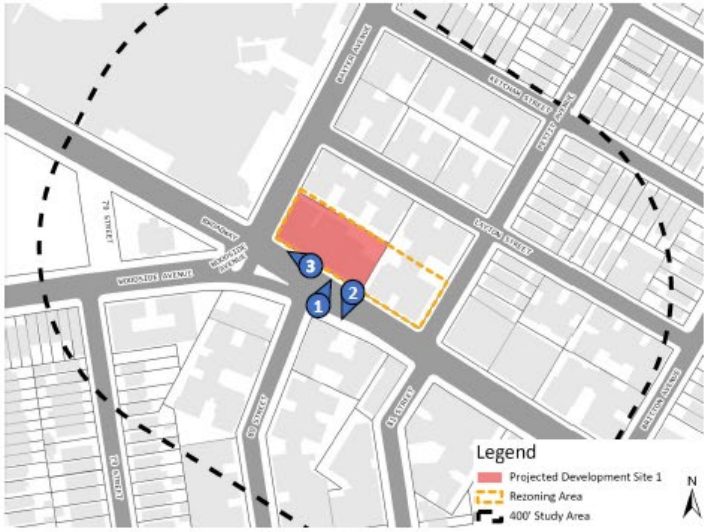


Figure 1.1-7: Site Photos (2)

80-01 Broadway Photos #4-6

04 View of Broadway looking east from the Site.



05 View of Pettit Avenue looking north.



06 View of Pettit Avenue looking south to 81st Street.



Photo Key

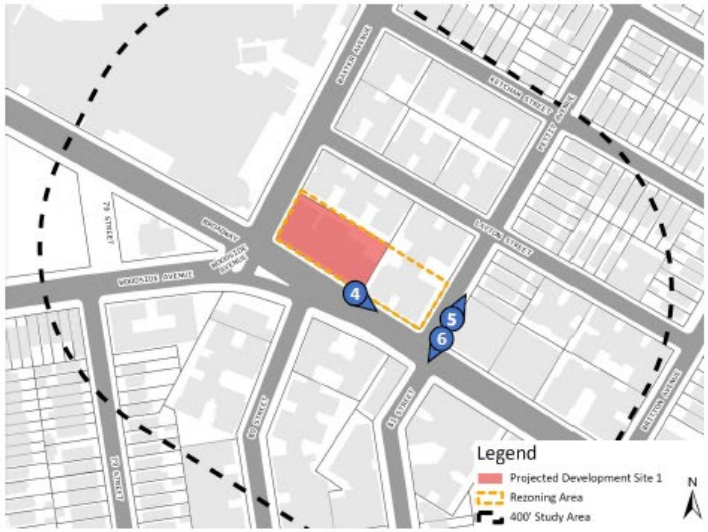


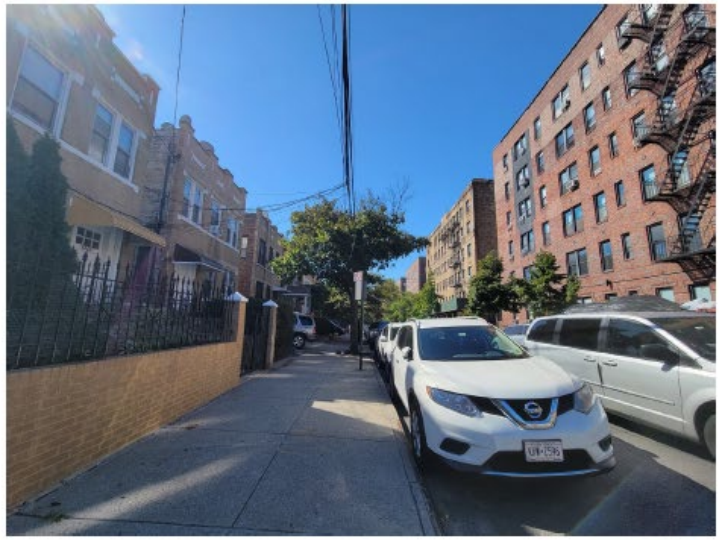
Figure 1.1-8: Site Photos (3)

80-01 Broadway — Photos #7-9

07 View of Pettit Avenue looking north.



08 View of Pettit Avenue looking south.



09 View of Layton Street looking east.



Photo Key

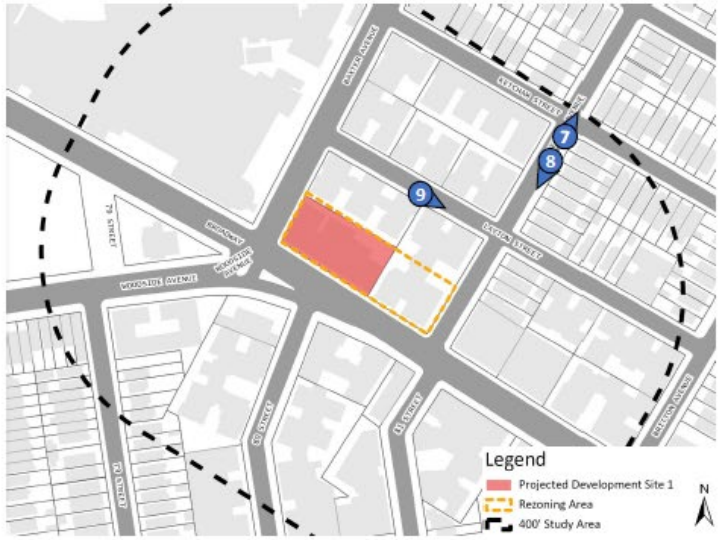


Figure 1.1-9: Site Photos (4)

80-01 Broadway Photos #10-12

10 View across Layton Street looking north.



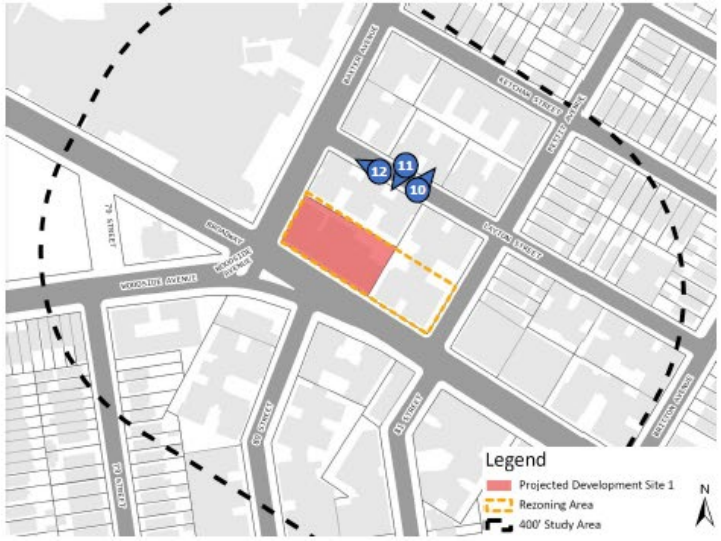
11 View across Layton Street looking south.



12 View of Layton Steet looking west to Baxter Avenue.



Photo Key



x

Figure 1.1-10: Site Photos (5)

80-01 Broadway — Photos #13-15

13 View of Baxter Avenue looking north.



14 View of Baxter Avenue looking south.



15 View of Baxter Avenue looking north from Broadway.



Photo Key

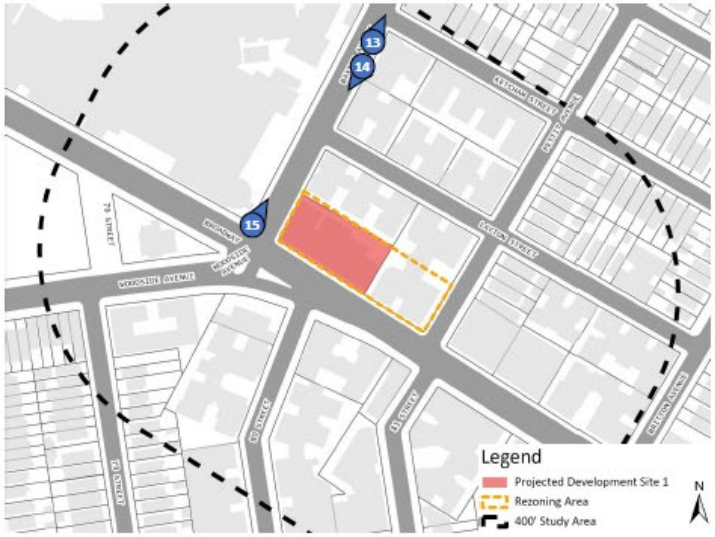


Figure 1.1-11: Site Photos (6)

80-01 Broadway — Photos #16-18

16 View looking south across Broadway toward Woodside Avenue.



17 View of Woodside Avenue looking west.



18 View of Woodside Avenue looking east to Broadway.



Photo Key

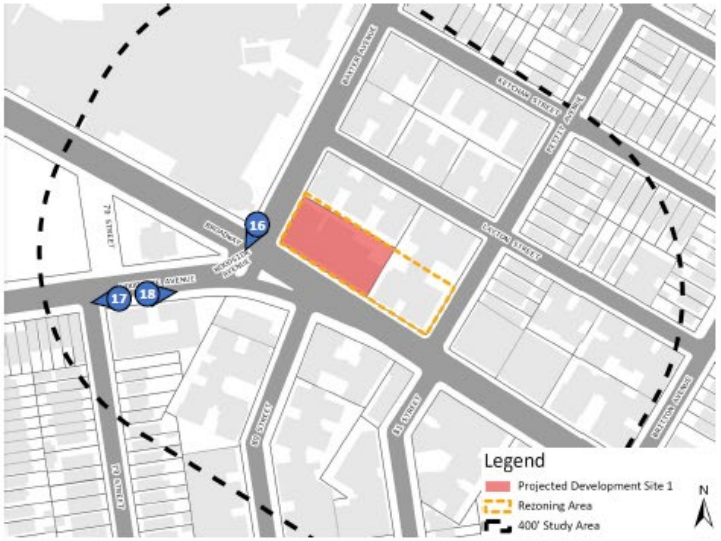
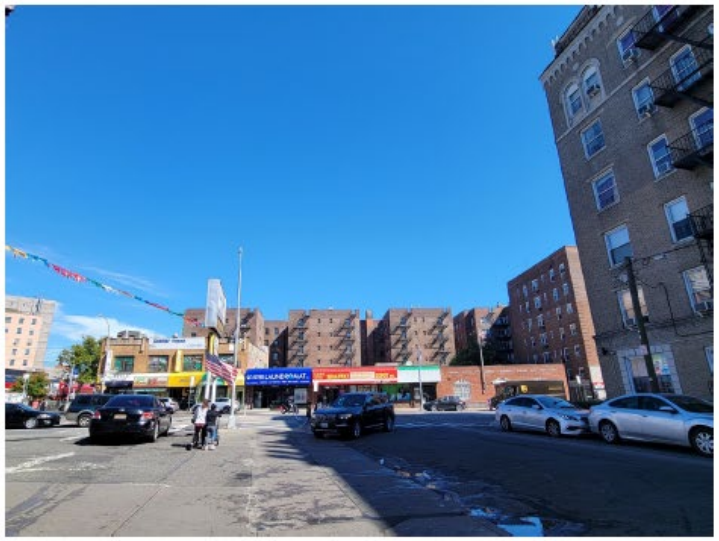


Figure 1.1-12: Site Photos (7)

80-01 Broadway Photos #19-21

19 View of 80th Street looking north to Broadway.



20 View of 80th Street looking south.



21 View of 81st Street looking south.



Photo Key

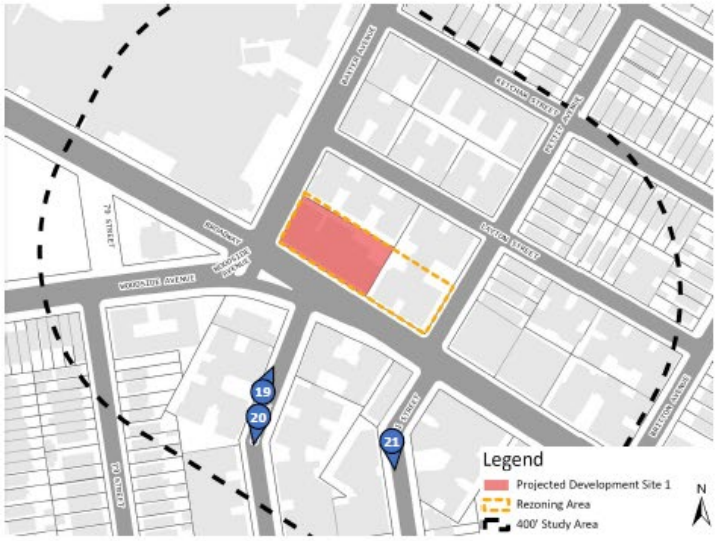


Figure 1.1-13: Site Photos (8)

80-01 Broadway — Photos #22-24

22 View of 81st Street looking north to Broadway.



23 View of Broadway looking west toward the Site.



24 View of Broadway looking east.



Photo Key



1 Project Description

1.1 Introduction

The "Applicant", GWY Realty Inc, seeks a Zoning Map Amendment that would affect a portion of Block 1509 in the Elmhurst neighborhood of Queens, Community District 4. The "Affected Area" is a rectangular area of approximately 30,572 SF consisting of Block 1509, Lots 1, p/o 17, and p/o 6 and bounded by the northern portions of lots 6 and 17 to the north, Pettit Avenue to the east, Broadway to the south, and Baxter Avenue to the west. The Zoning Map Amendment would map a C2-4 Commercial Overlay over the Affected Area within an R7A zoning district. The Zoning Map Amendment constitutes the "Proposed Action".

The Proposed Action is sought to legally permit the existing commercial uses within Block 1509, Lot 1 (the "Development Site"). The Applicant has no plans for redevelopment of existing structures or changing existing tenants. However, the Applicant would like to have the flexibility to invite new tenants in the future.

The Proposed Actions are discretionary actions subject to environmental review. The New York City Department of City Planning (DCP) is the lead agency on behalf of the NYC City Planning Commission (CPC) for environmental review under the City Environmental Quality Review Act (CEQR).

1.2 Background and Site History

The Affected Area is located in the northern portion of the Elmhurst neighborhood. It was originally zoned R6A in the 1961 zoning ordinance and was rezoned to an R7A district in 1989 as a result of Elmhurst/Corona Rezoning (880920 ZMQ, effective September 14, 1989). There were no other rezonings within the 400-foot Study Area.

The current land uses within Lot 1 are commercial and office buildings (according to ZOLA). The structures on Lot 1 with commercial uses were built in 1925 prior to the enactment of the Zoning Resolution in 1961. Therefore, the existing commercial uses are legal nonconforming. The current land use of the portion of Lot 17 is a mixed residential and commercial building (according to ZOLA) built in 1957 and altered in 2016. The 237-SF portion of Lot 6 within the Rezoning Area does not contain any structures. The rest of Lot 6 is developed with a multi-family elevator building constructed in 1926 and altered in 2019.

There are several records of Certificates of Occupancy (COs) for existing buildings within the Affected Area:

- Lot 1: a 1947 CO permitted a two-story building with bowling alleys and a boiler in the cellar, stores, restaurants, cabaret, and light manufacturing on the first floor and offices on the second floor. A 1949 CO permitted a two-story building with bowling alleys, storage, and a boiler room in the cellar; stores, restaurants, and catering establishments on the first floor; and offices on the

second floor. A 1958 CO permitted a two-story building with bowling alleys, storage, and a boiler room in the cellar; stores, catering establishments, and Bar & Grill on the first floor; and offices and factory on the second floor. A 1967 CO permitted a two-story building with bowling alleys, storage, and a boiler room in the cellar; stores, catering establishments, and restaurants on the first floor; and UG 6 offices on the second floor. A 1981 CO permitted a two-story building with a storage and a boiler room in the cellar; stores, medical offices, and a post office on the first floor; and offices on the second floor. A 1998 CO permitted a two-story building with a storage and a boiler room in the cellar; stores (retail), medical offices, and a post office on the first floor; and offices and day care & school on the second floor.

- Lot 17: a 1952 CO permitted sale of used cars and parking of more than five cars on ground. A 1957 CO permitted a six-story building with a boiler room, storage, doctor's offices, telephone answering services, a garage, and multiple class A dwelling units in the cellar and multiple class A dwelling units on floors 1-6.

- Lot 6: a 1977 CO permitted Janitor's apartment, storage, and boiler room in the cellar, multiple class A dwelling units and doctor's office on the first floor, and multiple class A dwelling units on floors 2 through 6. A 1984 CO permitted Janitor's apartment, storage, and boiler room in the cellar and multiple class A dwelling units on floors 1 through 6.

There are no existing E-designations, historic or other designations within the Affected Area.

1.3 Description of the Surrounding Area

The Affected Area is located within the Elmhurst neighborhood of Queens, Community District 4. The area is bounded by the northern portions of lots 6 and 17 to the north, Pettit Avenue to the east, Broadway to the south, and Baxter Avenue to the west. Pettit Avenue is a northeast-southwest Local Road with one moving lane of traffic in each direction and curbside parking. Broadway is a southeast-to-northwest two-way right-of-way classified as a Principal Arterial Other by the New York State Department of Transportation (NYS DOT) with one moving lane of traffic in each direction, bike lanes in each direction, and curbside parking. Baxter Avenue is a northeast-southwest two-way right-of-way classified as Minor Arterial by the New York State Department of Transportation (NYS DOT) with one moving lane of traffic in each direction and curbside parking.

Existing land uses within a 400-foot buffer around the Affected Area (“the surrounding area”) primarily consist of one- and two-family and multi-family residences, mixed commercial and residential buildings, commercial buildings, and public facilities (Elmhurst Hospital).

Built form in the surrounding area varies by use, and generally consists of six story multifamily elevator buildings, two-to five-story multifamily walkup buildings, two-story one- and two-family buildings, and one-story commercial buildings. The surrounding area also contains an eleven-story hospital (Elmhurst Hospital). Broadway is the major commercial corridor in the area. Baxter Avenue has significant commercial activity in the vicinity of the Affected Area and turns into a

commercial corridor to the north of the Affected Area where it merges with another large commercial corridor along Roosevelt Avenue. Pettit Avenue and Layton Street along with other local streets are residential in character.

The existing zoning of the surrounding 400-foot Study Area consists of R7A, R7A/C1-3, R7B, R6B, R5 zoning districts. The Affected Area is within an R7A zoning district that generally extends northwest and southeast of the Affected Area along Broadway. The area north and south of the Affected Area is mapped R7B. The western and southern portions of the 400-foot Study Area are mapped R6B. The area northeast and southwest of the Affected Area is mapped R5. C1-3 commercial overlays are mapped along Broadway to the east of the Affected Area within the R7A district. Elmhurst/Corona Rezoning (880920 ZMQ, effective September 14, 1989) is the only rezoning within the 400-foot Study Area since the enactment of the Zoning Resolution in 1961. The rezoning mapped R7A, R7B, R6B, and R5 zoning districts in the area previously mapped with an R6 district.

The area is well-served by transit with two nearby subway stations with service from four trains. The Elmhurst Avenue subway station with service from the E, M, R trains is located approximately 400 feet southeast of the Affected Area at the corner of Broadway and 82nd Street. The 82 Street subway station with service from the 7 train is located approximately 1,250 feet to the north of the Affected Area. The subway stations provide full-time connecting service to Manhattan. In addition, there is a bus line accessible to users in the area. The Q53-SBS bus connects the Elmhurst neighborhood with Rockaway Beach and has two bus stops in different directions on Broadway, 400 feet west of the Affected Area.

1.4 Description of the Affected Area

The Affected Area is located within the Elmhurst neighborhood of Queens, Community District 4. The Affected Area is a rectangular area of approximately 30,572 SF consisting of Block 1509, Lots 1, p/o 17, and p/o 6 and bounded by the northern portions of lots 6 and 17 to the north, Pettit Avenue to the east, Broadway to the south, and Baxter Avenue to the west.

The Applicant-Owned Development Site

The Applicant-Owned Development Site includes Block 1509, Lot 1. Lot 1 is a 18,125-SF corner lot with frontages on Broadway and Baxter Avenue. The lot is currently improved with 17,806 GSF of lot area which includes an approximately 8,746-GSF, two-story mixed-use commercial and community facility building, a 6,100-GSF, one-story commercial building, and a 2,960-GSF, one-story building occupied by a post office. The two-story building contains commercial uses on the ground floor and a community facility use on the second floor. The ground floor commercial uses include local retail consisting of 3 restaurants, a pharmacy, and a surgical supply store with a total retail floor area of 3,557 GSF and an attorney office of approximately 764 GSF. The second floor is occupied by Star America Preschool with approximately 4,425 GSF of floor area. The one-story commercial building is occupied by a hardware store and a laundromat and approximately

includes 6,100 GSF of floor area. The one-story building occupied by a post office includes 2,960 GSF of floor area. In total, Lot 1 contains 10,421 GSF of commercial use and 7,385 GSF of community facility use. Lot 1 also contains a rear access alley and a small parking area with approximately 6 parking spaces for commercial and community facility uses.

