1959 Strang Avenue Rezoning

Environmental Assessment Statement

CEQR Number: 22DCP069X

Prepared by:

Environmental Studies Corp.

Prepared for:

Wharton Properties

March 9, 2022

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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* 1959 Strang Avenue Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
22DCP069X	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
220171ZMX	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC City Planning Commission			Wharton Properties		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Stephanie Shellooe, Director, EARD			Hiram Rothkrug, Environmental Studies Corp.		
ADDRESS 120 Broadway, 31st floor			ADDRESS 55 Water Mill Road		
CITY New York	STATE NY	ZIP 10271	CITY Great Neck	STATE NY	ZIP 11021
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 718-343-0026	EMAIL hrothkrug@environmentalstudiescorp.com	

5. *Project Description*

The applicant, Wharton Properties, is seeking a Zoning Map Amendment to map a C2-3 local commercial overlay over a 10,000 sf lot (Block 4981, Lot 94, 1959 Strang Ave.) at the northwest corner of Strang Ave. and Baychester Ave. in Bronx CD 12. The lot is now split between R4 and R4-1 districts. The action would facilitate redevelopment of the site, now occupiedbya vacant former restaurant, with a 3,610 gsf, one-story commercial building with an accessory surface parking lot for 12 cars. The EAS assesses a redevelopment scenario for a larger building: a two-stories-and cellar, 30'-tall, 12,000 gsf building divided into two stores, with accessory surface parking for 20 cars.

Project Location

BOROUGH Bronx	COMMUNITY DISTRICT(S) 12	STREET ADDRESS 1959 Strang Avenue
TAX BLOCK(S) AND LOT(S) Block 4981, Lot 94		ZIP CODE 10466
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS northwest corner of Strang and Baychester Avenues		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R4 and R4-1		ZONING SECTIONAL MAP NUMBER 2b

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

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

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

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

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

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

Other City Approvals Not Subject to CEQR (check all that apply)

- ☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
- ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
- ☐ OTHER, explain:

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

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

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

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

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 10,000

Waterbody area (sq. ft) and type: 0

Roads, buildings, and other paved surfaces (sq. ft.): 10,000

Other, describe (sq. ft.): 0

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): proposed: 3,610: assessed: 12,000

NUMBER OF BUILDINGS: 1

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): proposed: 3,610; assessed: 12,000

HEIGHT OF EACH BUILDING (ft.): proposed: 14.5; assessed: 30

NUMBER OF STORIES OF EACH BUILDING: proposed: 1; assessed: 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: 10,000

The total square feet not owned or controlled by the applicant: 0

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: 4,000 sq. ft. (width x length)

VOLUME OF DISTURBANCE: 40,000 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 4,000 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.)	0	assessed: 12,000	0	0
Type (*e.g.,* retail, office, school)	units	Retail		

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

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 0 NUMBER OF ADDITIONAL WORKERS: 36

Provide a brief explanation of how these numbers were determined: 3 per 1,000 sf

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): 2024

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18

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:

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. Attached		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒

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

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 2,844		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 2,595,600,000		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☒
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☒	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
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.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
Brian Kintish	March 7, 2022

SIGNATURE *Brian Kintish*

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:

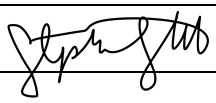
☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental 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
Director, Environmental Assessment and Review Division	City Planning Commission
NAME: Stephanie Shellooe	DATE: March 11, 2022