Non-Applicant Controlled Sites

- Other non-applicant-owned lots within the Rezoning Area include Block 1509, Lots p/o 17 and p/o 6. Lot 17 is a 24,420-SF corner lot with frontages on Broadway and Pettit Avenue. The lot is currently improved with a six-story, 106,541-SF, mixed residential and commercial building (according to ZOLA) constructed in 1957 and altered in 2016. The portion of the ground floor within the Affected Area is occupied by a tutoring center, a dental office, and a currently closed medical center.
- Lot 6 is a 23,000-SF corner lot with frontages on Baxter Avenue and Layton Street. The lot is currently improved with a six-story, 77,358-SF multi-family residential building constructed in 1957 and altered in 2016.

1.5 Description of the Proposed Project

The zoning map amendment would rezone Block 1509, Lots 1, p/o 17, and 6 from the existing R7A zoning district to an R7A/C2-4 zoning district to legally permit the existing commercial uses within the Affected Area. The Applicant has no plans to redevelop the existing structures on Lot 1 or find new tenants for the Lot 1 property. However, the Applicant would like to have the flexibility to invite new tenants in the future.

1.6 Action(s) Necessary to Facilitate the Project

The action necessary to facilitate the construction of the Proposed Development is an approval of a Zoning Map Amendment to map R7A/C2-4 zoning district in the Affected Area currently zoned as R7A.

1.7 Purpose and Need

The commercial and office building on the Applicant-controlled Block 1509, Lot 1 was built prior to the enactment of the Zoning Resolution. The existing commercial uses on Lot 1 are legal nonconforming. Other blocks along Broadway south of the Affected Area were mapped with 100-foot-deep C1-3 Commercial Overlays at the time of enactment of the Zoning Resolution. The proposed project is sought to bring the existing legal nonconforming commercial uses on Lot 1 into conformance by mapping a 100-foot-deep C2-4 Commercial Overlay along frontages of Lots 1 and 17 on Broadway. The proposed C2-4 Commercial Overlay would match the adjacent C1-3 Commercial Overlays along Broadway south of the Affected Area and preserve the overall existing commercial character of this section of Broadway. The Project would provide the Applicant with more flexibility when inviting new tenants in the future that may seek to expand or significantly alter commercial uses.

1.8 Analysis Framework

The analysis framework compares the incremental difference between the proposed and potential development under the Proposed Actions (Future With-Action Scenario) and the development which could occur under the existing zoning (Future No-Action Scenario) by the build year specified below. This EAS studies the potential for individual and cumulative environmental impacts related to the Proposed Actions occurring in a study area of approximately 400 feet around the Affected Area. The analysis framework is described below:

Reasonable Worst-Case Development Scenario

Discretionary actions sometimes permit a range of project characteristics, or development scenarios, to occur even though the action may be sought in order to facilitate a specific development. From the range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen for analysis. This is considered to be the Reasonable Worst-Case Development Scenario (RWCDS), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The environmental assessment examines the incremental differences between the RWCDS of the future without the project in place (No-Action Scenario) and the future with the Proposed Actions (With-Action Scenario).

The *2021 CEQR Technical Manua*l categorizes soft sites as either "projected" or "potential" development sites. Projected development sites are defined as those sites that are more likely to be developed as a result of the proposed project. Potential sites are defined as sites that could be developed but have been determined to have less development potential than the projected development sites, based on observed historic and current market conditions, location, site configuration, proximity to transit, infrastructure and other facilities, and other factors that affect the likelihood that they would be developed under the Proposed Actions. Projected Development Sites are analyzed for both site-specific and density-related effects, whereas potential development sites are only analyzed for site-specific effects.

Pursuant to *2021 CEQR Technical Manual* methodology, sites may be considered 'soft' if they are built to substantially less than the maximum permitted floor area ratio and are of a sufficient size or could be assembled into a parcel of sufficient size, to support a feasible development. Sites that have recently been developed or redeveloped are considered less likely to be soft, due to the significant recent investment in the current use.

<u>Build Year</u>

The build year for the analysis is anticipated to be 2027 in consideration of projected 12-month CEQR review period, a 7-month ULURP process, a 2-year period for lease agreements and sourcing potential tenants, as well as design development and permitting, and an approximately 12-month construction schedule.

Future Without the Proposed Actions (No-Action Condition)

The No-Action Condition for the Affected Area would be the same as existing conditions. There are no records of building work permits submitted by the Applicant on the DOB website. As such, it is conservatively assumed that under the No-Action Scenario, existing conditions would continue on the Projected Development Site 1. Redevelopment is also not considered likely in the No-Action Scenario because of the existing legal non-conforming commercial uses under the existing zoning regulation.

The Other non-Applicant-owned lots 6 and 17 are not considered likely to be redeveloped under No-Action Conditions and would remain as they exist.

Future With the Proposed Actions (With-Action Condition)

Projected Development Site 1 (Block 1509, Lot 1)

Under With Action conditions, within the Applicant-owned Projected Development Site 1 (Lot 1) currently improved with three buildings and a small parking area with rear access alley:

- The two-story mixed-use building with ground-floor commercial uses and community facility use on the second floor would remain as it exists.
- The one-story commercial building and the one-story building occupied by a post office are expected to be enlarged with a total of 9,104-GSF of second-floor commercial space.
- The rear access alley and small parking area with approximately 6 parking spaces for commercial and community facility uses would remain.

In total, under With-Action conditions, the Projected Development Site 1 would contain 26,910 GSF (25,875-ZSF, 1.43 FAR) of floor area including 19,525 GSF (18,774 ZSF, 1.04 FAR) of commercial spaces, and 7,385 GSF (7,101 ZSF, 0.39 FAR) of community facility uses. The overall height of the structure would remain 25.68 feet. All currently legal nonconforming commercial uses would be brought into conformance. No new curb cuts would be proposed.

Other Lots (Block 1509, Lots p/o 17, p/o 6)

The other lots within the Affected Area (Other Affected Sites) not projected to redevelop include:

- Lot 17, a 24,420-SF lot with a 197-foot lot frontage on Pettit Avenue and a 125-foot lot frontage on Broadway. The lot is not expected to be redeveloped as the existing building is developed to the maximum FAR allowed under the proposed rezoning.
- Lot 6, a 23,000-SF corner lot with frontages on Baxter Avenue and Layton Street. The lot is improved with a six-story, 77,358-SF multi-family residential building. Since the lot is already developed above the maximum allowed FAR of 3.0, the redevelopment of lot 6 is not expected.

The Projected Development Site 1 is shown in **Figure 1.1-1**.

Only Projected Development Site 1 is considered in the increment between the No-Action and With-Action, the Potential Development Site and Other Affected Sites will not be considered in the analysis of density-related aspects of the environmental review. The incremental development would consist of 9,104 GSF or 8,754 ZSF of commercial use.

The RWCDS Existing, No-Action, and With-Action Scenarios at the Projected Development Sites are shown below in **Table 1.8-1**. The RWCDS increment of Analysis on the Projected Development Sites within the Affected Area are presented in **Table 1.8-2**.

Table 1.8-1: RWCDS Analysis Framework - Existing, No-Action, and With-Action Conditions

Site Info				Existing Condition						No-Action Condition						With-Action Condition					
Site ID	**Block**	**Lot**	**Lot Area**	**Zoning**	**MF (gsf)**	**Com. (gsf)**	**CF (gsf)**	**Res. (gsf)**	**Total gsf**	**Zoning**	**MF (gsf)**	**Com. (gsf)**	**CF (gsf)**	**Res. (gsf)**	**Total gsf**	**Zoning**	**MF (gsf)**	**Com. (gsf)**	**CF (gsf)**	**Res. (gsf)**	**Total gsf**
Projected Development Site 1	1509	1	18,125	R7A	0	10,421	7,385	0	17,806	R7A	0	10,421	7,385	0	17,806	R7A/C2-4	0	19,525	7,385	0	26,910
Total			**9,998**	**-**	**0**	**10,421**	**7,385**	**0**	**17,806**	**-**	**0**	**10,421**	**7,385**	**0**	**17,806**	**0**	**0**	**19,525**	**7,385**	**0**	**26,910**

DU = Dwelling Units
gsf = gross square feet
Res. = Residential
Com. = Commercial
MF = Manufacturing
CF = Community Facility
Afford. = Affordable

Table 1.8-2: RWCDS Incremental Analysis Table

Use	No-Action Condition	With-Action Condition	Increment
Commercial GSF	10,421	19,525	+9,104
Manufacturing GSF	0	0	0
Community Facility GSF	7,385	7,385	0
Residential GSF	0	0	0
Total GSF	17,806	26,910	+9,104
Residential DUs	0	0	0
Residents	0	0	0
Workers[1]	54	81	+27

1. Assumes 1 employee per: 333.3 GSF of local retail and community facility.

2 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 *2021 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
- Historic and Cultural Resources
- Air Quality
- Noise
- Neighborhood Character
- Construction

2.1 Land Use, Zoning, and Public Policy

The *2021 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. This section considers existing conditions, development trends, and zoning and other public policies in relation to the Affected Area and the Surrounding Area as well as the larger area in which the Proposed Actions may have an effect. Because the Proposed Actions would permit the development of multiple-family residential uses with a larger bulk and would also reduce the parking requirements for commercial uses compared to existing zoning regulations, a preliminary assessment of Land Use, Zoning, and Public Policy is provided.

Methodology

Existing land uses were determined by reference to the New York City Zoning and Land Use (Zola) database and PLUTOTM 20v4 shapefiles. These uses were then confirmed through site visits. The evaluation of lots within the 400-foot Study Area was performed with reference to New York City Zoning Maps and the Zoning Resolution of the City of New York and served as the basis for the zoning evaluation of the Future No Action and Future With-Action Conditions. Public Policy research was performed through an evaluation of NYCDCP and other city agencies programs and documentation.

2.1.1 Land Use

The *CEQR Technical Manual* suggests that a land use, zoning, and public policy Study Area should generally extend 400 feet from the Affected Area ("the Surrounding Area"). Existing land uses within approximately 400 feet of the Affected Area are presented in **Figure 1.1-2**.

Existing Conditions

Land Use Study Area

As shown in **Figure 1.1-2** and stated in **Section 1.3**, the surrounding area primarily consist of one- and two-family and multi-family residences, mixed commercial and residential buildings, commercial buildings, and public facilities (Elmhurst Hospital). Residential buildings include six story multifamily elevator buildings, two-to five-story multifamily walkup buildings, two-story one- and two-family buildings. Commercial uses primarily include one-story commercial buildings. The surrounding area also contains an eleven-story hospital (Elmhurst Hospital).

Broadway is the major commercial corridor in the area. Baxter Avenue has significant commercial activity in the vicinity of the Affected Area and turns into a commercial corridor to the north of the Affected Area where it merges with another large commercial corridor along Roosevelt Avenue. Pettit Avenue and Layton Street along with other local streets in the area are residential in character.

Affected Area

A full breakdown of each lot within the Affected Area can be found in **Section 1.4**.

The Applicant-Owned Development Site includes Block 1509, Lot 1. Lot 1 is a 18,125-SF corner lot with frontages on Broadway and Baxter Avenue. The lot is currently improved with 17,806 GSF of lot area which includes an approximately 8,746-GSF, two-story mixed-use commercial and community facility building, a 6,100-GSF, one-story commercial building, and a 2,960-GSF, one-story building occupied by a post office. The two-story building contains commercial uses on the ground floor and a community facility use on the second floor. The ground floor commercial uses include local retail consisting of 3 restaurants, a pharmacy, and a surgical supply store with a total retail floor area of 3,557 GSF and an attorney office of approximately 764 GSF. Second floor is occupied by Star America Preschool with an approximately 4,425 GSF of floor area. The one-story commercial building is occupied by a hardware store and a laundromat and approximately includes 6,100 GSF of floor area. The one-story building occupied by a post office includes 2,960 GSF of floor area. In total, Lot 1 contains 10,421 GSF of commercial use and 7,385 GSF of community facility use. Lot 1 also contains a rear access alley and a small parking area with approximately 6 parking spaces for commercial and community facility uses.

Other non-applicant-owned lots within the Rezoning Area include Block 1509, Lots p/o 17 and p/o 6.

- Lot 17 is a 24,420-SF corner lot with frontages on Broadway and Pettit Avenue. The lot is currently improved with a six-story, 106,541-SF, mixed residential and commercial building (according to ZOLA) constructed in 1957 and altered in 2016. The portion of the ground floor within the Affected Area is occupied by a tutoring center, a dental office, and a currently closed medical center.
- Lot 6 is a 23,000-SF corner lot with frontages on Baxter Avenue and Layton Street. The lot is currently improved with a six-story, 77,358-SF multi-family residential building constructed in 1957 and altered in 2016.

Future No-Action Condition

Land Use Study Area

There are currently no active construction permits within the 400-foot Land Use Study Area. There are also not recently effectuated rezonings within the Study Area. Therefore, the No-Action condition for the Land Use Study Area would be the same as the existing conditions.

Affected Area

Within the Affected Area, existing conditions are expected to remain the same within the No-Action condition. There are no records of construction work permit applications submitted by the Applicant on the DOB website. As such, it is assumed that under the No-Action scenario,

existing conditions would continue on the Projected Development Site 1. Redevelopment is also not considered likely in the No-Action Scenario because of the existing legal non-conforming commercial uses under the existing zoning regulation.

The Other non-Applicant-owned lots 6 and 17 are not considered likely to be redeveloped under No-Action Conditions and would remain as they exist.

Future With-Action Condition

Land Use Study Area

Land use and development patterns in the Study Area are anticipated to remain unchanged in the future with the Proposed Actions. Any new development in the surrounding area would be consistent with the underlying zoning regulations.

Affected Area

Projected Development Site 1 (Block 1509, Lot 1)

Under With Action conditions, within the Applicant-owned Projected Development Site 1 (Lot 1) currently improved with three buildings and a small parking area with rear access alley:

- The two-story mixed-use building with ground-floor commercial uses and community facility use on the second floor would remain as it exists.
- The one-story commercial building and the one-story building occupied by a post office are expected to be enlarged with a total of 9,104-GSF of second-floor commercial space.
- The rear access alley and small parking area with approximately 6 parking spaces for commercial and community facility uses would remain.

In total, under With-Action conditions, the Projected Development Site 1 would contain 26,910 GSF (25,875-ZSF, 1.43 FAR) of floor area including 19,525 GSF (18,774 ZSF, 1.04 FAR) of commercial spaces, and 7,385 GSF (7,101 ZSF, 0.39 FAR) of community facility uses. The overall height of the structure would remain 25.68 feet. All currently legal nonconforming commercial uses would be brought into conformance. No new curb cuts would be proposed.

Other Lots (Block 1509, Lots p/o 17 and p/o 6)

The other lots within the Affected Area (Other Affected Sites) not projected to redevelop include:

- Lot 17, a 24,420-SF lot with a 197-foot lot frontage on Pettit Avenue and a 125-foot lot frontage on Broadway. The lot is not expected to be redeveloped as the existing building is developed to the maximum FAR allowed under the proposed rezoning.
- Lot 6, a 23,000-SF corner lot with frontages on Baxter Avenue and Layton Street. The lot is improved with a six-story, 77,358-SF multi-family residential building. Since the lot is already developed above the maximum allowed FAR of 3.0, the redevelopment of lot 6 is not expected.

Conclusion

The density and uses permitted by the Proposed Action would be consistent with nearby residential and mixed-use buildings. The proposed project is sought to bring the existing legal nonconforming commercial uses on Lot 1 into conformance. The proposed C2-4 Commercial Overlay would match the adjacent C1-3 Commercial Overlays along Broadway south of the Affected Area and preserve the overall existing commercial character of this section of Broadway. The Proposed Actions would not alter or accelerate development patterns in the area. Therefore, there would be no adverse impacts on land use as a result of the Proposed Actions, and further analysis is not required.

2.1.2 Zoning

The *CEQR Technical Manual* suggests that a zoning Study Area should extend 400 feet from the Affected Area. The proposed zoning map amendment would affect the following lots: Block 1509, Lots 1, p/o 6, and p/o 17. Existing zoning districts within approximately 400 feet of the Affected Area are presented in **Figure 1.1-3**.

Existing Conditions

Zoning Study Area

The zoning districts within 400 feet of the Affected Area are R5, R6B, R7A, R7B, and 1-3 commercial overlays, as illustrated in **Table 2.1-1**.

Existing zoning districts in the surrounding area include:

R5

R5 districts are low-density non-contextual zoning districts intended for neighborhoods with an assortment of housing types at densities higher than those found in R3-2 or R4 districts and are often transition districts between medium and lower density areas. The floor area ratio (FAR) of 1.25 typically produces three-and four-story attached houses and small apartment houses. With a height limit of 40 feet, R5 districts provide a transition between lower- and higher-density neighborhoods and permit Use Groups 1-4.

To ensure compatibility with the neighborhood scale, the maximum street wall height of a new building is 30 feet, and the maximum building height is 40 feet. Above a height of 30 feet, a setback of 15 feet is required from the street wall of the building; in addition, any portion of the building that exceeds a height of 33 feet must be set back from a rear or side yard line. Detached houses must have two side yards that total at least 13 feet, each with a minimum width of five feet. Semi-detached houses need one eight-foot-wide side yard. Apartment houses need two side yards, each at least eight feet wide. Front yards must be 10 feet deep or, if deeper, a minimum of 18 feet to prevent cars parked on-site from protruding onto the sidewalk. Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon; parking is also allowed within the front yard when the lot is wider than 35 feet. Off-street parking is

required for 85% of the dwelling units in the building, 42.5% of IRHU (inclusionary residential housing) units (outside transit zone) and 10% of AIRS (affordable independent residences for seniors) units (outside transit zone). Parking is not required for IRHU/AIRS units within a transit zone.

R6B

R6B districts are often traditional row house districts, which preserve the scale and harmonious streetscape of neighborhoods of four-story attached buildings developed during the 19th century. Many of these houses are set back from the street with stoops and small front yards that are typical of Brooklyn's "brownstone" neighborhoods, such as Park Slope, Boerum Hill and Bedford Stuyvesant.

The FAR of 2.0 and the mandatory Quality Housing regulations also accommodate apartment buildings at a similar four- to five-story scale. The base height of a new building before setback must be between 30 and 40 feet and the maximum height is 50 feet. For buildings providing a qualifying ground floor, the maximum base height and overall height increase by 5 feet. Higher maximum FAR are available for buildings participating in the Inclusionary Housing program or that provide certain senior facilities.

Off-street parking spaces are required for 50% of the dwelling units. However, requirements are lower for income-restricted housing units (IRHU) and are further modified within the Transit Zone. Parking can be waived if five or fewer spaces are required.

Table 2.1-1: Zoning Districts in the Surrounding Area[1]

Zoning District	Type and Use Group	Floor Area Ratio (FAR)	Parking
R5	Residential UGs 1-4	1.25 – Residential (Basic) 2.00 – Community Facility	85% of DU 0 for IRHU inside TZ
R6B	Contextual Residential UGs 1-4	2.00 – Residential (Basic) 2.00 – Community Facility	50% of DU 0 for IRHU inside TZ
R7A	Contextual Residential UGs 1-4	4.00 – Residential (Basic) 4.00 – Community Facility	50% of DU 0 for IRHU inside TZ
R7B	Contextual Residential UGs 1-4	3.00 – Residential (Basic) 3.00 – Community Facility	50% of DU 0 for IRHU inside TZ
C1-3 Commercial Overlay	Local Retail UG 1-4 and 6	1.0 - Commercial (R1-R5) 2.0 - Commercial (R6 - R10)	1 per 400 sf

[1] Zoning Handbook, New York City Department of City Planning, 2019

R7A

R7A is a contextual district where the Quality Housing bulk regulations are mandatory. These regulations utilize height limits to produce high lot coverage, seven- to nine-story apartment buildings set at or near the street line. Designed to be compatible with older buildings found in medium-density neighborhoods, R7A districts are mapped along Prospect Park South and Ocean Parkway in Brooklyn, Jackson Heights in Queens, and in Harlem and along the avenues in the East Village in Manhattan.

The basic residential FAR in R7A districts is 4.0. Above a base height of 40 to 65 feet, or 75 feet if providing a qualifying ground floor, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 80 feet, or 85 feet if providing a qualifying ground floor. Higher maximum FAR and heights are available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities.

Off-street parking is generally required for 50 percent of a building's dwelling units, but requirements are lower for income-restricted housing units (IRHU) and are further modified in certain areas, such as within the Transit Zone and the Manhattan Core, or for lots 10,000 square feet or less. Off-street parking requirements can be waived if 15 or fewer parking spaces are required.