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, Wharton Properties, is seeking a Zoning Map Amendment to map a C2-3 commercial overlay over a 10,000 square foot (sf) lot (Bronx, Block 4981, Lot 94) located at 1959 Strang Avenue (Projected Development Site 1) in the Edenwald neighborhood of Bronx, Community District (CD) 12. The Project Site is currently mapped with R4 and R4-1 zoning districts and is occupied by a vacant building, formerly occupied by a restaurant. The Proposed Action would facilitate redevelopment of the site with a 3,610 gross square foot (gsf), one-story commercial building with an accessory surface parking lot with 12 spaces. For the purpose of a conservative analysis, the EAS assesses a redevelopment scenario for a larger building: a two-stories-and cellar, 30 foot tall, 12,000 gsf commercial retail building, with an accessory surface parking lot with 20 spaces. The Proposed Action would return a currently underutilized lot to an active commercial use. Baychester Avenue is a wide street served by mass transit, with a bus stop located adjacent to the site. Commercial uses, including a bank and the Baychester Shopping Center, occupy the south side of Strang Avenue across from the site and the triangle bounded by Strang and Baychester Avenues and E. 233rd Street. The proposed Zoning Map Amendment would alter the Project Site's use regulations by permitting uses listed in commercial Use Groups 6, 7, 8, 9, and 14. Such uses are now prohibited except where they have been located continuously since before the effective date of the current Zoning Resolution in 1961. New commercial development could achieve a maximum permitted floor area ratio (FAR) of 1.00 and a maximum permitted building height of 30 feet or two stories, whichever is less. Residential and community facility uses would continue to be permitted, as they are at present. The Proposed Action would not introduce land uses or zoning that would be incompatible with the surrounding area. The Proposed Action would therefore not result in any significant adverse impacts to land use, zoning and public policy, and no further analysis is required.

Urban Design and Visual Resources

A detailed analysis related to urban design and visual resources is included in this EAS. The Proposed Action would facilitate the redevelopment of an underutilized lot containing a vacant commercial building. The Projected Development Site would be redeveloped with a two-story commercial building with accessory surface parking. Although it would be one of only two non-residential buildings located on the block, the development would occupy a corner that is opposite another commercial building (a bank) and a superblock that is developed entirely with commercial buildings and their accessory parking lots. As required by the proposed zoning, landscaping along the site's side lot lines would screen views of the parking lot from the adjacent residential properties. The new building's height, 30 feet, would be compatible with the heights of the nearby residential buildings. The Proposed Action would not affect the topography, street system, block forms, or building arrangements within the vicinity of the proposed rezoning area. The Proposed Action would therefore not result in any significant adverse impacts to urban design or visual resources, and no further analysis is required.

Hazardous Materials and Air Quality

An (E) designation (E-666) related to hazardous materials and air quality would be established as part of the approval of the Proposed Action. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials and air quality analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials or air quality.

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 Stephanie Shellooe at (212) 720-3328.

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe	DATE March 11, 2022
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Dan Garodnick	DATE March 14, 2022
SIGNATURE	

Project Name: 1959 Strang Avenue
CEQR # 22DCP069X
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	BX	Block 4981, Lot 94

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials and air quality, (E) designation (**E-666**) 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	

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Project Name: 1959 Strang Avenue
CEQR # 22DCP069X
SEQRA Classification: Unlisted

Air Quality

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

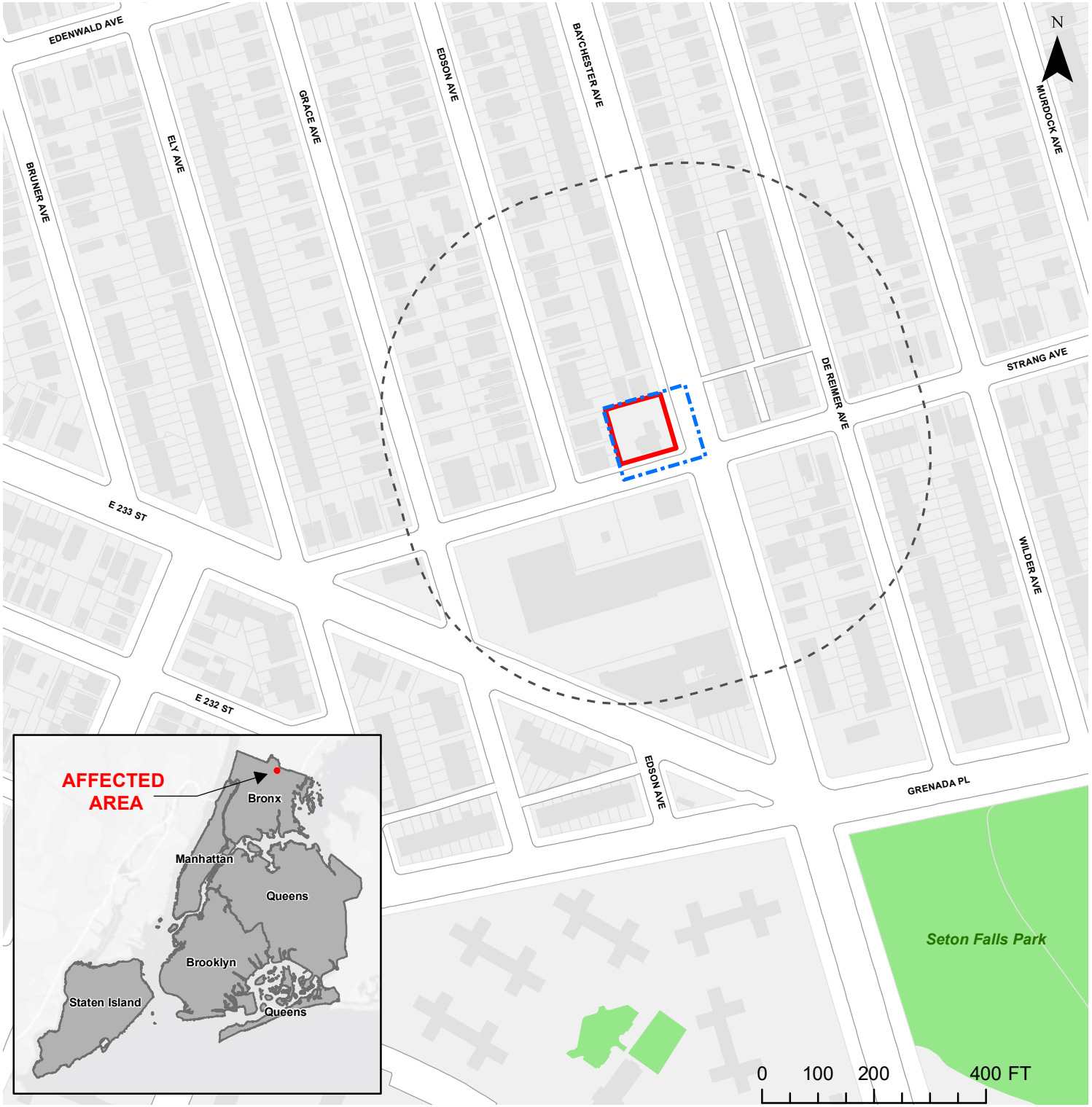
> ***Block 4981, Lot 94 (Projected Development Site 1):*** *Any new commercial development on the above-referenced property must ensure that the heating, ventilating, air conditioning (HVAC), and hot water system(s) stack is located at the building's highest level or at least 33 feet above grade, and that the stack is located at least 25 feet from the northern lot line facing Edenwald Avenue to avoid any potential significant adverse air quality impacts.*