R7B

In contextual R7B districts, the mandatory Quality Housing regulations are similar to those of R6B districts, but the higher floor area ratio (FAR) and height limit generally produce six- to seven-story apartment buildings rather than the rowhouses typical of R6B districts. There are R7B districts in Brooklyn and throughout Queens, including portions of Rego Park. Parts of the East Village in Manhattan are also mapped R7B.

The FAR is 3.0; the base height of a new building before setback must be between 40 and 65 feet before rising to a maximum building height of 75 feet. To maintain the traditional streetscape, curb cuts are prohibited on zoning lot frontages less than 40 feet. The front wall of a new building, on any lot up to 50 feet wide, must be as deep as one adjacent front wall but no deeper than the other. On lots 50 feet wide or more, the front wall must be no closer to the street line than the front wall of an adjacent building. Front walls need not be set back beyond 10 feet. Buildings must have interior amenities for residents pursuant to the Quality Housing Program.

Off-street parking is generally required for 50 percent of a building's dwelling units, but requirements are lower for income-restricted housing units (IRHU) and are further modified in certain areas, such as within the Transit Zone and the Manhattan Core, or for lots 10,000 square feet or less. Off-street parking requirements can be waived if 5 or fewer parking spaces are required.

C1-3 Commercial Overlay

C1-3 districts are commercial overlays mapped within residential districts. Mapped along streets that serve local retail needs, they are found extensively throughout the city's lower- and medium-density areas and occasionally in higher-density districts. Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. For C1-3 districts, 1 parking space is required for every 400 sf of commercial floor area.

When C1-3 commercial overlays are mapped in R1 through R5 districts, the maximum commercial floor area ratio (FAR) is 1.0; when mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. Commercial buildings are subject to commercial bulk rules.

Overlay districts differ from other commercial districts in that residential bulk is governed by the residence district within which the overlay is mapped. All other commercial districts that permit residential use are assigned a specific residential district equivalent. Unless otherwise indicated on the zoning maps, the depth of overlay districts ranges from 100 to 200 feet.

Affected Area

The Affected Area is zoned R7A, which permits residential developments up to eight stories along with community facility uses.

Future No-Action Condition

Zoning Study Area and Affected Area

There are no proposed rezonings within the 400-foot zoning Study Area. No changes to zoning would occur in the future without the Proposed Actions in the Affected Area. Existing zoning patterns would remain, and the Affected Area would continue to be subject to R7A zoning regulations.

Future With-Action Condition

Zoning Study Area

Changes to zoning would only occur in the Affected Area in the future with the Proposed Actions.

Affected Area

The Zoning Map Amendment would map a C2-4 commercial overlay over the Affected Area within an R7A zoning district.

Under the With-Action condition, the proposed C2-4 commercial overlay would permit 2.00 FAR for commercial uses. The C2-4 commercial overlay does not alter the maximum permitted building height and setback regulations under the existing zoning.

Conclusion

The Proposed Action would bring the existing legal nonconforming commercial uses within the Affected Area into conformance. The proposed C2-4 commercial overlay would match the adjacent C1-3 commercial overlays along Broadway south of the Affected Area and preserve the overall existing commercial character of this section of Broadway. The rezoning would not adversely affect surrounding land uses, nor would it be incompatible with those land uses. Therefore, no significant adverse impacts are anticipated to zoning, and further analysis is not required.

2.1.3 Public Policy

According to the *2021 CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, which pertain to the Study Area. If the Proposed Actions could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

The Affected Area 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.

Though the Proposed Actions are not a large publicly sponsored project, consistency with the City's OneNYC for sustainability is provided below. In addition, the Proposed Actions consistency with "Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery" is provided below.

Existing Conditions

OneNYC

OneNYC is New York City's long-term strategy and Green New Deal to confront climate crisis, achieve equity, and strengthen democracy so that people can build a strong and fair city. It covers eight strategies: a vibrant democracy, an inclusive economy, thriving neighborhoods, healthy lives, equity and excellence in education, a livable climate, efficient mobility, and modern infrastructure.

Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery

Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery aims to accelerate job creation and make communities more resilient to future environmental and public health emergencies, financially stronger, and more connected. It contains five main strategies, including:

1. Restarting the city's economic engines and reactivating the public realm, supporting small businesses, entrepreneurship, and a more equitable economy
2. Driving inclusive sector growth
3. Building a future-focused economy
4. Connecting New Yorkers to quality jobs and in-demand skills
5. Planning and building for inclusive growth now and in the future

Future No-Action Condition

No changes to OneNYC or *Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery* are anticipated under Future No-Action Conditions.

Future With-Action Condition

OneNYC

The Proposed Action would bring the existing legal non-conforming commercial uses into conformance and allow expansion of the commercial uses up to 2.0 FAR. The Proposed Action supports the OneNYC strategies in terms of an inclusive economy and thriving neighborhoods by preserving the existing jobs and potentially creating new job opportunities within the Affected Area, which would contribute to the community and economic development of the Elmhurst neighborhood and Queens as a whole. Therefore, the Proposed Actions would not conflict with this public policy.

Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery

The Proposed Action would bring the existing legal non-conforming commercial uses into conformance and allow expansion of the commercial uses, which would increase the community's economic diversity, and create quality jobs for New Yorkers. Thus, the Proposed Actions are supportive of this policy.

Conclusion

The Proposed Action would not create a land use conflict, nor would it conflict with public policies and plans for the site or surrounding area. The Proposed Action would also not result in significant material changes to existing regulations or policy. Therefore, no significant adverse impacts are anticipated on public policies, and no further analysis is warranted.

2.2 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, according to the *2021 CEQR Technical Manual*.

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.

Methodology

Archaeological and architectural resources usually need to be assessed for projects that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site.

For projects that may affect historic or cultural resources, the first step in evaluating a project's potential effects on historic resources is to consider what area the project might affect and then identify historic resources—whether officially recognized or eligible for such recognition—within that area. The area of subsurface work for the proposed project is considered the impact area for archaeological resources, while the Study Area for architectural resources is the area in which any resources may be affected by the project, which is defined by the radius of 400 feet from the borders of the project site for most proposals.

After the study areas have been established, all known archaeological and architectural resources within the study areas are identified, and the potential for unknown resources is investigated. It is recommended that lead agencies and applicants contact LPC for archaeological and architectural resources review. Based on the report from LPC, if any listed historic or cultural resources are located in the study areas, then further analysis of the project's impact on these resources must be performed. The proposed project's effects on any designated or potential archaeological and architectural resources are then analyzed under Existing, No-Action, and With-Action conditions. The assessment specifically considers whether the project may result in the disturbance or destruction of those archaeological and architectural resources as a result of the Proposed Actions.

2.2.1 Architectural Resources

Per *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the Proposed Action(s) and in the area surrounding identified development sites. The historic resources Study Area is defined as the project site plus an approximately 400-foot radius around the Proposed Action area.

According to the *CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a proposed action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. This section assesses the potential for the proposed action to result in significant adverse impacts on identified historic and cultural resources. **Table 2.2-1** below provides information about possible direct, indirect and construction-related impacts on historic and cultural resources. Generally, architectural resources should be surveyed and assessed if the proposed project would result in any of the following, whether or not any known historic resources are located near the site of the project:

Table 2.2-1: Possible Impacts to Historic and Cultural Resources

Construction resulting in ground disturbance, including construction of temporary roads and access facilities, grading, and landscaping.
Below-ground construction, such as excavation or installation of utilities.
Physical destruction, demolition, damage, alteration or neglect of all or part of an historic property.
Changes to the architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.
Isolation of the property from, or alteration of, its setting or visual relationship with the streetscape. This includes changes to the resource's visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor.
Introduction of incompatible visual, audible, or atmospheric elements to a resource's setting.
Replication of aspects of the resource so as to create a false historical appearance.
Elimination or screening of publicly accessible views of the resource.
Construction-related impacts such as falling objects, vibration, dewatering, flooding, subsidence, or collapse.
Introduction of significant new shadows, or significant lengthening of the duration of existing shadows, over an historic landscape or an historic structure to the extent that the architectural details that distinguish that resource as significant are obscured.

Direct Impacts

Historic resources could be directly affected by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. For example, alterations, such as the addition of a new wing to a historic building could result in significant adverse impacts, depending on the design. Direct impacts also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

NR-listed and eligible resources are given a measure of protection from the effects and impacts of projects sponsored, assisted, or approved by federal agencies under Section 106 of the National Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. S/NR-listed and eligible resources are similarly protected against impacts resulting from projects sponsored, assisted, or approved by State agencies under the State Historic Preservation Act. However, private owners of S/NR-listed and eligible resources using private funds can alter or demolish their properties without such a review process. Privately owned properties that are NYCLs, in LPC-designated historic districts, or pending designation as Landmarks by LPC are protected under the New York City Landmarks Law. The law requires LPC review and approval before any alteration or demolition occurs, regardless of whether the project is publicly or privately funded. Publicly owned resources are also subject to review and advisement by LPC before project implementation.

Construction Impacts

The assessment of construction impacts on historic and cultural resources considers the possibility of physical damage to any architectural or archaeological resources identified in the project's historic and cultural resources assessment.

Pursuant to Chapter 22, Section 300 of the *2021 CEQR Technical Manual*, if a project's construction activities are located within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained-glass windows, could be impacted by falling objects from an adjacent construction site.

The City has two procedures for avoidance of damage to historic structures from adjacent construction.

1. All buildings are provided some protection from accidental damage through New York City Department of Buildings (DOB) controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation

and earthwork areas be protected and supported in accordance with the code requirements.

2. The second protective measure applies only to designated NYCL and S/NR listed historic buildings that are located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 is applicable. The DOB's TPPN 10/88 supplements the standard building protections afforded by the Building Code C26-112.4 by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet), and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

If the project is not located within 90 feet of a historic or cultural resource that is NYC-landmark eligible, eligible for the State and National Register of Historic Places, or within an eligible New York City Historic District, then no special protections apply. Therefore, the potential for physical disturbance and adverse impacts on those historic and cultural resources should be disclosed.

Indirect Impacts

As per the *CEQR Technical Manual*, visual and contextual impacts on historic resources can include: the isolation of a property from or alteration of its setting or visual relationship with the streetscape; introduction of incompatible visual, audible, or atmospheric elements to a resource's setting; elimination or screening of publicly accessible views of a resource; or introduction of significant new shadows, over a historic landscape or on a historic structure (if the features that make the resource significant depend on sunlight) to the extent that the architectural details that distinguish that resource as significant are obscured.

Architectural Resources within the Study Area

To determine whether the Proposed Actions have the potential to affect nearby off-site historic or architectural resources, the Study Area was screened for historic and architectural resources.

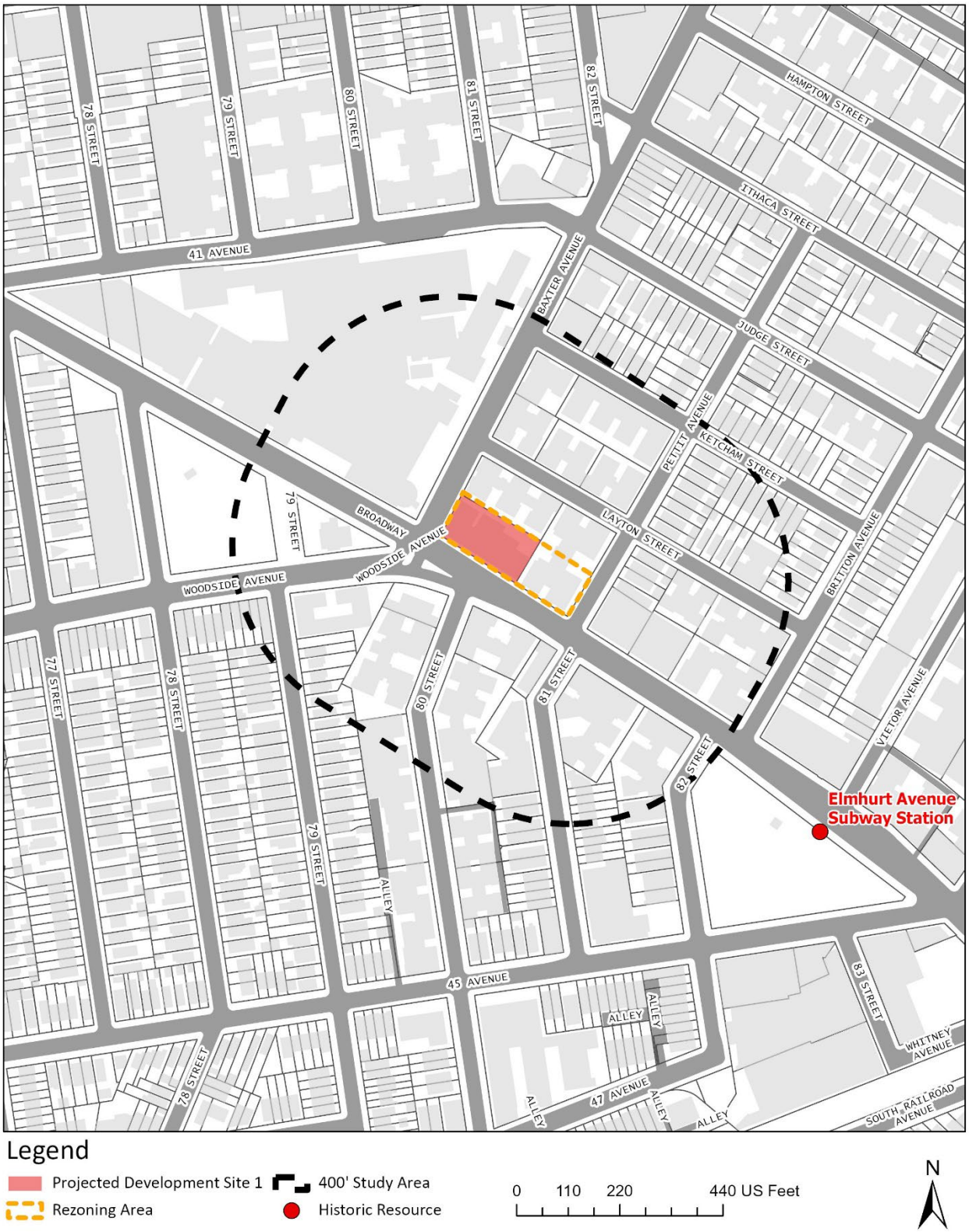
The LPC was contacted for their initial review of the project's potential to impact historic or architectural resources, and by letter dated September 12, 2022, indicated that no properties within the Affected Area have architectural significance (see **Appendix A**).

However, LPC has indicated one S/NR listed property with architectural resources within the Study Area:

- S/NR listed Elmhurst Avenue Subway Station (IND), Broadway at Vietor Avenue.

Therefore, an analysis on the potential impacts of the Proposed Actions on the identified architectural resources is warranted. **Figure 2.2-1** shows the location of the property with Architectural significance.

Figure 2.2-1: Historic Districts Within 400-Foot Study Area



Existing Condition

In a letter dated September 12, 2022, LPC indicated that there were no Architectural Resources within the Affected Area. However, LPC has indicated one S/NR listed property with architectural resources within the Study Area:

- S/NR listed Elmhurst Avenue Subway Station (IND), Broadway at Vietor Avenue. The entrance to the subway station is outside of the 400' study area, though the subway station itself may be within the Study Area, albeit underground. The subway station was completed in 1936 as part of the IND System. The platform measures approximately 600 feet in length and 80 feet in width.

Future No-Action Condition

Without the Proposed Actions, the existing conditions would remain within the Affected Area and within the properties identified as S/NR eligible. In the No-Action Scenario, the S/NR eligible properties within the Study Area would remain unchanged.

Future With-Action Condition

The potential for significant adverse impacts on historic resources under Future With-Action Conditions was assessed following **Table 2.2-1** above to determine (a) whether there would be a physical change to any designated resource or its setting, and (b) if so, is the change likely to diminish the qualities of the resource that make it important (including non-physical changes such as context or visual prominence).

Direct impacts

In the future, with the Proposed Actions, it is expected that the existing Architectural Resources within the Study Area would be the same as the existing conditions. There are no existing Architectural Resources within the Affected Area (LPC letter dated September 12, 2022). Therefore, no direct impacts on architectural resources are anticipated.

Construction impacts

S/NR listed Elmhurst Avenue Subway Station (IND), Broadway at Vietor Avenue.

- The entrance to the subway station is outside of the 400' study area, though the subway station itself may be within the study area, albeit underground. The subway station was completed in 1936 as part of the IND System. The platform measures approximately 600 feet in length and 80 feet in width. The S/NR listed site is not within 90 feet of the Affected Area and therefore does not require any construction mitigation.

Indirect impacts

The Proposed Actions would not result in any types of visual and contextual impacts to the known historic resources within the Study Area, as the new buildings that could be developed under the

Proposed Actions would be consistent with urban design features of the Surrounding Area. The Proposed Actions would not introduce any incompatible visual, audible, or atmospheric elements to the settings of the identified historic resources. The buildings effectuated by the Proposed Actions would be designed to be visually compatible and consistent with existing developments, but would not be replicated so as to create a false historical appearance.

Publicly accessible views of the identified historic architectural resources would not be blocked, because the new development would occur on existing blocks and lots. In addition, none of the identified historic resources feature sunlight-sensitive physical characteristics based on the *CEQR Technical Manual*:

- The buildings do not contain design elements that are part of a recognized architectural style that depends on the contrast between light and dark design elements.
- The buildings are not distinguished by elaborate, highly carved ornamentation.
- The buildings do not have stained glass windows.
- The buildings do not contain exterior materials and color that depend on direct sunlight for visual character.
- The buildings do not include a historic landscape, such as scenic landmarks including vegetation recognized as a historic feature of the landscape.
- The buildings do not include features where the effect of direct sunlight is described as playing a significant role in the structure's significance as an historic landmark.

Therefore, no sunlight sensitive historic resources would be affected by incremental shadows as a result of the Proposed Actions.

The construction of the Projected Development Site would also not pose any changes to the setting or context of historic resources. Since the S/NR listed architectural resources are located less than 400 feet from the Affected Area, the construction activity happening on the Projected Development Sites may induce some temporary changes to the environment surrounding the architectural resources. However, the construction activity is expected to last for approximately 12 months, of which the major exterior construction that may have an impact on the architectural resources would last no more than 9 months. Therefore, no significant indirect impacts on architectural resources are anticipated as a result of the Proposed Actions.

2.2.2 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 on 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 could potentially result in an in-ground disturbance to an area not previously excavated.

As noted, the LPC was contacted for their initial review of the project's potential to impact nearby cultural or archaeological resources, and a response was received on Sep 12, 2022 (see **Appendix A**). The LPC has indicated that no cultural resource of archaeological significance is associated with the Projected Development Site 1. Therefore, significant adverse impacts on archaeological resources are not expected because of the Proposed Actions, and further analysis is not warranted.

2.2.3 Conclusion

According to the *CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a Proposed Action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. Based on the above analysis, the Proposed Actions would not introduce significant adverse impacts to architectural resources within the Surrounding Area. In addition, no archeological significance is associated with the Projected Development Site 1. Accordingly, no further analysis is warranted.

2.3 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.

Ambient air quality describes pollutant levels in the surrounding environment to which the public has access. To assess potential health hazards due to ambient air quality, the impact of air pollutants emitted by motor vehicles (mobile source) and by fixed facilities (stationary source) are analyzed, where the effects of both the proposed project on ambient air quality and the ambient air quality effect on the proposed project are considered. The analysis framework, as mandated by the State Environmental Review Act, follows the *2021 CEQR Technical Manual*.

2.3.1 Mobile Sources

According to the *CEQR Technical Manual*, projects, whether site- specific or generic, may result in significant mobile source air quality impacts when they 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.). Projects requiring further assessment include:

- Projects that would result in placement of operable windows, balconies, air intakes or intake vents generally within 200 feet of an atypical source of vehicular pollutants.
- Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on such a roadway, or would add new uses near such a roadway.
- Projects that would generate peak hour auto traffic or divert existing peak hour traffic of 170 or more auto trips in this area of the City.
- Projects that would generate peak hour heavy- duty diesel vehicle traffic or its equivalent in vehicular emissions resulting from 12 or more heavy-duty diesel vehicles (HDDVs) for

paved roads with average daily traffic of fewer than 5,000 vehicles, 19 or more HDDVs for collector roads, 23 or more HDDVs for principal and minor arterials, or 23 or more HDDVs for expressways and limited-access roads.

- Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents.
- Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal).
- Projects that would substantially increase the vehicle miles traveled in a large area.