Proposed Affected Area

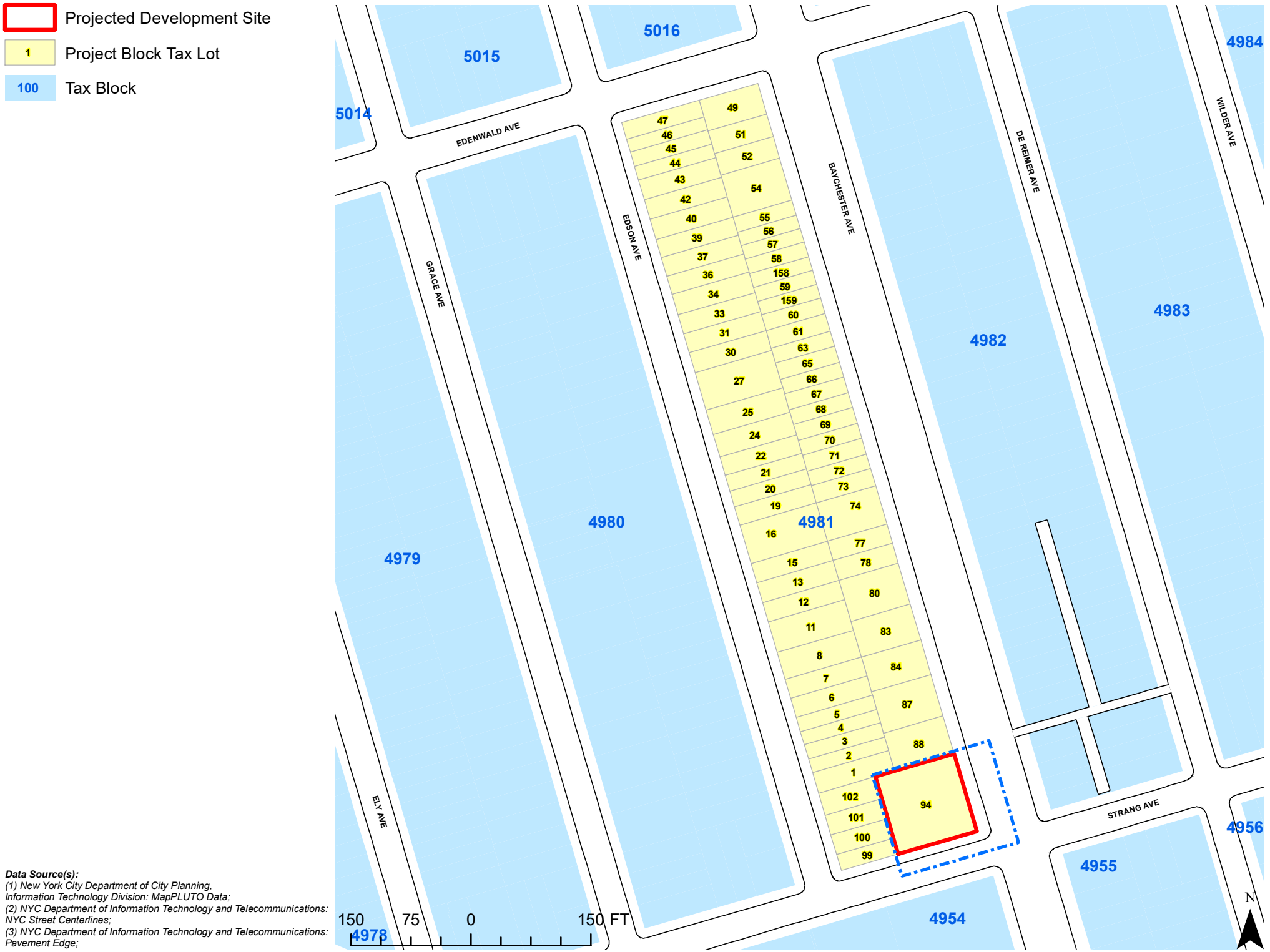
Projected Development Site

400-Foot Study Area Radius

Open Space and Recreation

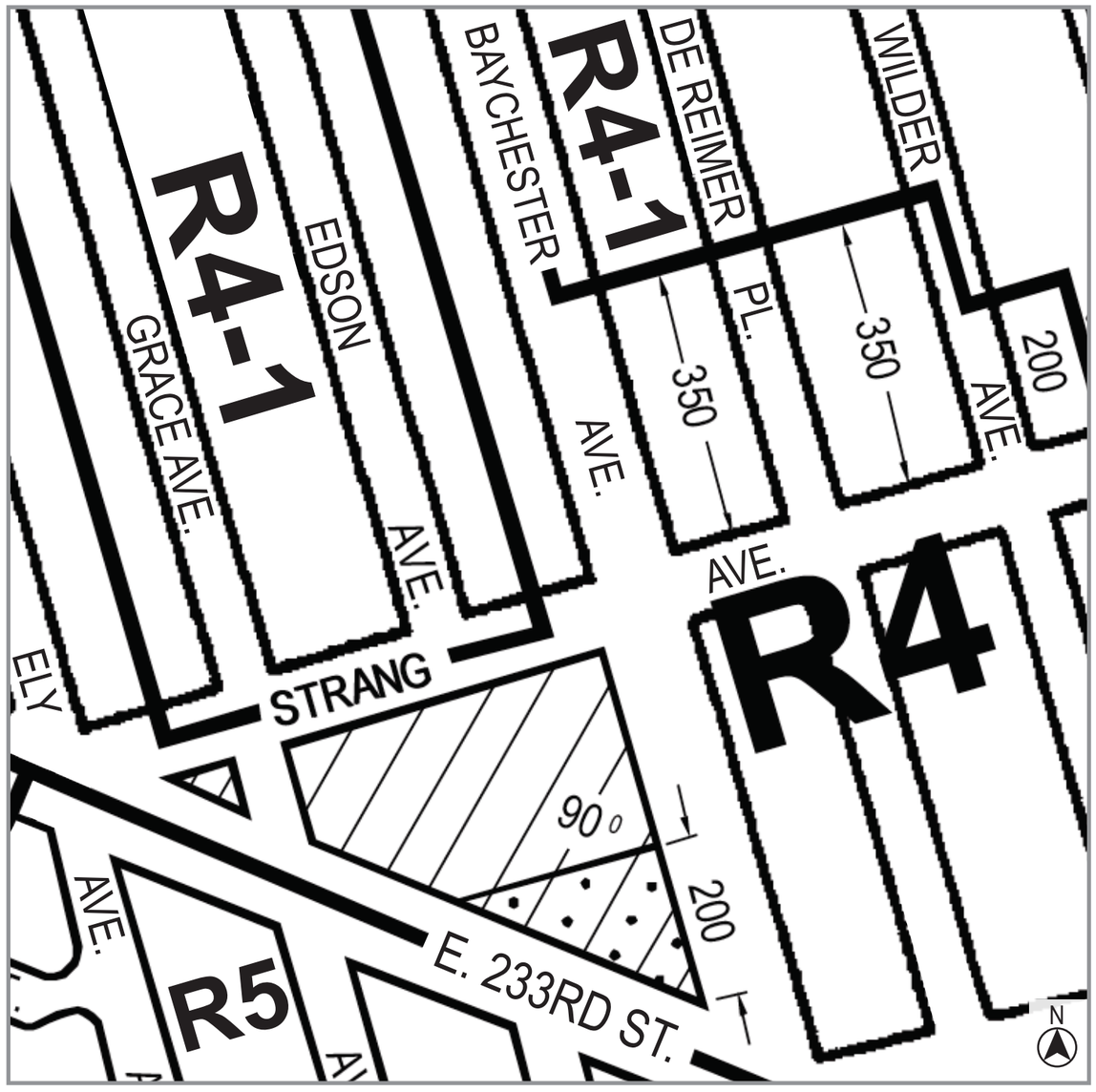


Data Source(s):
(1) New York City Department of City Planning, Information Technology Division: MapPLUTO Data;
(2) NYC Department of Information Technology and Telecommunications: NYC Street Centerlines;
(3) NYC Department of Information Technology and Telecommunications: Pavement Edge;
(4) NYC Department of Information Technology and Telecommunications: Building Footprints;
(5) NYC Department of Information Technology and Telecommunications: Open Space (Parks);
(6) NYC Department of Information Technology and Telecommunications: Hydrography;