The Proposed Actions would not result in operable windows or air intakes within 200 feet of an atypical roadway. It would not result in creation of a covered roadway or affect any covered roadway. Peak hour trip generation is expected to be far below the 170-car threshold, as the project is below the relevant density warranting further transportation analysis (see EAS Short Form screen). The project would not generate HDDV equivalent traffic volume more than 12 – 23 per hour depending on the road types. The project would not create a new sensitive receptor adjacent to large parking facilities. The incremental capacity of parking facilities introduced by the project would not exceed the threshold of 85 off-street parking spaces. The project would not result in any other mobile sources of pollution and would not significantly increase vehicle miles traveled in a large area. Therefore, no further assessment of the potential for mobile source air quality impacts is warranted.

2.3.2 Stationary Sources

According to the *2021 CEQR Technical Manual*, projects may result in stationary source air quality impacts when one or more of the following occurs:

- New stationary sources of pollutants are created (e.g., emission stacks for industrial plants, hospitals, and other large institutional uses).
- Certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use.
- Structures near such stacks are introduced so that the structures may change the dispersion of emissions from the stacks so that surrounding uses are affected.
- Fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems are used.
- Large emission sources are created (e.g., solid waste or medical-waste incinerators, cogeneration facilities, asphalt/concrete plants, or power-generating plants, etc.).

- New sensitive uses are located near a large emission source.
- Medical, chemical, or research labs are created or result in new uses being located near them.
- Operation of manufacturing or processing facilities is created.
- 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).
- Potentially significant odors are created.
- New uses near an odor-producing facility are created.
- "Non-point" sources that could result in fugitive dust are created.
- New uses near nonpoint sources are created.
- A generic or programmatic action is introduced that would change or create a stationary source or that would expose new populations to such a station.

Analysis Framework

The Affected Area consists of Block 1509, Lots 1, p/o 17, and p/o 6 in the Elmhurst neighborhood of Queens, Community District 4 and contains one Projected Development Site.

Under With Action conditions, within the Applicant-owned Projected Development Site 1 (Lot 1) currently improved with three buildings and a small parking area with rear access alley:

- The two-story mixed-use building with ground-floor commercial uses and community facility use on the second floor would remain as it exists.
- The one-story commercial building and the one-story building occupied by a post office are expected to be enlarged with a total of 9,104-GSF of second-floor commercial space.
- The rear access alley and small parking area with approximately 6 parking spaces for commercial and community facility uses would remain.

In total, under With-Action conditions, the Projected Development Site 1 would contain 26,910 GSF (25,875-ZSF, 1.43 FAR) of floor area including 19,525 GSF (18,774 ZSF, 1.04 FAR) of commercial spaces, and 7,385 GSF (7,101 ZSF, 0.39 FAR) of community facility uses. The overall height of the structure would remain 25.68 feet. All currently legal nonconforming commercial uses would be brought into conformance. No new curb cuts would be proposed.

2.3.2.1 Heating and Hot Water Systems

Per the CEQR Technical Manual, the HVAC analysis considers the potential for emissions from the HVAC system of the proposed project to significantly impact existing land uses (project-on-existing), and the potential of development sites within the affected area to impact each other (project-on-project). Based on CEQR guidelines, a preliminary screening analysis is to be conducted as a first step to predict whether the potential impacts of the heat and hot water system(s) boiler emissions can be significant. The screening analysis determines the threshold of development size below which the action would not have a significant impact. This CEQR screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. Otherwise, a detailed dispersion analysis is required.

Screening Assessment

The potential for the heat and hot water system(s) to have a significant adverse impact on nearby receptors depends on the type of fuel that would be used by the HVAC system, the height of the stack venting the emissions, the distance to the nearest building of similar or greater height, and the building's use and the square footage of the development that would be served by the system, both of which effect the amount of fossil fuel consumed. The *2021 CEQR Technical Manual* screening assessment is based on these factors.

The *2021 CEQR Technical Manual* Figure 17-3 nomograph was used for the screening assessment. This stationary source screen is a generic screen for heat and hot water systems. The nomograph depicts the size of the development versus the distance below which the potential impact can occur and provides a conservative estimate of the threshold distance.

Project-on-Existing

For the project-on-existing screening analysis, the projected development building was analyzed as a 26,910-GSF, 25.68-foot-tall building. **Figure 2.3-1** (based on Figure 17-3 of the *2021 CEQR Technical Manual*) shows the project-on-existing screening analysis.

As seen in **Figure 2.3-1**, the projected development GSF intersects the curve for HVAC system(s) at a distance of 55 feet, which means that any building of similar or greater height located 55 feet away from the Projected Development Site 1 or closer, would be affected by the projected development's HVAC system(s). There are two six-story residential buildings of greater height within the threshold distance of 55 feet occupying adjacent lots 6 and 17. Therefore, a detailed analysis is required for these buildings.

Figure 2.3-1: Project-on-Existing Minimum Distance Screening Nomograph



Detailed Analysis

A detailed analysis was conducted to evaluate the Projected Development Site 1 potential for significant impact on the existing six-story residential buildings located at 42-02 Layton Street (Block 1509, Lot 6) and 81-11 Pettit Avenue (Block 1509, Lot 17). AERMOD, processor version 22112, was used in the analysis. AERMOD application incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. The model was run with the regulatory default option, where applicable, and for both with and without downwash effects options, where the Building Profile Input Program (BPIP) was run with the downwash effect enabled. All analyses were conducted using five consecutive years of meteorological data (2017-2021), obtained from New York State Department of Environmental Conservation (NYSDEC). Surface data used in the analysis is from LaGuardia Airport, upper air data is from Brookhaven station, New York. The meteorological data provided hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period. Population in Queens County, obtained from DCP 2020 annual report, was specified to account for the effects of increased surface heating from an urban area on pollutant dispersion under stable atmospheric conditions.

Natural gas would be the type of fossil fuel, if any, used in the Projected Development Site 1 HVAC system. The pollutants of concern for natural gas fueled boilers are nitrogen dioxide (NO_2) and particulate matter with aerodynamic diameters less than or equal to 2.5 microns ($PM_{2.5}$). Natural gas consumption rate was calculated based on an energy consumption rate of 60.3 thousand Btu per gsf[2] for the community facility use and 45.2 cubic feet per square feet per year for the development commercial use.[3] Pollutants emission rates were calculated based on emission factors published in the EPA AP-42 manual for external combustion sources. All fuel was assumed to be consumed during the 100-day (or 2,400 hour) heating season. The pollutants emission rates emitted from the Projected Development Site 1 HVAC system are shown in **Table 2.3-1**.

Table 2.3-1: HVAC System(s) Short-term and Annual Emission Rates

Site ID	Floor Area	Pollutant	Short-term Emission Rate (g/s)	Annual Emission Rate (g/s)
Projected Development Site 1	Community Facility – 7,385 gsf; Commercial – 19,525 gsf;	NO_2	6.94E-03	1.90E-03
		$PM_{2.5}$	5.27E-04	1.44E-04

The boiler stack's exit temperature was estimated based on values obtained from the New York City Department of Environmental Protection (DEP) "CA Permit" database.[4] The Projected Development Site 1 boiler stack was initially placed 3 feet above the roofline and as close as possible to the receiving building. A stack set back distance was specified if impact was predicted.

The Projected Development Site 1 was modeled as a building that covers its entire lot area (the wall façade located on the outer lot lines). Buildings in the surrounding area were accounted for in the downwash effect on plums dispersions (BPIP). Receptors on the receiving building were placed on all wall façade from the ground floor to the roof-top height in spaced intervals. The map application included in Lakes Environmental, Inc. commercial application of AERMOD (AERMOD View) was used to spatially locate buildings. The U.S. Geological Service (USGS) National Elevation Dataset (NED) 1/3 arc-second resolution (GeoTIFF dataset) was used to process buildings' base elevations. The base elevations of receptors and stacks were set to their buildings' base elevations.

One-hour NO_2 was predicted using a Tier 2 approach (ARM 2), where the national default minimum and maximum NO_2/NOx ratios were applied. The model was run twice; with building

[2] Energy Information Administration (2022). "Table US1. Total Energy Consumption, Expenditures, and Intensities, 2005 Part 1: Housing Unit Characteristics and Energy Usage Indicators." *2005 Residential Energy Consumption Survey: Energy Consumption and Expenditures Tables.*

[3] US Energy Information Administration (2006). "Table C25. Natural Gas Consumption and Conditional Energy Intensity by Census Region for Non-Mall Buildings, 2003." Accessed April 11, 2023. eia.gov/consumption/commercial/archive/cbecs/cbecs2003/detailed_tables_2003/2003set11/2003html/c25.html.

[4] DEP "CA Permit" database obtained from the New York City Department of City Planning, February 2020.

wake effect enabled/disabled. The predicted concentration is the highest concentration of these. NO_2 concentrations accounted for the background concentrations and the result evaluated with the National Ambient Air Quality Standards (NAAQS). $PM_{2.5}$ modeled concentrations were evaluated with the *CEQR Technical Manual de minimis* for stationary sources.

The US Environmental Protection Agency (EPA) has established NAAQS for six of the most common air pollutants—known as "criteria" pollutants. The presence of these pollutants in ambient air is generally due to numerous diverse and widespread sources of emissions. Determination of significant impact related to criteria pollutants accounts for pollutants concentrations in the ambient air, which include background concentrations. Background concentrations were obtained from the NYSDEC nearest federally-mandated monitoring station.

In addition to the NAAQS, the *CEQR Technical Manual* requires that projects subject to CEQR apply $PM_{2.5}$ (applicable to mobile and/ or stationary sources) and CO (applicable to mobile sources) significant impact criteria (based on concentration increments). $PM_{2.5}$ significant impact concentrations relevant to stationary sources are evaluated as follows:

- Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour background concentration and the 24-hour standard; or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 $\mu g/m^3$ at any receptor location for stationary sources.

The HVAC dispersions analysis results are shown in **Table 2.3-2**.

Table 2.3-2: Project-on-Existing - HVAC Dispersion Analysis Results

Pollutant	Modeled Concentration ($\mu g/m^3$)	Background Concentration ($\mu g/m^3$)	Evaluated Concentration ($\mu g/m^3$)	Threshold Concentration ($\mu g/m^3$)	Threshold Standard
Results at 42-02 Layton Street (Block 1509, Lot 6)					
1-hour NO_2	72.63	103.59	176.2	188	NAAQS
Annual NO_2	1.65	26.8	28	100	NAAQS
24-hour $PM_{2.5}$	2.31	17.7	2.3	8.65	*de minimis*
Annual $PM_{2.5}$	0.13	7.0	0.13	0.3	*de minimis*
Results at 81-11 Pettit Avenue (Block 1509, Lot 17)					
1-hour NO_2	81.11	103.59	184.7	188	NAAQS
Annual NO_2	1.56	26.8	28	100	NAAQS
24-hour $PM_{2.5}$	2.01	17.7	2.0	8.65	*de minimis*
Annual $PM_{2.5}$	0.12	7.0	0.12	0.3	*de minimis*

Note:

1. NYSDEC. 2019. "New York State Ambient Air Quality Report for 2019." Accessed April 11, 2023. https://www.dec.ny.gov/docs/air_pdf/2019airqualreport.pdf.
2. NYSDEC. 2020. "New York State Ambient Air Quality Report for 2020." Accessed April 11, 2023. https://www.dec.ny.gov/docs/air_pdf/2020airqualreport.pdf.
3. $\mu g/m^3$ – microgram per meter cube.

As shown in **Table 2.3-2**, NO_2 predicted concentrations are within the NAAQS and $PM_{2.5}$ concentrations do not exceed the *de minimis*. These results were predicted with certain requirements to ensure that no impact(s) would occur. The environmental requirement (E-Designation) related to air quality that is placed on the property is specified below.

Heating and Hot Water Systems Conclusion

A detailed analysis was required for the Projected Development Site 1 HVAC system(s). No significant impact was predicted in the HVAC analysis with natural gas being the type of fossil fuel used in the Projected Development Site 1 HVAC equipment and the HVAC stack(s) is set back from the property line. Accordingly, based on the results of the analysis described above, the following (E) Designation related to HVAC system(s) is required:

E-Designation (E-745)

Block 1509, Lot 1 (Projected Development Site 1): Any new commercial and/or community facility development and/or enlargement on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating and air conditioning (HVAC) system and hot water equipment, ensure that the HVAC system and hot water equipment stack is located at the building's highest level and at a minimum of 28.68 feet above grade, and that the stack is located at least 45 feet from the northern lot line of facing Layton Street and at least 60 feet from the eastern lot line facing Pettit Avenue to avoid any potential significant adverse air quality impact.

2.3.2.2 Industrial Emissions

The Proposed Actions would introduce a sensitive land use into the area. Accordingly, a preliminary screening was conducted to determine if there are any potential sources of industrial process emissions that could affect project occupants.

400-Foot Study Area

The Affected Area is located within an R7A zoning district, and the 400-foot Study Area is a mixture of residential, commercial, and community facility properties. Based on field observations and reviews of DCP land use maps, no sites were identified as industrial/manufacturing land uses.

1,000-Foot Study Area

The surrounding area within a radius of 1,000 feet of the Affected Area was screened for potential large and major source industrial emissions. Based on field observations and reviews of DCP land use maps, no such sources were identified.

Industrial Emissions Conclusion

No industrial emission sources were identified within the 400-foot Study Area. No large or major industrial emission sources were identified within the 1,000-foot Study Area. Additionally, there is no evidence present to conclude that there are illegal unpermitted air emissions present in the Study Area. Therefore, there does not appear to be any potentially significant impact in terms of air toxics to project occupants.

2.4 Noise

Introduction

The Noise Analysis was conducted to assess the potential for adverse noise impacts related to the Proposed Actions, a Zoning Map Amendment that would establish a C2-4 commercial overlay district over the Affected Area. The Proposed Actions would bring into conformance existing commercial uses and potentially create new noise-sensitive commercial uses. Therefore, an assessment of the potential for adverse effects on project occupants from ambient noise is warranted. The projected development would not create a significant stationary 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. Therefore, this noise assessment is limited to an assessment of ambient noise that could adversely affect occupants of the development. The predominant noise source at the Affected Area is vehicular traffic on surrounding streets.

The Affected Area is located in the northern portion of the Elmhurst neighborhood of Queens, Community District 4 and contains approximately 30,572 SF of lot area within an R7A zoning district. The Affected Area is bounded by the northern portions of lots 6 and 17 to the north, Pettit Avenue to the east, Broadway to the south, and Baxter Avenue to the west. Pettit Avenue is a northeast-southwest Local Road with one moving lane of traffic in each direction and curbside parking. Broadway is a southeast-to-northwest two-way right-of-way classified as a Principal Arterial Other by the New York State Department of Transportation (NYS DOT) with one moving lane of traffic in each direction, bike lanes in each direction, and curbside parking. Baxter Avenue is a northeast-southwest two-way right-of-way classified as Minor Arterial by the New York State Department of Transportation (NYS DOT) with one moving lane of traffic in each direction and curbside parking.

This noise analysis is limited to an assessment of ambient noise that could adversely affect building occupants of the proposed development.

Framework of Noise Analysis

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 acoustic

energy 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.

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 frequency weightings used are the A- and C-weightings. 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-weighting is the most commonly used for environmental measurements, 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. **Table 2.4-1** notes the decibel levels of common noise sources.

Table 2.4-1: Noise Levels of Common Sources[5]

Sound Source	SPL (dB(A))
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
Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A)Is perceived as a doubling or halving in SPL.	

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] Source: *2021 CEQR Technical Manual*

- 5 dB(A) change is readily noticeable; and
- 10 dB(A) increase is perceived as a doubling of the noise level.

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law. 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.

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.
- Lmax is the highest SPL measured during a given period of time. It is useful in evaluating Leqs for time periods that have an especially wide range of noise levels.
- L_{dn} is the day-night equivalent sound level, defined as a 24-hour continuous Leq with a 10 dB adjustment added to all hourly noise levels recorded between the hours of 10 PM and 7 AM. This 10 dB addition accounts for the extra sensitivity people have to noise during typical sleeping hours.
- DNL is the annual average day-night average sound level. Aircraft noise around airports is usually mapped out in terms of DNL, which are normally depicted as noise contours on a map.

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_X). Examples include L_{10}, L_{50}, and L_{90}. L_{10} is the A-weighted sound level that is exceeded 10% of the measurement period.

Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the CEQR noise exposure guidelines for exterior noise levels. As shown in **Table 2.4-2** below, noise standards classify noise exposure into four categories based on noise level limits and land use, for vehicular traffic, rail, and aircraft noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable, Table 19-3 of the *2021 CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior L_{10} noise levels of 45 dB(A) or below or interior L_{dn} noise levels of 40 dB(A) or below depending on the noise source, as shown below in **Table 2.4-3**.

Table 2.4-2: Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1. Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA	----------DNL ≤ 60 dBA----------		----------60 < DNL ≤ 65 dBA----------		(I) 65 < DNL ≤ 75 dBA		---------- 75 dBA < DNL ----------
2. Hospital, nursing home		$L_{10} \leq 55$ dBA		55 < $L_{10} \leq 65$ dBA		65 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
3. Residence, residential hotel, or motel	(7 AM to 10 PM)	$L_{10} \leq 65$ dBA		65 < $L_{10} \leq 70$ dBA		70 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
	(10 PM to 7 AM)	$L_{10} \leq 55$ dBA		55 < $L_{10} \leq 70$ dBA		70 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
4. School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Notes:

(i) In addition, any new activity shall comply with Impact Thresholds detailed in Section 410.

[1] Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

[2] Tracts of land where serenity and quiet are extraordinarily important and serve as important public need, and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks, or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and nursing homes.

[3] One may use the FAA-approved DNL contours supplied by the Port Authority of New York and New Jersey (PANYNJ), or the noise contours may be computed from the federally approved Aviation Environmental Design Tool (AEDT) Computer Model using flight data supplied by the PANYNJ.

[4] External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are listed by octave bands).

Sources: New York City Department of Environmental Protection (adopted policy 1983).

Table 2.4-3: Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic	70 < L10 ≤ 73	73 < L10 ≤ 76	76 < L10 ≤ 78	78 < L10 ≤ 80	80 < L10
Aircraft[A]	65 < DNL ≤ 68	68 < DNL ≤ 71	71 < DNL ≤ 73	73 < DNL ≤ 75	75 < DNL
Train	65 < Ldn ≤ 68	68 < Ldn ≤ 71	71 < Ldn ≤ 73	73 < Ldn ≤ 75	75 < Ldn
Attenuation[B]	(i) 28 dB(A)	(ii) 31 dB(A)	(iii) 33 dB(A)	(iv) 35 dB(A)	See Note c

Note:

A. DNL descriptor based on average values of Ldn over a year period.
B. The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation.
C. The required attenuation value is the difference between Lbuild and Linterior, using the appropriate noise descriptor Where:
Lbuild is the projected noise level under the build condition rounded up to the whole number
Linterior is the designed interior noise level (45 dB(A) for vehicular noise, 40 dB(A) for aircraft and train noise)

2.4.1 Initial Impact Screening

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.

No unenclosed stationary noise sources of concern were observed during field inspections. As the Projected Development Sites are not subject to high ambient noise levels from any nearby stationary source, no stationary source noise impacts from surrounding uses are anticipated. Additionally, it is assumed that the building mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) and to avoid producing

levels that would result in any significant increase in ambient noise levels. Therefore, the Proposed Actions would not result in any significant adverse noise impacts related to building mechanical equipment.

Mobile Sources

Pursuant to Section 111 of the *2021 CEQR Technical Manual*, mobile sources are those noise sources that move in relation to a noise-sensitive receptor—principally automobiles, buses, trucks, aircraft, and trains. Each has its own distinctive noise character, and, consequently, an associated set of noise assessment descriptors.

For Mobile Sources, an initial noise assessment may be appropriate if a proposed action would generate additional project-generated vehicular traffic in an area where roadways currently carry no or very low traffic volumes, or where a nearby receptor would potentially be impacted by high ambient noise levels.

Vehicular traffic is the predominant source of noise in the area. Therefore, the noise analysis presented in this chapter focuses on the operational noise effects of the Proposed Action to determine the level of building attenuation necessary to ensure that interior noise levels satisfy CEQR requirements. The Proposed Action is not expected to increase existing noise passenger car equivalents (PCEs) by greater than 100% and would therefore not result in significant adverse noise impacts associated with project-generated vehicles.

2.4.2 Noise Monitoring Results

Measurement Location and Equipment

Because the predominant noise sources in the area of the proposed project consist of vehicular traffic, noise monitoring was conducted during peak weekday vehicular travel periods (AM, Midday, PM) on a typical midweek day for 20-minute periods. Noise Monitoring Location One (1) was located at the Baxter Avenue frontage of the Affected Area; Noise Monitoring Location Two (2) was located at the Broadway frontage of the Affected Area; and Noise Monitoring Location Three (3) was located at the Pettit Avenue frontage of the Affected Area. The noise monitoring locations are shown in **Figure 2.4-1** to **Figure 2.4-4** below.

Noise monitoring was conducted using a Type 1 Casella CEL-633 sound level meters with wind screens. The monitors were placed on a tripod at a height of approximately four feet above the ground, away from any other noise-reflective surfaces. The monitors were calibrated prior to and following each monitoring session. Periods of peak vehicular traffic around the Affected Area constitute a worst-case condition for noise at the project site. Noise meter calibration certification and back up data are provided in **Appendix E**.

Figure 2.4-1: Noise Monitoring Locations

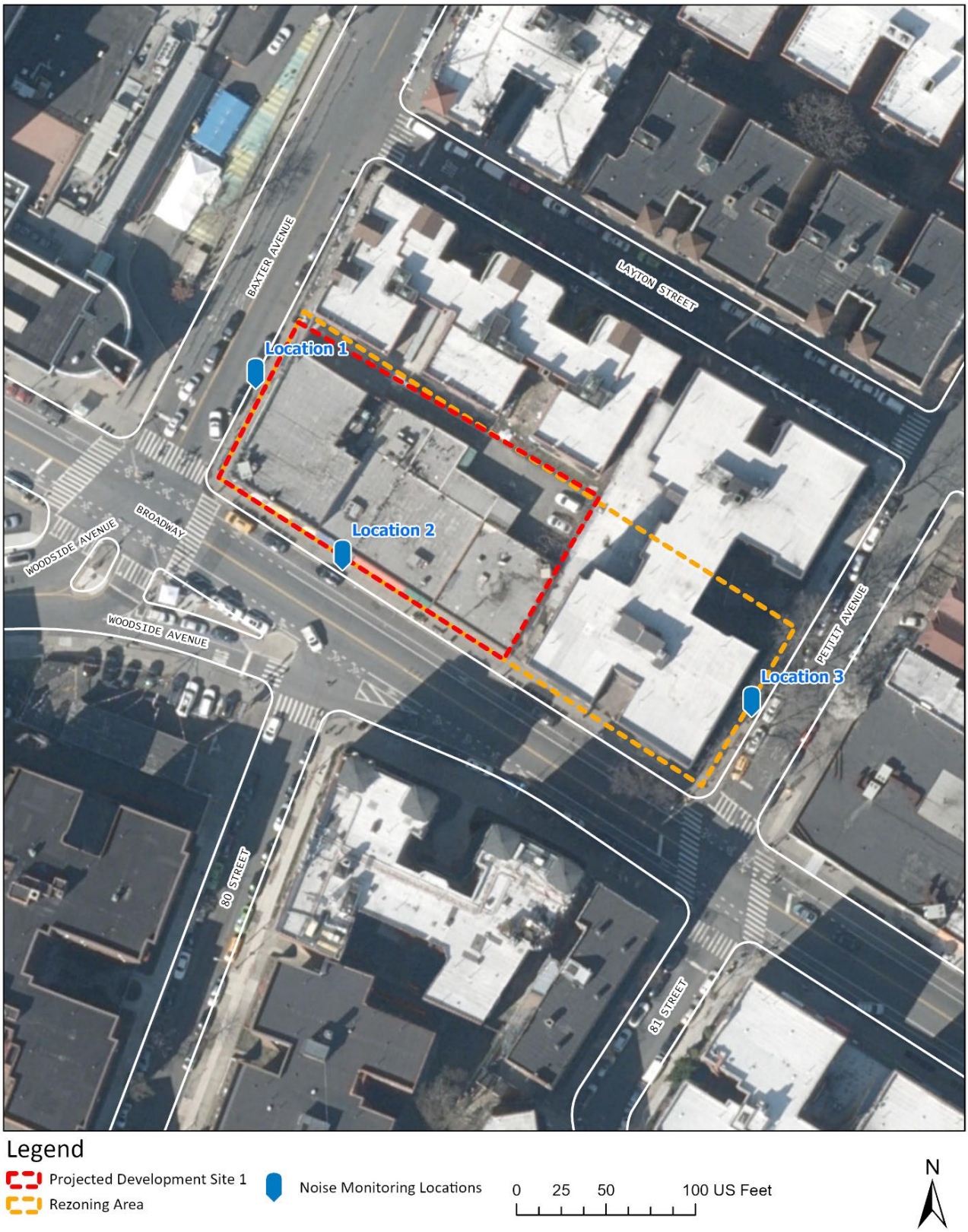


Figure 2.4-2: Location 1 – Noise Monitor Location Photos (Baxter Avenue frontage)



Figure 2.4-3: Location 2 – Noise Monitor Location Photos (Broadway Frontage)



Figure 2.4-4: Location 3 – Noise Monitor Location Photos (Pettit Avenue Frontage)



Existing Conditions

Monitoring was conducted during typical midweek conditions, on Tuesday December 13, 2022. The weather was dry and wind speeds were moderate during all monitoring periods. **Table 2.4-4** to **Table 2.4-6** below contains the results for the measurements taken at Location 1 to Location 3, respectively.

Table 2.4-4: Noise Levels in dBA at Location 1

Tuesday, December 13, 2022			
Time	**7:31 am – 7:51 am**	**12:03 pm – 12:23 pm**	**4:28 pm – 4:48 pm**
L_{max}	91.6	92.4	87.2
L_{10}	68.5	68.5	68.0
L_{eq}	69.7	69.9	67.2
L_{50}	63.0	64.0	62.0
L_{90}	59.5	61.0	59.5
L_{min}	56.5	57.2	56.9

Table 2.4-5: Noise Levels in dBA at Location 2

Tuesday, December 13, 2022			
Time	**7:55 am – 8:15 am**	**12:27 pm – 12:47 pm**	**4:54 pm – 5:14 pm**
L_{max}	95.2	83.4	81.7
L_{10}	**72.0**	**73.5**	68.5
L_{eq}	**71.9**	69.7	65.7
L_{50}	67.0	67.0	63.5
L_{90}	62.0	61.5	59.0
L_{min}	58.6	57.0	55.8

Table 2.4-6: Noise Levels in dBA at Location 3

Tuesday, December 13, 2022			
Time	**8:23 am – 8:43 am**	**12:51 pm – 1:11 pm**	**5:19 pm – 5:39 pm**
L_{max}	73.6	94.3	77.3
L_{10}	65.0	64.0	63.5
L_{eq}	61.5	68.4	61.5
L_{50}	59.0	57.0	58.5
L_{90}	54.5	53.5	55.0
L_{min}	51.0	51.3	51.5

The traffic volumes (vehicle counts) and vehicle classifications collected during peak vehicular travel periods [morning (AM), noon (MD), and evening (PM)] concurrent with noise monitoring all noise monitoring locations are shown below in **Table 2.4-7** to **Table 2.4-9**.

Table 2.4-7: Traffic Volumes and Vehicle Classifications Noise Location 1

	7:31 am – 7:51 am	12:03 pm – 12:23 pm	4:28 pm – 4:48 pm
Car/ Taxi	50	41	32
Van/Light Truck/SUV	77	68	69
Medium Truck	7	8	3
Heavy Truck	4	0	0
Bus	3	0	1

Table 2.4-8: Traffic Volumes and Vehicle Classifications Noise Location 2

	7:55 am – 8:15 am	12:27 pm – 12:47 pm	4:54 pm – 5:14 pm
Car/ Taxi	64	52	61
Van/Light Truck/SUV	123	98	115
Medium Truck	15	12	7
Heavy Truck	8	7	1
Bus	7	5	7

Table 2.4-9: Traffic Volumes and Vehicle Classifications Noise Location 3

	8:23 am – 8:43 am	12:51 pm – 1:11 pm	5:19 pm – 5:39 pm
Car/ Taxi	8	12	14
Van/Light Truck/SUV	20	16	41
Medium Truck	1	2	2
Heavy Truck	0	0	0
Bus	0	0	0

2.4.3 Conclusion

The *2021 CEQR Technical Manual* sets external noise exposure standards, which are classified into four categories: acceptable, marginally acceptable, marginally unacceptable, and clearly unacceptable. Table 19-3 of the *2021 CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dB(A) or lower where vehicular traffic is the noise source. For a residential use such as what would occur under the proposed action, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. An L_{10} of between 70 and 80 dB(A) is identified as marginally unacceptable general external exposure.

The highest recorded L_{eq} at Location 1 was 69.9 dB(A) during the midday period. The highest recorded L_{eq} at Location 2 was 73.5 dB(A) during the midday period. The highest recorded L_{eq} at Location 3 was 68.4 dB(A) during the midday period.

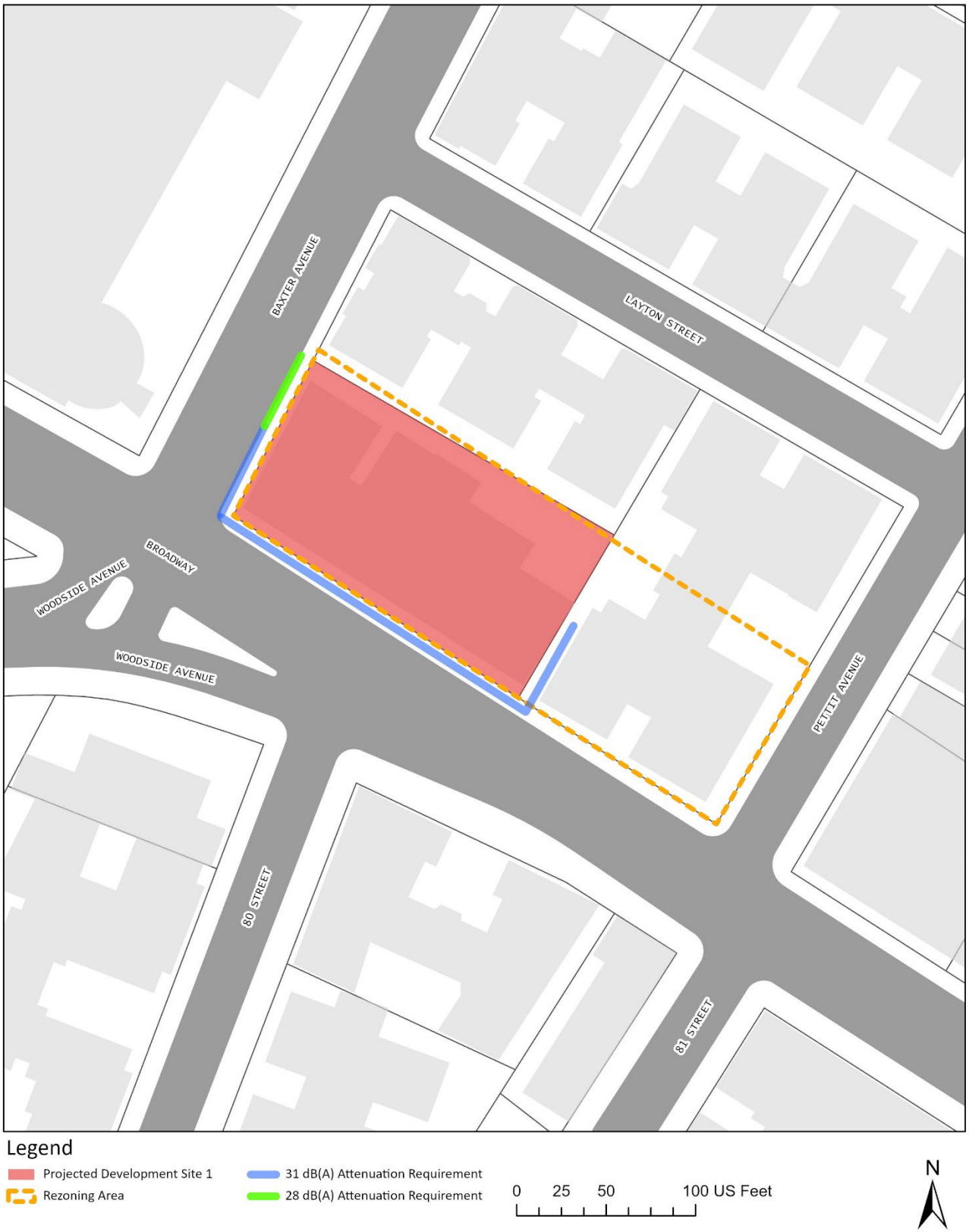
Based on the above, a 31 dB(A) window/wall attenuation would be required on the facades facing Broadway and on the Baxter Avenue and Pettit Avenue facades for 50 feet from Broadway; considering the highest recorded L_{eq} at Location 1 was 69.9 dB(A), which is very close to the threshold of 70 dBA for vehicular traffic noise, a 28 dB(A) window/wall attenuation would be required on the remaining facade facing Baxter Avenue; no other facades would require attenuation. With these levels of attenuation, there would be no significant adverse impact related to noise. The attenuation requirements are shown in **Figure 2.4-5** below.

E-Designation (E-745)

Projected Development Site 1: Block 1509, Lot 1

To ensure an acceptable interior noise environment, future community facility and commercial office uses must provide a closed window condition with a minimum of 31 dB(A) window/wall attenuation on the facade facing Broadway and the facades facing Baxter Avenue and Pettit Avenue within 50 feet of Broadway, and a minimum of 28 dB(A) window/wall attenuation on the facade facing Baxter Avenue beyond 50 feet of Broadway to maintain an interior noise level not greater than 45 dB(A) for community facility uses or not greater than 50 dB(A) for commercial office use. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Figure 2.4-5: Attenuation Requirements



2.5 Neighborhood Character

According to the *2021 CEQR Technical Manual*, a neighborhood character assessment considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. Thus, to determine a project's effects on the neighborhood character, the elements that contribute to a neighborhood's context and feeling are considered together. These elements may include land use, zoning, public policy, socioeconomic conditions, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise. The Study Area for a preliminary analysis of neighborhood character is typically consistent with the Study Areas of the relevant technical areas under CEQR that contribute to the defining elements of the neighborhood. The study area should generally extend to a 400-foot radius around the Affected Area.

2.5.1 Preliminary Analysis

Existing Conditions

The Affected Area is located within the Elmhurst neighborhood of Queens, Community District 4. The area is bounded by the northern portions of lots 6 and 17 to the north, Pettit Avenue to the east, Broadway to the south, and Baxter Avenue to the west. Pettit Avenue is a northeast-southwest Local Road with one moving lane of traffic in each direction and curbside parking. Broadway is a southeast-to-northwest two-way right-of-way classified as a Principal Arterial Other by the New York State Department of Transportation (NYS DOT) with one moving lane of traffic in each direction, bike lanes in each direction, and curbside parking. Baxter Avenue is a northeast-southwest two-way right-of-way classified as Minor Arterial by the New York State Department of Transportation (NYS DOT) with one moving lane of traffic in each direction and curbside parking.

Existing land uses within a 400-foot buffer around the Affected Area ("the surrounding area") primarily consist of one- and two-family and multi-family residences, mixed commercial and residential buildings, commercial buildings, and public facilities (Elmhurst Hospital).

Built form in the surrounding area varies by use, and generally consists of six story multifamily elevator buildings, two-to five-story multifamily walkup buildings, two-story one- and two-family buildings, and one-story commercial buildings. The surrounding area also contains an eleven-story hospital (Elmhurst Hospital). Broadway is the major commercial corridor in the area. Baxter Avenue has significant commercial activity in the vicinity of the Affected Area and turns into a commercial corridor to the north of the Affected Area where it merges with another large commercial corridor along Roosevelt Avenue. Pettit Avenue and Layton Street along with other local streets are residential in character.

The area is well-served by transit with two nearby subway stations with service from four trains. The Elmhurst Avenue subway station with service from the E, M, R trains is located approximately 400 feet southeast of the Affected Area at the corner of Broadway and 82nd Street. The 82 Street

subway station with service from the 7 train is located approximately 1,250 feet to the north of the Affected Area. The subway stations provide full-time connecting service to Manhattan. In addition, there is a bus line accessible to users in the area. The Q53-SBS bus connects the Elmhurst neighborhood with Rockaway Beach and has two bus stops in different directions on Broadway, 400 feet west of the Affected Area.

Sidewalks within the surrounding area are predominantly in good condition with the exception of a section of Woodside Avenue located at 79-38 Woodside Ave, where the sidewalk is in poor condition. All streets are equipped with regular streetlights throughout the Study Area and feature limited to sufficient street trees. All intersections along Broadway have properly functioning traffic lights and clear crossing markings. The rest of the intersections in the Study Area are not equipped with traffic lights but mostly have clear crossing markings.

The Applicant-Owned Development Site includes Block 1509, Lot 1. Lot 1 is a 18,125-SF corner lot with frontages on Broadway and Baxter Avenue. The lot is currently improved with 17,806 GSF of lot area which includes an approximately 8,746-GSF, two-story mixed-use commercial and community facility building, a 6,100-GSF, one-story commercial building, and a 2,960-GSF, one-story building occupied by a post office. The two-story building contains commercial uses on the ground floor and a community facility use on the second floor. The ground floor commercial uses include local retail consisting of 3 restaurants, a pharmacy, and a surgical supply store with a total retail floor area of 3,557 GSF and an attorney office of approximately 764 GSF. The second floor is occupied by Star America Preschool with an approximately 4,425 GSF of floor area. The one-story commercial building is occupied by a hardware store and a laundromat and approximately includes 6,100 GSF of floor area. The one-story building occupied by a post office includes 2,960 GSF of floor area. In total, Lot 1 contains 10,421 GSF of commercial use and 7,385 GSF of community facility use. Lot 1 also contains a rear access alley and a small parking area with approximately 6 parking spaces for commercial and community facility uses.

Other non-applicant-owned lots within the Rezoning Area include Block 1509, Lots p/o 17 and p/o 6. Lot 17 is a 24,420-SF corner lot with frontages on Broadway and Pettit Avenue. The lot is currently improved with a six-story, 106,541-SF, mixed residential and commercial building (according to ZOLA) constructed in 1957 and altered in 2016. The portion of the ground floor within the Affected Area is occupied by a tutoring center, a dental office, and a currently closed medical center. Lot 6 is a 23,000-SF corner lot with frontages on Baxter Avenue and Layton Street. The lot is currently improved with a six-story, 77,358-SF multi-family residential building constructed in 1957 and altered in 2016.

Future No-Action Condition

The No-Action Condition for the Affected Area would be the same as existing conditions. There are no records of building work permits submitted by the Applicant on the DOB website. As such, it is conservatively assumed that under the No-Action Scenario, existing conditions would continue on the Projected Development Site 1. Redevelopment is also not considered likely in

the No-Action Scenario because of the existing legal non-conforming commercial uses under the existing zoning regulation.

The Other non-Applicant-owned lots 6 and 17 are not considered likely to be redeveloped under No-Action Conditions and would remain as they exist.

Future With-Action Condition

Under the With-Action condition, the Zoning Map Amendment would map a C2-4 commercial overlay over the Affected Area within an R7A zoning district. The proposed C2-4 commercial overlay would permit 2.00 FAR for commercial uses and would not alter the maximum permitted building height and setback regulations under the existing zoning.

Under With-Action conditions, within the Applicant-owned Projected Development Site 1 (Lot 1) currently improved with three buildings and a small parking area with rear access alley:

- The two-story mixed-use building with ground-floor commercial uses and community facility use on the second floor would remain as it exists.
- The one-story commercial building and the one-story building occupied by a post office are expected to be enlarged with a total of 9,104-GSF of second-floor commercial space.
- The rear access alley and small parking area with approximately 6 parking spaces for commercial and community facility uses would remain.

In total, under With-Action conditions, the Projected Development Site 1 would contain 26,910 GSF (25,875-ZSF, 1.43 FAR) of floor area including 19,525 GSF (18,774 ZSF, 1.04 FAR) of commercial spaces, and 7,385 GSF (7,101 ZSF, 0.39 FAR) of community facility uses. The overall height of the structure would remain 25.68 feet. All currently legal nonconforming commercial uses would be brought into conformance. No new curb cuts would be proposed.

The other lots within the Affected Area (Other Affected Sites) not projected to redevelop include:

- Lot 17, a 24,420-SF lot with a 197-foot lot frontage on Pettit Avenue and a 125-foot lot frontage on Broadway. The lot is not expected to be redeveloped as the existing building is developed to the maximum FAR allowed under the proposed rezoning.
- Lot 6, a 23,000-SF corner lot with frontages on Baxter Avenue and Layton Street. The lot is improved with a six-story, 77,358-SF multi-family residential building. Since the lot is already developed above the maximum allowed FAR of 3.0, the redevelopment of lot 6 is not expected.

In order to determine the Proposed Actions' potential effects on neighborhood character, the elements that contribute to a neighborhood's context and feeling are considered both separately and cumulatively. The examination focuses on whether a defining feature of the neighborhood's character may be significantly affected, as further described below:

- **Land Use, Zoning, and Public Policy:**

  The density and uses permitted by the Proposed Action would be consistent with nearby residential and mixed-use buildings. The proposed project is sought to bring the existing legal nonconforming commercial uses on Lot 1 into conformance. The proposed C2-4 Commercial Overlay would match the adjacent C1-3 Commercial Overlays along Broadway south of the Affected Area and preserve the overall existing commercial character of this section of Broadway. The Proposed Actions would not alter or accelerate development patterns in the area. Therefore, there would be no adverse impacts on land use as a result of the Proposed Actions, and further analysis is not required.

- **Historic and Cultural Resources:**

  There are no existing Architectural Resources within the Affected Area (LPC letter dated September 12, 2022). Therefore, no direct impacts on architectural resources are anticipated. The S/NR listed site is not within 90 feet of the Affected Area and, therefore, does not require any construction mitigation. No sunlight sensitive historic resources would be affected by incremental shadows as a result of the Proposed Actions. The Development of the Projected Development Sites would also not pose any changes to the setting or context of historic resources. Since the S/NR listed architectural resources are located less than 400 feet from the Affected Area, the construction activity happening on the Projected Development Sites may induce some temporary changes to the environment surrounding the architectural resources. However, the construction activity is expected to last for approximately 12 months, of which the major exterior construction that may have an impact on the architectural resources would last no more than 9 months. Therefore, no significant indirect impacts on architectural resources are anticipated as a result of the Proposed Actions. The LPC has also indicated that no cultural resource of archaeological significance is associated with the Projected Development Site 1. Therefore, significant adverse impacts on archaeological resources are not expected because of the Proposed Actions, and further analysis is not warranted.

- **Air Quality:**

  The Proposed Actions would not result in a development that would have significant adverse impact on the air quality within the Study Area or would receive industrial emissions that would have significant adverse impact on the project occupants. The HVAC detailed analysis indicated that there would be no potential for significant adverse air quality impact(s) from the HVAC systems with the requirements specified in the (E)

Designation for Projected Development Site 1. No industrial emission sources were identified within the 400-foot Study Area. No large industrial emission sources were identified within the 1,000-foot Study Area. Additionally, there is no evidence present to conclude that there are illegal unpermitted air emissions present in the Study Area.

- **Noise:**

  Based on the noise measurement results, a 31 dB(A) window/wall attenuation would be required on the facades facing Broadway and on the Baxter Avenue and Pettit Avenue facades for 50 feet from Broadway and a 28 dB(A) window/wall attenuation would be required on the remaining facade facing Baxter Avenue; no other facades would require attenuation. With an E-Designation (E-745) in place specifying these levels of attenuation, there would be no significant adverse impact related to noise.

Combination of Moderate Effects:

Based on the above findings, there would be no combination of moderate effects to several elements that cumulatively may affect neighborhood character.

2.5.2 Conclusion

As discussed above, the Proposed Actions would not, in whole or from a specific technical study standpoint, result in a significant impact on the neighborhood character, nor would have cumulative effects of two or more of the above technical areas have any significant impacts on the 400-foot Study Area.

2.6 Construction

According to the *2021 CEQR Technical Manual*, construction impacts may be analyzed for any project that involves construction or could induce construction. For construction activities not related to in-ground disturbance, short-term construction generally does not warrant a detailed construction analysis. For example, the use of a property for construction staging activities is likely to only warrant analysis if this activity continues for a period of several years. Consideration of several factors, including the location and setting of the project in relation to other uses and intensity of construction activities are used to determine if a project's construction activities warrant analysis in one or more of the following technical areas:

- Transportation
- Air Quality or Noise
- Historic and Cultural Resources
- Hazardous Materials
- Natural Resources
- Open Space
- Socioeconomic Conditions
- Community Facilities
- Land Use and Public Policy
- Neighborhood Character
- Infrastructure

A preliminary construction analysis may be required because the proposed development would result in the following:

- Construction activities are considered long-term (Last longer than two years); or
- Short term construction activities would directly affect a technical area, such as impeding the operation of a community facility.
- Result in the closing, narrowing, impeding of traffic, transit, or obstruction of pedestrian or vehicular routes in proximity to critical land uses.
- 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.
- 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.

Analysis

Future No-Action Condition

In the Future No-Action Scenario existing conditions would be expected to remain. No redevelopment or construction-related activities would be expected to occur.

Future With-Action Condition

Under With Action conditions, within the Applicant-owned Projected Development Site 1 (Lot 1) currently improved with three buildings and a small parking area with rear access alley:

- The two-story mixed-use building with ground-floor commercial uses and community facility use on the second floor would remain as it exists.
- The one-story commercial building and the one-story building occupied by a post office are expected to be enlarged with a total of 9,104-GSF of second-floor commercial space.
- The rear access alley and small parking area with approximately 6 parking spaces for commercial and community facility uses would remain.

In total, under With-Action conditions, the Projected Development Site 1 would contain 26,910 GSF (25,875-ZSF, 1.43 FAR) of floor area including 19,525 GSF (18,774 ZSF, 1.04 FAR) of commercial spaces, and 7,385 GSF (7,101 ZSF, 0.39 FAR) of community facility uses. The overall height of the structure would remain 25.68 feet. All currently legal nonconforming commercial uses would be brought into conformance. No new curb cuts would be proposed.

Build Year

The build year for the analysis is anticipated to be 2027 in consideration of projected 12-month CEQR review period, a 7-month ULURP process, a 2-year period for lease agreements and sourcing potential tenants, as well as design development and permitting, and an approximately 12-month construction schedule.

Analysis

Transportation

According to the *CEQR Technical Manual*, a number of factors should be considered before determining whether a preliminary assessment of the effect of construction on transportation is needed including:

- Whether the project's construction would be located in a Central Business District (CBD) or along an arterial or major thoroughfare.
- Whether the project's construction activities would require closing, narrowing, or otherwise impeding moving lanes, roadways, key pedestrian facilities, parking lanes and/or parking spaces, bicycle routes and facilities, bus lanes or routes, or access points to transit; and
- Whether the project would involve construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap, and last for more than two years overall.

Projected Development Site 1 has frontages along Broadway (classified as a Principal Arterial Other) and Baxter Avenue (classified as Minor Arterial). The construction of the development site may require the temporary closing of the section of sidewalk along Broadway, adjacent to Projected Development Sites 1. However, changes to moving traffic lanes are not expected.

Community facilities located within a 400-foot radius of the Projected Development Site 1 include an eleven-story hospital (Elmhurst Hospital) located across Baxter Avenue from the Projected Development Site 1. Any potential closure of the sidewalks adjacent to the Projected Development Site would be considered a routine closure that would be addressed by a permit and pedestrian access plan issued by NYC DOT Office of Construction Mitigation and Coordination at the time of closure and would consider the location of Elmhurst Hospital and the nearby residential and commercial uses.

The construction of the development site would be considered short term (less than two years). Considering the above, construction of the development site would not be expected to result in significant adverse impacts on transportation.

Air Quality

Demolition, excavation, and foundation activities, which often generate the highest levels of air emissions, would be temporary and limited in duration. As with most construction projects in the city, the proposed project would require the operation of several pieces of diesel equipment at one time during the heavier periods of construction, such as demolition and excavation. However, as stated in the *CEQR Technical Manual*, all the necessary measures would be implemented to ensure compliance with the NYC Air Pollution Control Code regulating

construction-related dust emissions. Based on the project size and the construction work involved, construction activities for the Proposed Actions would not be considered out of the ordinary or exceptional in terms of intensity and would be of a relatively short duration (less than 2 years). Therefore, based on the above and with the implementation of emissions control measures that are required by local law, the construction of the development sites would not result in any significant adverse impacts on air quality.

Noise

While increases in ambient noise levels due to construction exceeding the CEQR impact criteria for two years or less may be noisy and intrusive, they are not considered to be significant adverse noise impacts. As described above, construction of the development sites would occur over a relatively short time period of approximately 12 months. Construction noise is regulated by the NYC Noise Control Code and by EPA's noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emission standards; that construction activities be limited to weekdays between the hours of 7AM and 6PM; and that construction materials be handled and transported in such a manner as not to create unnecessary noise. If weekend or after hour work is necessary, permits would be required to be obtained, as specified in the NYC Noise Control Code. Therefore, no significant noise impacts are expected to occur as a result of the construction.

Historic and Cultural Resources

As discussed in **Section 2.2**, Historic and Cultural Resources, the Landmarks Preservation Commission has determined that the Affected Area is within the 400-foot radius of the S/NR Listed Elmhurst Avenue Subway Station (IND). However, the architectural resource entrance is outside the 400-foot radius of the Affected Area and the entire station is located underground. Therefore, construction protection measures related to avoidance of damage to historic structures from adjacent construction are not applicable, and no significant adverse construction-related impacts to nearby historic and cultural resources are expected.

2.6.1 Conclusion

Construction activities at the development sites would be completed in 12 months. Construction would be performed subject to relevant EPA, DEP, DOT and DOB codes and regulations to ensure minimal construction impacts. With the construction control and protective measures identified above, no impacts to transportation, air quality, noise, or historic buildings would occur. Based on the above analysis, the Proposed Actions would not have any significant adverse construction impacts, and further analysis is not required.

APPENDIX A

AGENCY CORRESPONDENCE

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: LA-CEQR-Q (DEPARTMENT OF CITY PLANNING)
Project: 80-01 BROADWAY
Address: 80-01 BROADWAY BBL: 4015090001
Date Received: 9/12/2022

[X**] No architectural significance**

Comments:

S/NR LISTED ELMHURST AVENUE SUBWAY STATION (IND), BROADWAY AT VIETOR AVENUE WITHIN RADIUS.

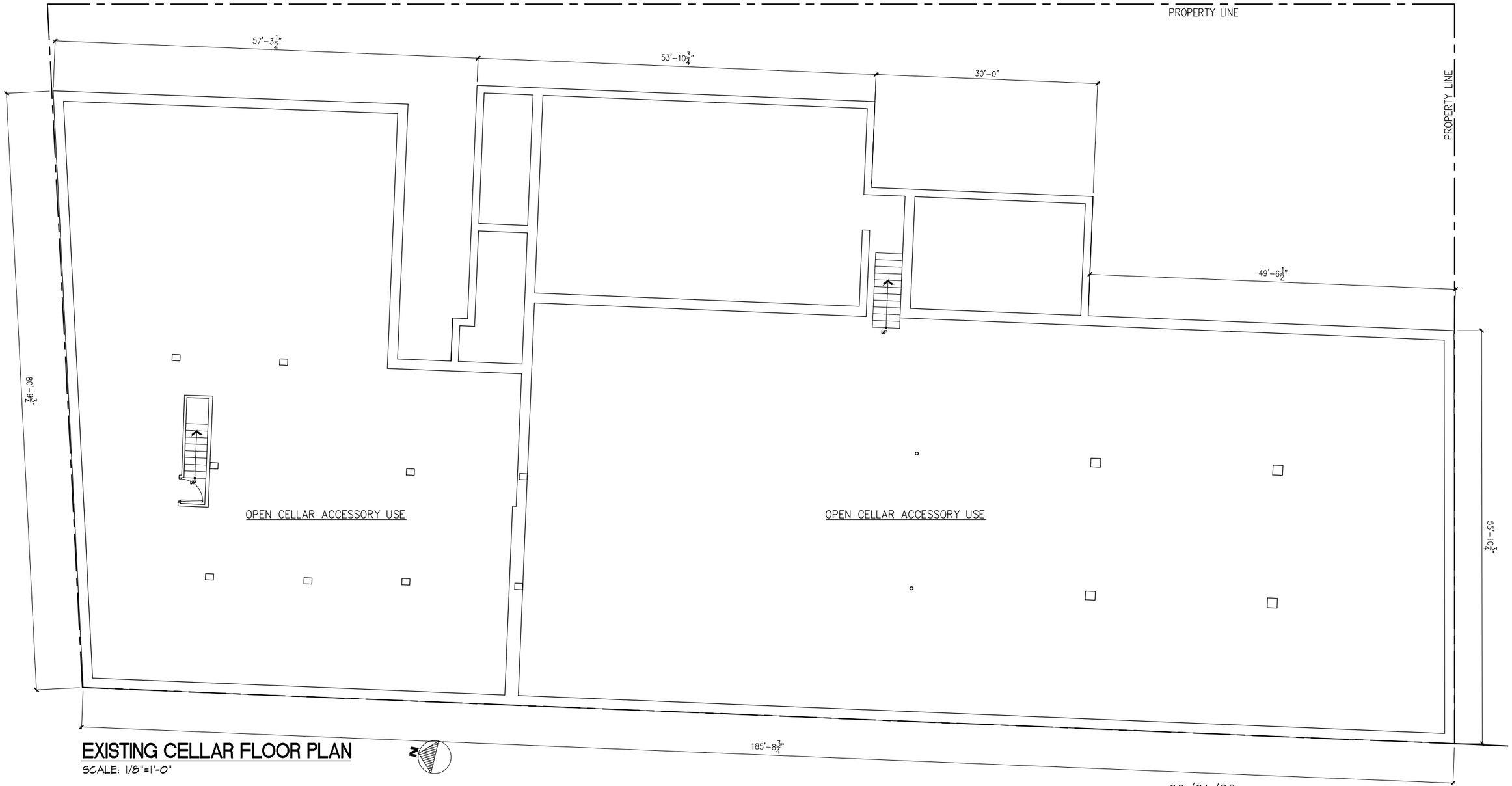
Gina Santucci 9/12/2022

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 36600_FSO_GS_09122022.docx

APPENDIX B

ARCHITECTURAL PLANS



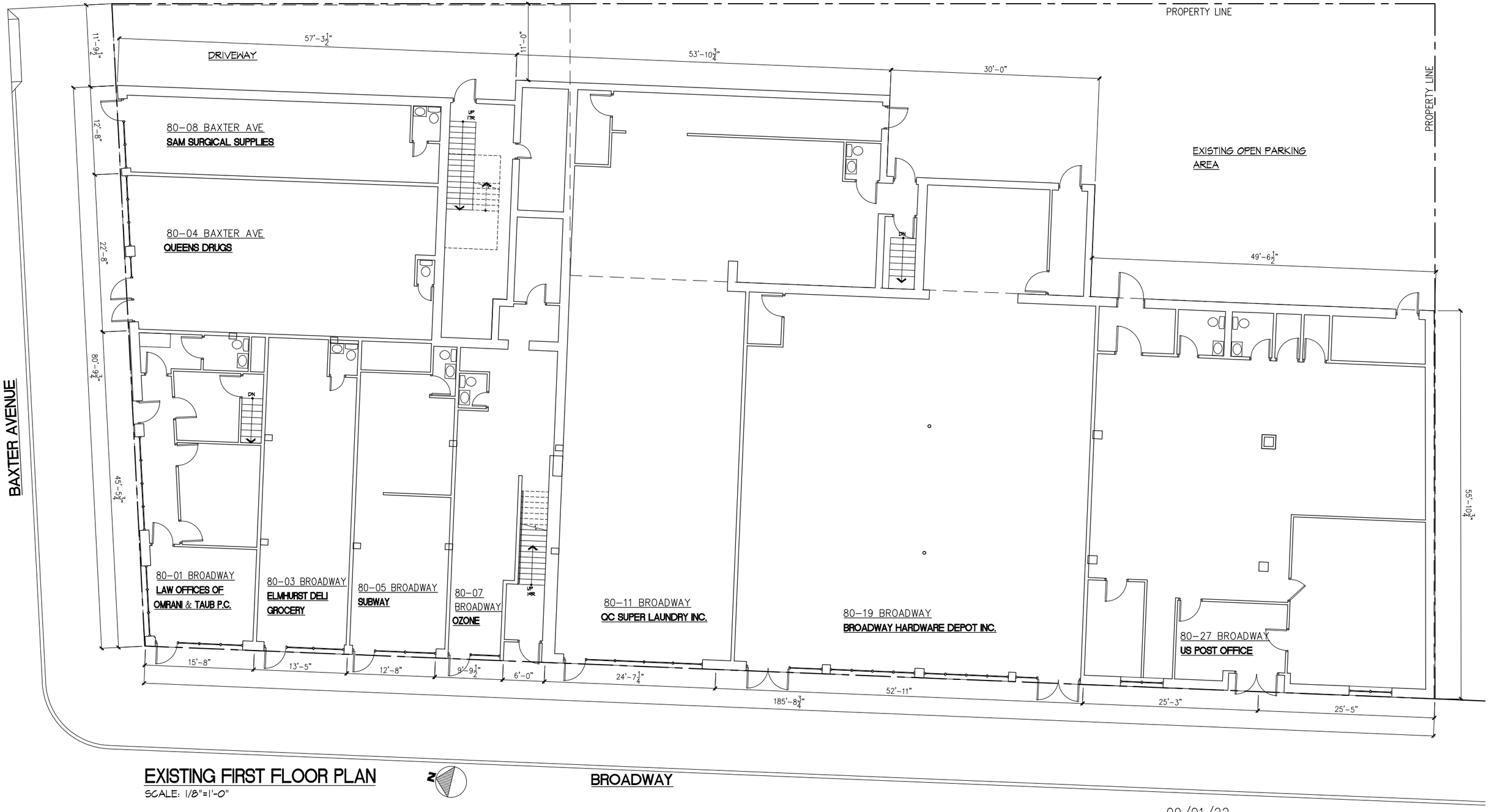
EXISTING CELLAR FLOOR PLAN

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

09/01/22

Address: 80-01 BROADWAY, ELMHURST, NEW YORK
BLOCK# 1509 LOT# 1

TAN ARCHITECT P.C.



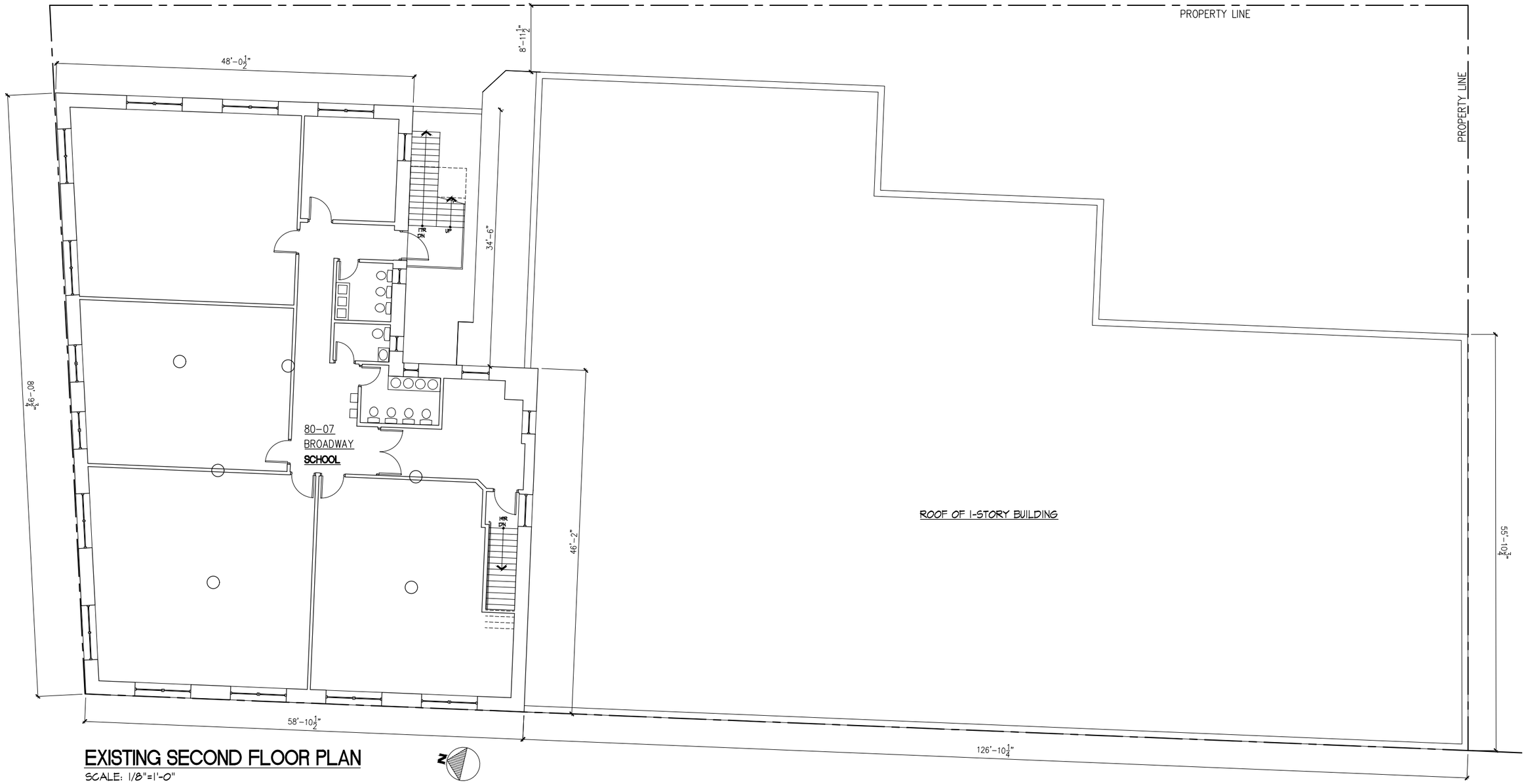
EXISTING FIRST FLOOR PLAN

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

09/01/22

Address: 80-01 BROADWAY, ELMHURST, NEW YORK
BLOCK# 1509 LOT# 1

TAN ARCHITECT P.C.



EXISTING SECOND FLOOR PLAN

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

09/01/22

Address: 80-01 BROADWAY, ELMHURST, NEW YORK
BLOCK# 1509 LOT# 1

TAN ARCHITECT P.C.

APPENDIX C

AIR QUALITY BACKUP

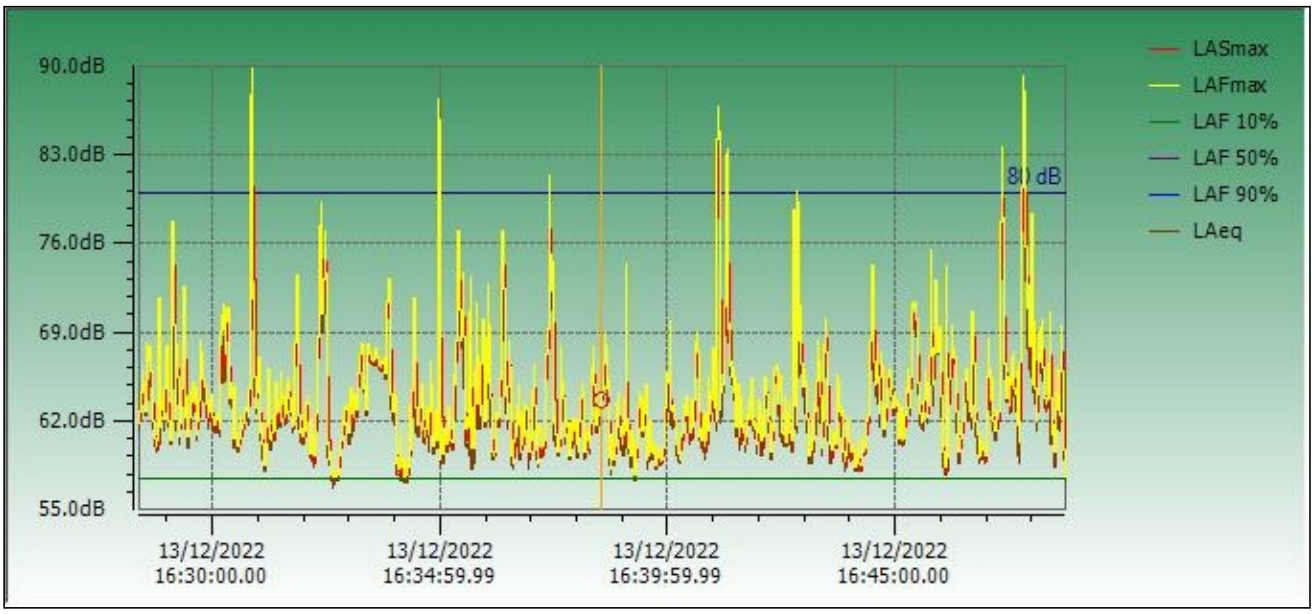
APPENDIX D

NOISE BACKUP

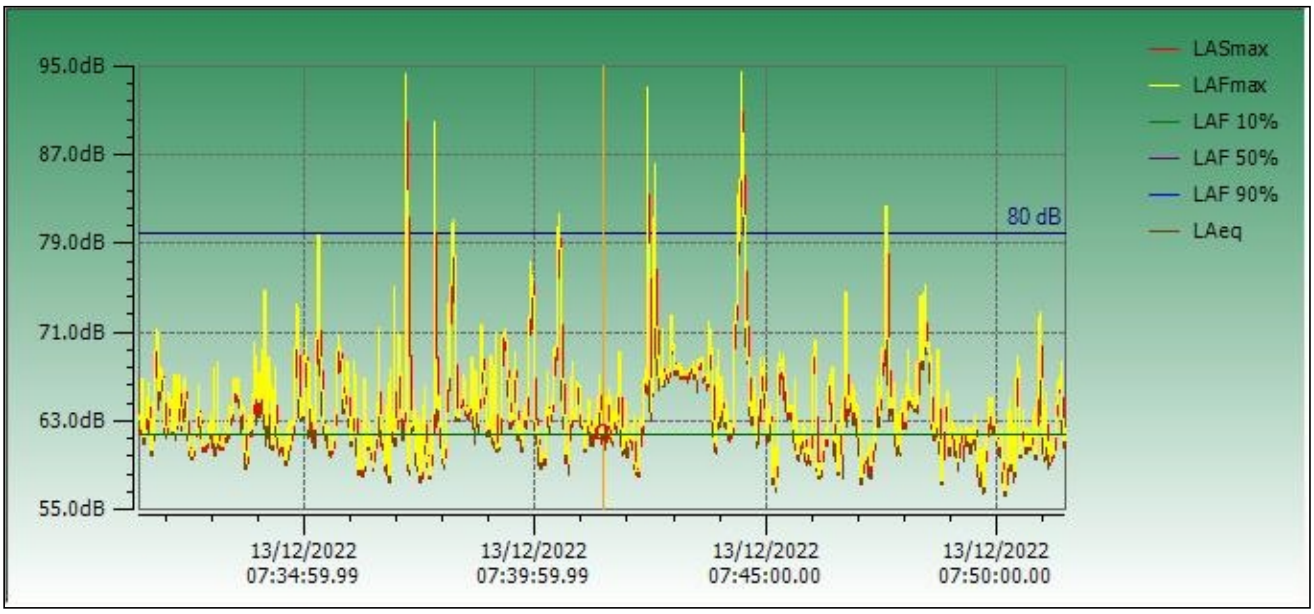
Casella CEL Ltd.

Report On CEL-63X

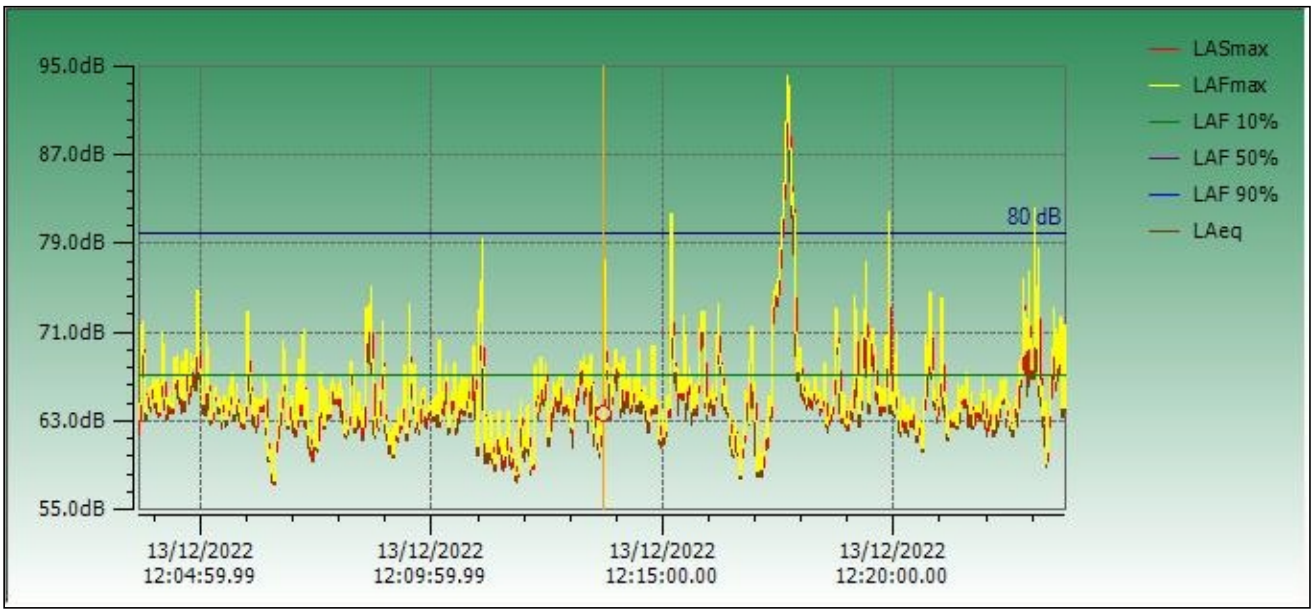
Instrument Model	**CEL-633C**		
Serial Number	2670911	LAS 10%	68 dB
LDN	0	LAS 50%	62 dB
LASmax	87.2 dB	LAS 90%	59.5 dB
LASmin	56.9 dB	Calibration (Before) Date	12/13/2022 4:28:09 PM
Start Date & Time	12/13/2022 4:28:23 PM	Calibration (After) Date	12/13/2022 4:50:25 PM
Duration	00:20:21 HH:MM:SS	Calibration Drift	0.2 dB
LAeq	67.2 dB	Battery Low	No
End Date & Time	12/13/2022 4:48:44 PM	Result	Cumulative
Notes			



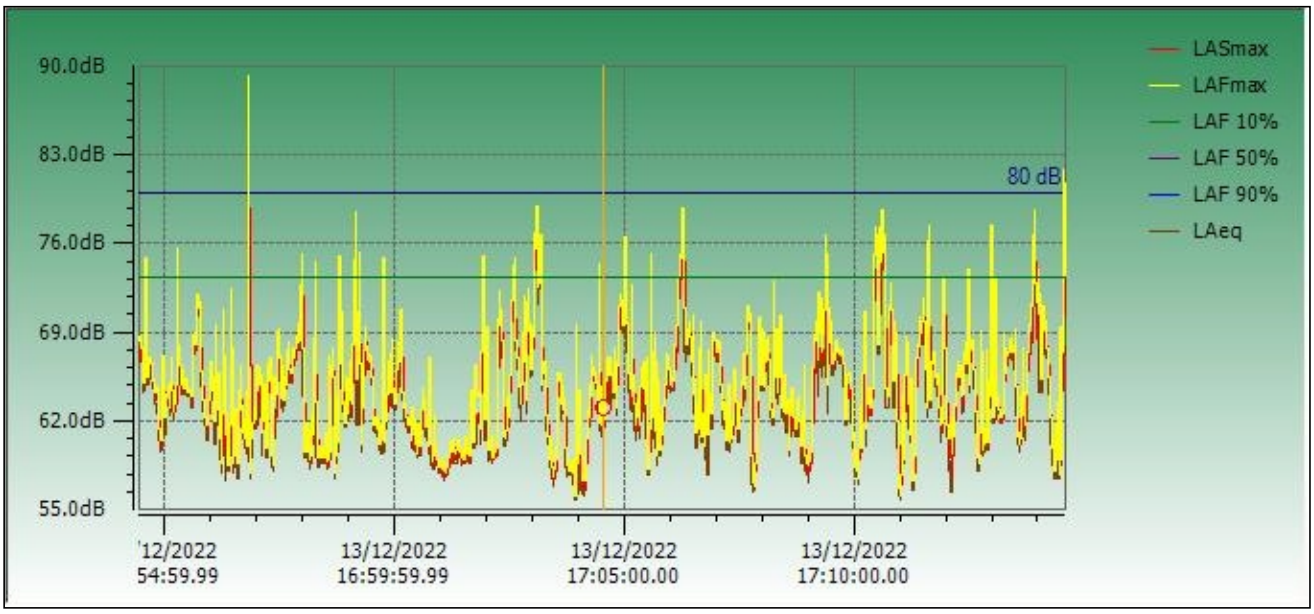
Instrument Model	**CEL-633C**		
Serial Number	2670911	LAS 10%	68.5 dB
LDN	0	LAS 50%	63 dB
LASmax	91.6 dB	LAS 90%	59.5 dB
LASmin	56.5 dB	Calibration (Before) Date	12/13/2022 7:29:00 AM
Start Date & Time	12/13/2022 7:31:26 AM	Calibration (After) Date	12/13/2022 7:54:00 AM
Duration	00:20:03 HH:MM:SS	Calibration Drift	0.7 dB
LAeq	69.7 dB	Battery Low	No
End Date & Time	12/13/2022 7:51:29 AM	Result	Cumulative
Notes			



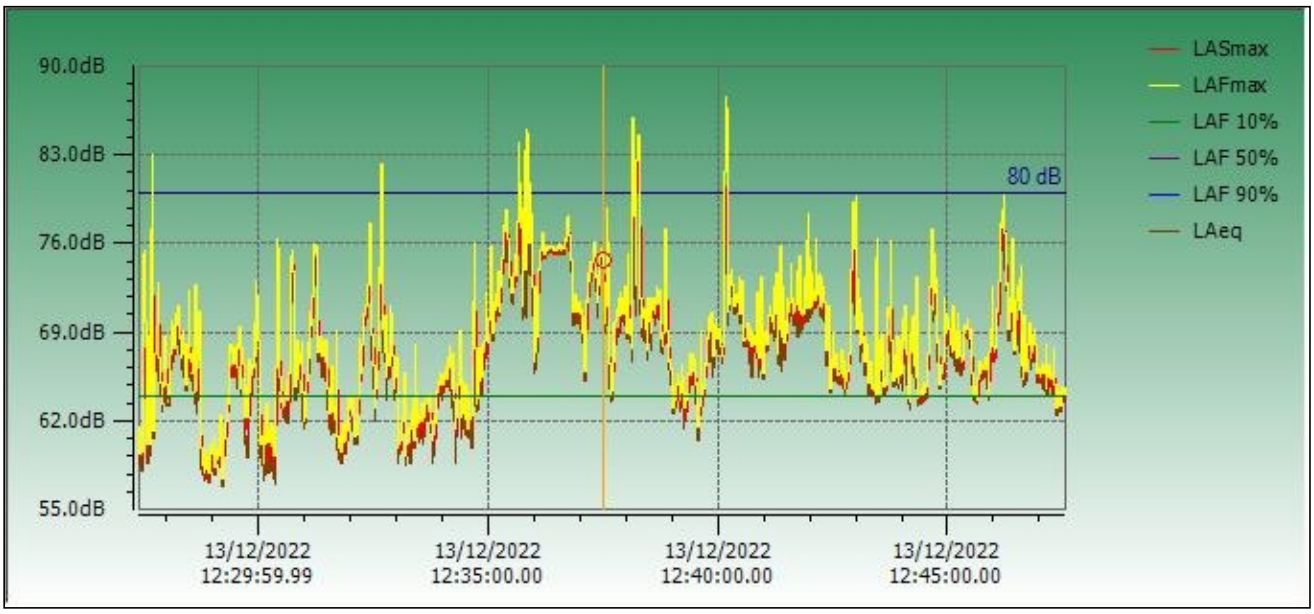
Instrument Model	**CEL-633C**		
Serial Number	2670911	LAS 10%	68.5 dB
LDN	0	LAS 50%	64 dB
LASmax	92.4 dB	LAS 90%	61 dB
LASmin	57.2 dB	Calibration (Before) Date	12/13/2022 12:02:21 PM
Start Date & Time	12/13/2022 12:03:40 PM	Calibration (After) Date	12/13/2022 12:24:32 PM
Duration	00:20:03 HH:MM:SS	Calibration Drift	0.4 dB
LAeq	69.9 dB	Battery Low	No
End Date & Time	12/13/2022 12:23:43 PM	Result	Cumulative
Notes			



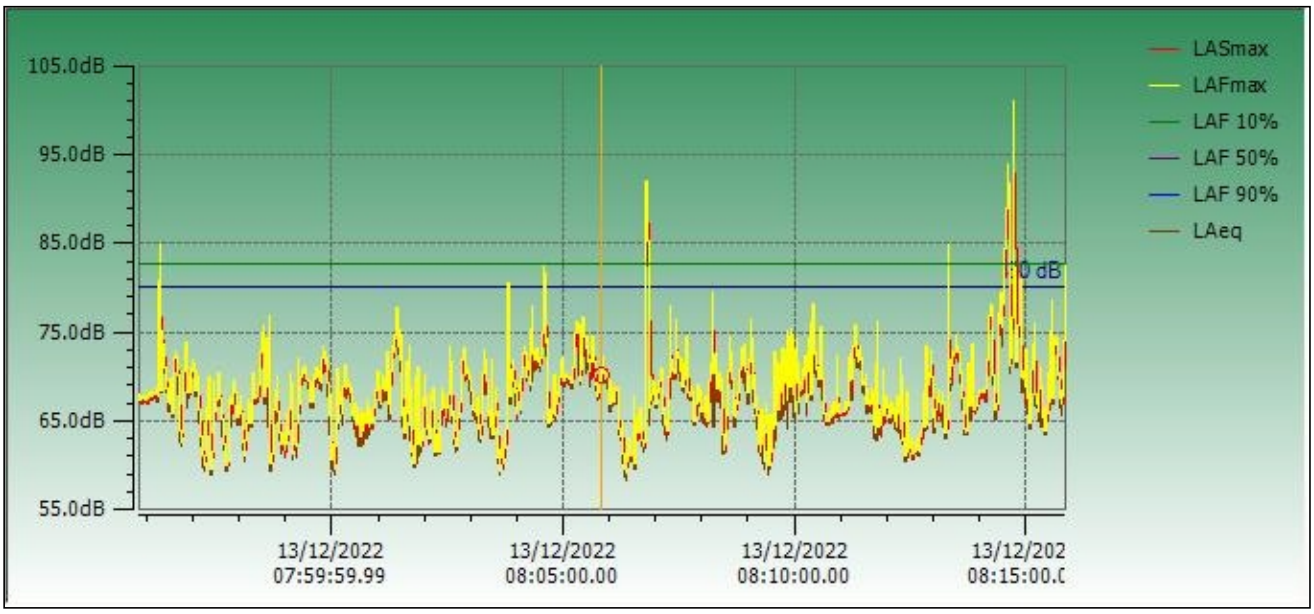
Instrument Model	CEL-633C		
Serial Number	2670911	LAS 10%	68.5 dB
LDN	0	LAS 50%	63.5 dB
LASmax	81.7 dB	LAS 90%	59 dB
LASmin	55.8 dB	Calibration (Before) Date	12/13/2022 4:53:37 PM
Start Date & Time	12/13/2022 4:54:28 PM	Calibration (After) Date	12/13/2022 5:15:43 PM
Duration	00:20:08 HH:MM:SS	Calibration Drift	0.1 dB
LAeq	65.7 dB	Battery Low	No
End Date & Time	12/13/2022 5:14:36 PM	Result	Cumulative
Notes			



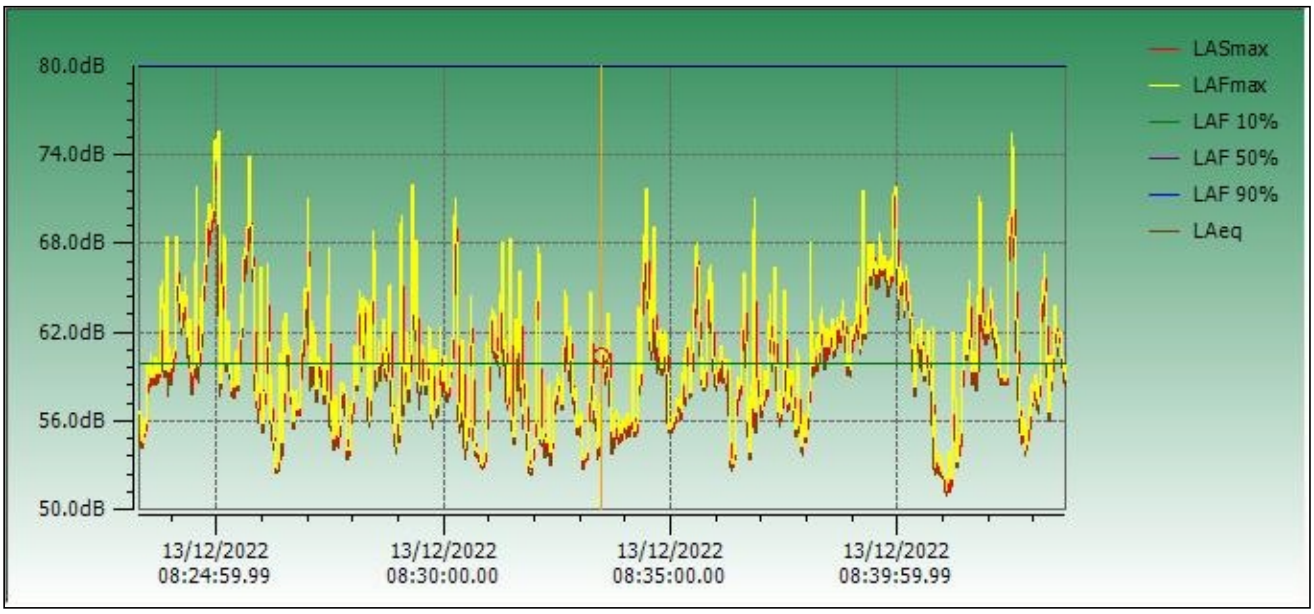
Instrument Model	**CEL-633C**		
Serial Number	2670911	LAS 10%	73.5 dB
LDN	0	LAS 50%	67 dB
LASmax	83.4 dB	LAS 90%	61.5 dB
LASmin	57 dB	Calibration (Before) Date	12/13/2022 12:27:11 PM
Start Date & Time	12/13/2022 12:27:24 PM	Calibration (After) Date	12/13/2022 12:48:26 PM
Duration	00:20:10 HH:MM:SS	Calibration Drift	-0.2 dB
LAeq	69.7 dB	Battery Low	No
End Date & Time	12/13/2022 12:47:34 PM	Result	Cumulative
Notes			



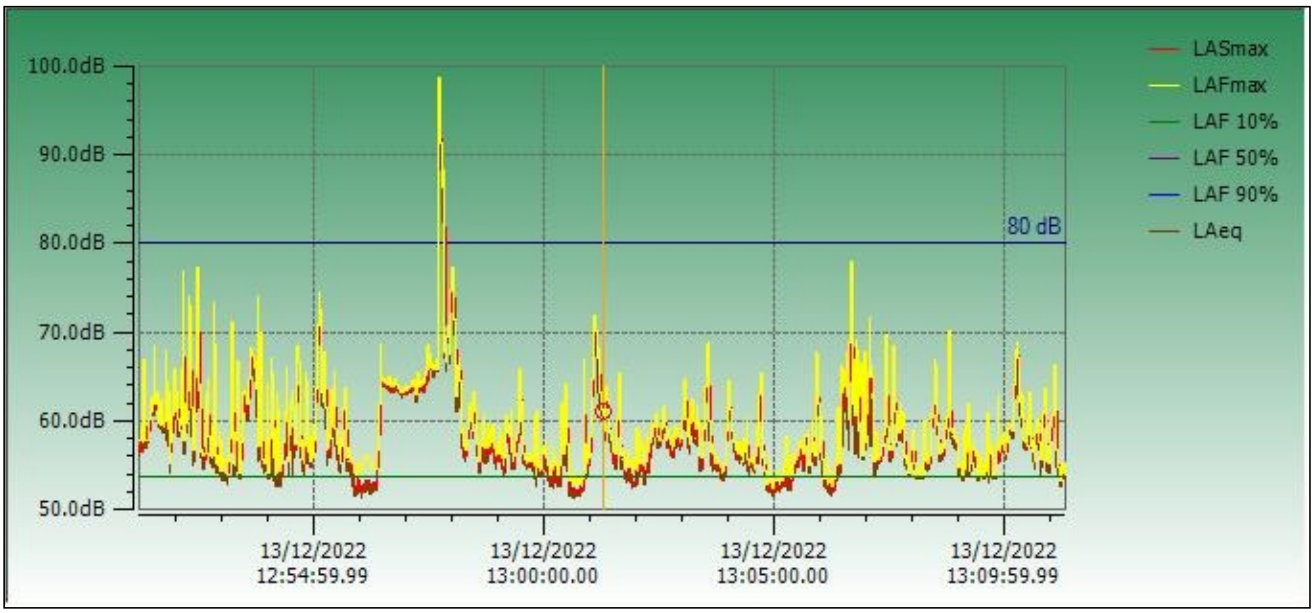
Instrument Model	**CEL-633C**		
Serial Number	2670911	LAS 10%	72 dB
LDN	0	LAS 50%	67 dB
LASmax	95.2 dB	LAS 90%	62 dB
LASmin	58.6 dB	Calibration (Before) Date	12/13/2022 7:54:15 AM
Start Date & Time	12/13/2022 7:55:50 AM	Calibration (After) Date	12/13/2022 8:17:01 AM
Duration	00:20:02 HH:MM:SS	Calibration Drift	-0.1 dB
LAeq	71.9 dB	Battery Low	No
End Date & Time	12/13/2022 8:15:52 AM	Result	Cumulative
Notes			



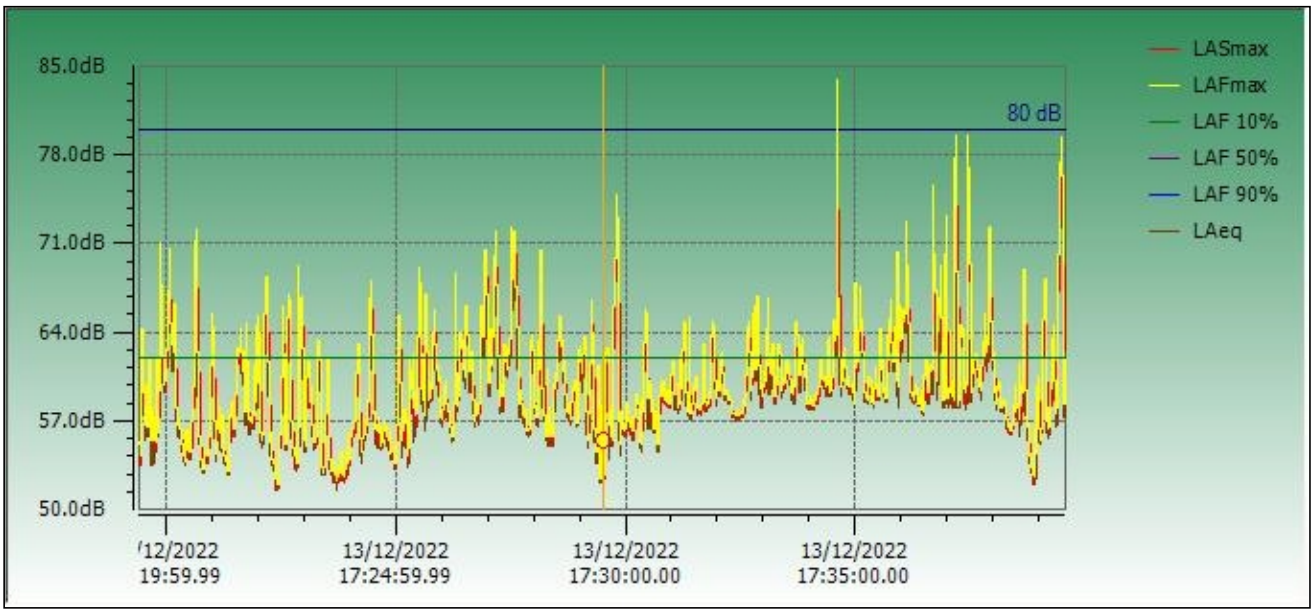
Instrument Model	**CEL-633C**		
Serial Number	2670911	LAS 10%	65 dB
LDN	0	LAS 50%	59 dB
LASmax	73.6 dB	LAS 90%	54.5 dB
LASmin	51 dB	Calibration (Before) Date	12/13/2022 8:23:04 AM
Start Date & Time	12/13/2022 8:23:17 AM	Calibration (After) Date	12/13/2022 8:44:45 AM
Duration	00:20:25 HH:MM:SS	Calibration Drift	0.0 dB
LAeq	61.5 dB	Battery Low	No
End Date & Time	12/13/2022 8:43:42 AM	Result	Cumulative
Notes			



Instrument Model	**CEL-633C**		
Serial Number	2670911	LAS 10%	64 dB
LDN	0	LAS 50%	57 dB
LASmax	94.3 dB	LAS 90%	53.5 dB
LASmin	51.3 dB	Calibration (Before) Date	12/13/2022 12:51:06 PM
Start Date & Time	12/13/2022 12:51:11 PM	Calibration (After) Date	12/13/2022 4:28:09 PM
Duration	00:20:07 HH:MM:SS	Calibration Drift	-0.1 dB
LAeq	68.4 dB	Battery Low	No
End Date & Time	12/13/2022 1:11:18 PM	Result	Cumulative
Notes			



Instrument Model	**CEL-633C**		
Serial Number	2670911	LAS 10%	63.5 dB
LDN	0	LAS 50%	58.5 dB
LASmax	77.3 dB	LAS 90%	55 dB
LASmin	51.5 dB	Calibration (Before) Date	12/13/2022 5:18:40 PM
Start Date & Time	12/13/2022 5:19:24 PM	Calibration (After) Date	12/13/2022 5:40:31 PM
Duration	00:20:10 HH:MM:SS	Calibration Drift	0.0 dB
LAeq	61.5 dB	Battery Low	No
End Date & Time	12/13/2022 5:39:34 PM	Result	Cumulative
Notes			



Certificate of Conformity and Calibration



Instrument Model:-	**CEL-633C**		
Serial Number	2670911		
Firmware revision	V006-05		
Microphone Type:-	**CEL-251**	**Preamplifier Type:-**	**CEL-495**
Serial Number	3679	Serial Number	004744
Instrument Class/Type:-	**1**		

Applicable standards:-

IEC 61672: 2013 / EN 60651 (Electroacoustics - Sound Level Meters)
IEC 60651 1979 (Sound Level Meters), ANSI S1.4: 1983 (Specifications For Sound Level Meters)

Note:- The test sequences performed in this report are in accordance with the current Sound level meter *Standard - IEC61672. The combination of tests performed are considered to confirm the products electro-acoustic performance to all applicable standards including superceeded Sound Level Meter Standards - IEC60651 and IEC60804.*

Test Conditions:-	25 °C	**Test Engineer:-**	Paul Blackwell
	38 %RH	**Date of Issue:-**	July 27, 2022
	1015 mBar		

Declaration of conformity:-

This test certificate confirms that the instrument specified above has been successfully tested to comply with the manufacturer's published specifications. Tests are performed using equipment traceable to national standards in accordance with Casella's ISO 9001:2015 quality procedures. This product is certified as being compliant to the requirements of the CE Directive.

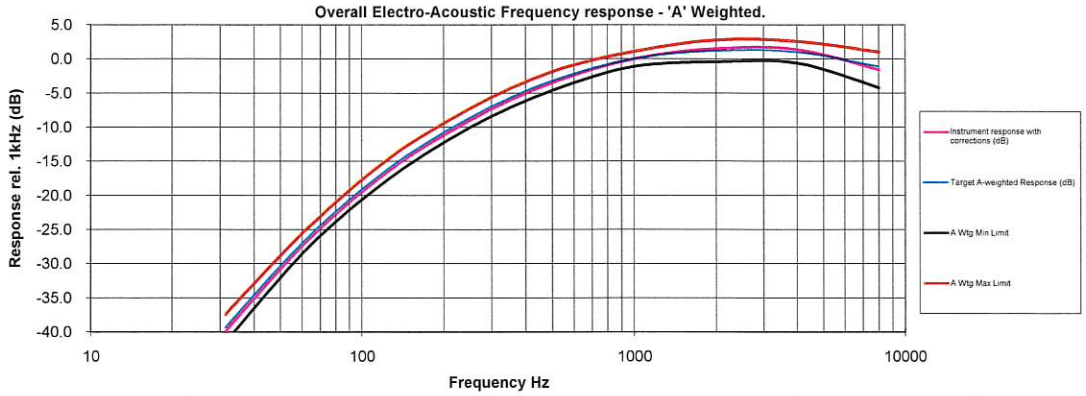
Test Summary:-

Self Generated Noise Test	**All Tests Pass**
Electrical Signal Test Of Frequency Weightings	**All Tests Pass**
Frequency & Time Weightings At 1 kHz	**All Tests Pass**
Level Linearity On The Reference Level Range	**All Tests Pass**
Toneburst Response Test	**All Tests Pass**
C-peak Sound Levels	**All Tests Pass**
Overload Indication	**All Tests Pass**
Acoustic Tests	**All Tests Pass**

Combined Electro-Acoustic Frequency Response - A Weighted

Combined Electro-Acoustic Frequency Response - A Weighted (IEC 61672-3:2006)

The following A-Weighted frequency response graph shows this instruments overall frequency response based upon the application of multi-frequency pressure field calibrations. The microphones Pressure to Free field correction coefficients are applied to pressure response. Reference level taken at 1kHz.



Casella UK
Regent House, Wolseley Road, Kempston, Bedford MK42 7JY United Kingdom
Tel: +44 (0) 1234 844100
Fax: +44(0) 1234 841490
E-mail: info@casellasolutions.com

Casella USA
415 Lawrence Bell Drive, Unit 4 Buffalo, NY 14221, USA
Toll Free (800) 366-2966
Tel: +1 (716) 276 3040
E-mail: info@casellausa.com

Casella India
Ideal Industries India Pvt.Ltd.
229-230, Spazedge, Tower -B Sohna Road, Sector-47, Gurgaon-122001, Haryana , India.
Tel: +91 124 4495100
E-mail: casella.sales@ideal-industries.in

Casella China
Ideal Industries China
Room 305, Building 1, No.1279, Chuanqiao Rd, Pudong New District, Shanghai, China
Tel: +86-21-31263188
Fax: +86-21-61605906
Email: info@casellasolutions.cn

Tested to CEL-63X test sheet TP444 revision 02-00

CASELLA

Certificate of Conformity and Calibration

Customer:	Equity Environmental Engineering, LLC
Instrument:	CEL-120/1
Serial Number:	2045304
Job Number:	26212
Date of Issue:	27-Jul-2022
Engineer:	P Blackwell

Traceable Equipment:

Reference Calibrator	EQ11085
DVM type Fluke 45	EQ00318

Test Conditions:

Ambient Temperature	25.0	°C
Ambient Humidity	38.0	%RH
Ambient Pressure	1015	mBar

Results:

	Level 1	Level 2	Frequency
Initial Reading	114.00 dB	93.93 dB	1.0000 kHz
Final Reading	114.00 dB	93.93 dB	1.0000 kHz

Uncertainty:

Level	±	0.15	dB
Frequency	±	0.5	Hz

This test certificate confirms that the instrument specified above has been successfully tested to comply with the manufacturer's published specifications.
Tests are performed using equipment traceable to national standards in accordance with Casella's ISO 9000:2015 quality procedures.
The reported expanded uncertainty is based on a standard uncertainty multiplied by a coverage factor k=2, providing a level of confidence of approximately 95%.
This certificate may not be reproduced other than in full, except with prior written approval of the issuing laboratory.

Casella UK
Regent House, Wolseley Road, Kempston, Bedford MK42 7JY United Kingdom
Tel: +44 (0)1234 844100
Fax: +44(0)1234 841490
E: info@casellasolutions.com

Casella USA
13 Pratts Junction Road, Sterling, MA 01564-2305 USA
Toll Free: (800) 366 2966
E: info-us@casellasolutions.com

Casella India
IDEAL Industries India Pvt. Ltd
229-230 Tower-B, Spazedge, Sector 47, Sohna Road, Gurgaon-122001, India
Tel: +91 124 4495100
E: Casella.Sales@ideal-industries.in

Casella China
IDEAL Industries China
Room 305, Building 1, No. 1279, Chuanqiao Rd, Pudong New District, Shanghai, China
Tel: +86 21 31263188
Fax: +86 21 61605906
E: Info@casellasolutions.cn

Casella Australia
IDEAL Industries (AUST) Pty. Ltd
Unit 17, 35 Dunlop Rd, Mulgrave. VIC 3170, Australia
Tel: +61 3 9562 0175
E: australia@casellasolutions.com

equity environmental engineering
WORKING TOGETHER TO DESIGN SOLUTIONS

Noise Job Field Sheet

Name of Project: 80-01 Broadway Queens 2022072

Project Address: 80-01 Broadway Queens, New York

Date(s) of Field Work: 12/13/22

Personnel: Victoria Curran

Project Specific Scope of Work:

3 x 20-minute locations AM, Midday, PM

Maximum Billable Hours for the Day: 15

I. Start of Noise Monitoring Day

Departure Time: 0500 Arrival Time: 0655

Weather Conditions (temp, wind speed, precipitation): 30°F, 9mph wind, no precipitation - clear skies.

Meter Type: Casella Meter Serial #: 2670911 Meter Location: location 1
Meter Type: Casella Meter Serial #: 2670911 Meter Location: location 2
Meter Type: Casella Meter Serial #: 2670911 Meter Location: location 3
*If more locations are needed for a project use a second Field Sheet

Calibrator Serial #: 2045304 Meters used on: 2670911 / location 1
Calibrator Serial #: 2045304 Meters used on: 2670911 / location 2
Calibrator Serial #: 2045304 Meters used on: 2670911 / location 3
Were Photos Taken of Each Location? Y / N *Discuss specific photo instructions w/ Project Manager

**On a separate sheet of paper (field book) make a sketch of the noise meter locations and the distances to nearest wall, fence, building, or other solid surfaces.*

II. Morning Session 7:30 AM – 9:00 AM

Before Measurement:

location 1 Meter Serial #: 2070911 Time: 0730 Calibration Passed at 114 dB? (Y) / N
2 Meter Serial #: ↓ Time: 0756 Calibration Passed at 114 dB? (Y) / N Before
3 Meter Serial #: ↓ Time: 0822 Calibration Passed at 114 dB? (Y) / N

After Measurement:

location 1 Meter Serial #: 2070911 Time: 0752 Calibration Passed at 114 dB? (Y) / N
2 Meter Serial #: ↓ Time: 0817 Calibration Passed at 114 dB? (Y) / N After
3 Meter Serial #: ↓ Time: 0844 Calibration Passed at 114 dB? (Y) / N

*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
1	0730	0750
2	0756	0816
3	0823	0843

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	~~Train~~ Motorcycles
1	50	77	7	4	3	1
2	64	123	15	8	7	4
3	8	20	1	0	0	1

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):
location 1 → police siren @ 0737, street sweeper @ 0744
location 2 → lots of honking @ 0806, ambulance sirens @ 084
location 3 → street sweepers across the street at 0839 & 0842
Please place noise meters in their respective cases between sessions to avoid damage.

Changed batteries in Casella between locations 2 & 3.

III. Midday Session 12:00 PM – 1:30 PM

Before Measurement:

location 1 Meter Serial #: 2670911 Time: 1202 Calibration Passed at 114 dB? (Y) / N
2 Meter Serial #: ↓ Time: 1227 Calibration Passed at 114 dB? (Y) / N
3 Meter Serial #: ↓ Time: 1251 Calibration Passed at 114 dB? (Y) / N
Before

After Measurement:

location 1 Meter Serial #: 2670911 Time: 1225 Calibration Passed at 114 dB? (Y) / N
2 Meter Serial #: ↓ Time: 1248 Calibration Passed at 114 dB? (Y) / N
3 Meter Serial #: ↓ Time: 1311 Calibration Passed at 114 dB? (Y) / N
After

*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
1	1203	1223
2	1227	1247
3	1251	1311

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	~~Train~~ Motorcycles
1	41	68	8	0	0	6
2	52	98	12	7	5	3
3	12	16	2	0	0	1

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):
location 1 → light sidewalk work being done down the block - fairly ambient noise
location 1 → sirens @ 1217, yelling @ 1222.
location 3 → 1254 UPS truck parked across street & unloading with small constant beeps
location 3 → 1257 ambulance sirens
UPS truck left at 1307

Please place noise meters in their respective cases between sessions to avoid damage.

IV. Evening Session 4:30 PM – 6:00 PM

Before Measurement:

location 1 Meter Serial #: 2670911 Time: 1628 Calibration Passed at 114 dB? (Y) / N
2 Meter Serial #: ↓ Time: 1653 Calibration Passed at 114 dB? (Y) / N
3 Meter Serial #: ↓ Time: 1718 Calibration Passed at 114 dB? (Y) / N

Before

After Measurement:

location 1 Meter Serial #: 2670911 Time: 1651 Calibration Passed at 114 dB? (Y) / N
2 Meter Serial #: ↓ Time: 1715 Calibration Passed at 114 dB? (Y) / N
3 Meter Serial #: ↓ Time: 1739 Calibration Passed at 114 dB? (Y) / N

After

*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
1	~~1628~~ 1631	1651
2	1654	1714
3	1718	1738

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	~~Train~~ Motorcycles
1	32	69	3	0	1	4
2	61	115	7	1	7	4
3	14	41	2	0	0	2

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):
location 1 → honking at 1631, 1641
location 2 → honking @ 1657

Please place noise meters in their respective cases between sessions to avoid damage.

V. End of Noise Monitoring Day

- Please return all noise meters to their cases.
- Do not return dead batteries to the cases, throw them out.
- Did you take photos? Y / N
- Did you complete the site sketch? Y / N
- If a meter(s) was rented, please scan in calibration documents.

Anything of note/concern for the day: –

Departure Time: 1750 Arrival Time: 2000

Total Time to Be Billed: 15 hours