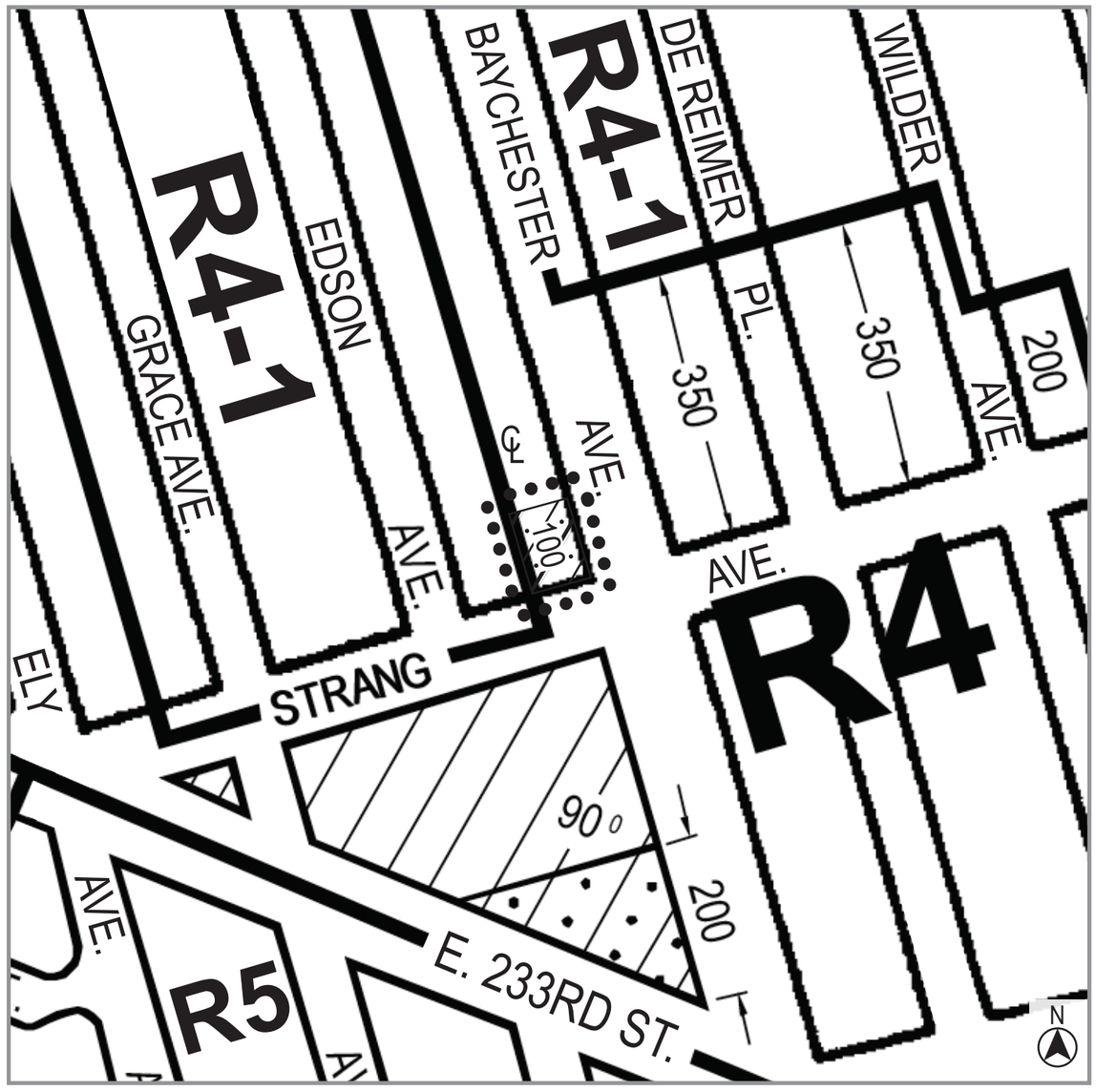


Data Source(s):
(1) New York City Department of City Planning, Information Technology Division: MapPLUTO Data;
(2) NYC Department of Information Technology and Telecommunications: NYC Street Centerlines;
(3) NYC Department of Information Technology and Telecommunications: Pavement Edge;

EAS Figure 3 - Zoning Comparison Map



Current Zoning Map (2b)



Proposed Zoning Map (2b) - Area being rezoned is outlined with dotted lines

Rezoning from R4 to R4/C2-3

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

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

EAS Figure 4 - Existing Land Use Map

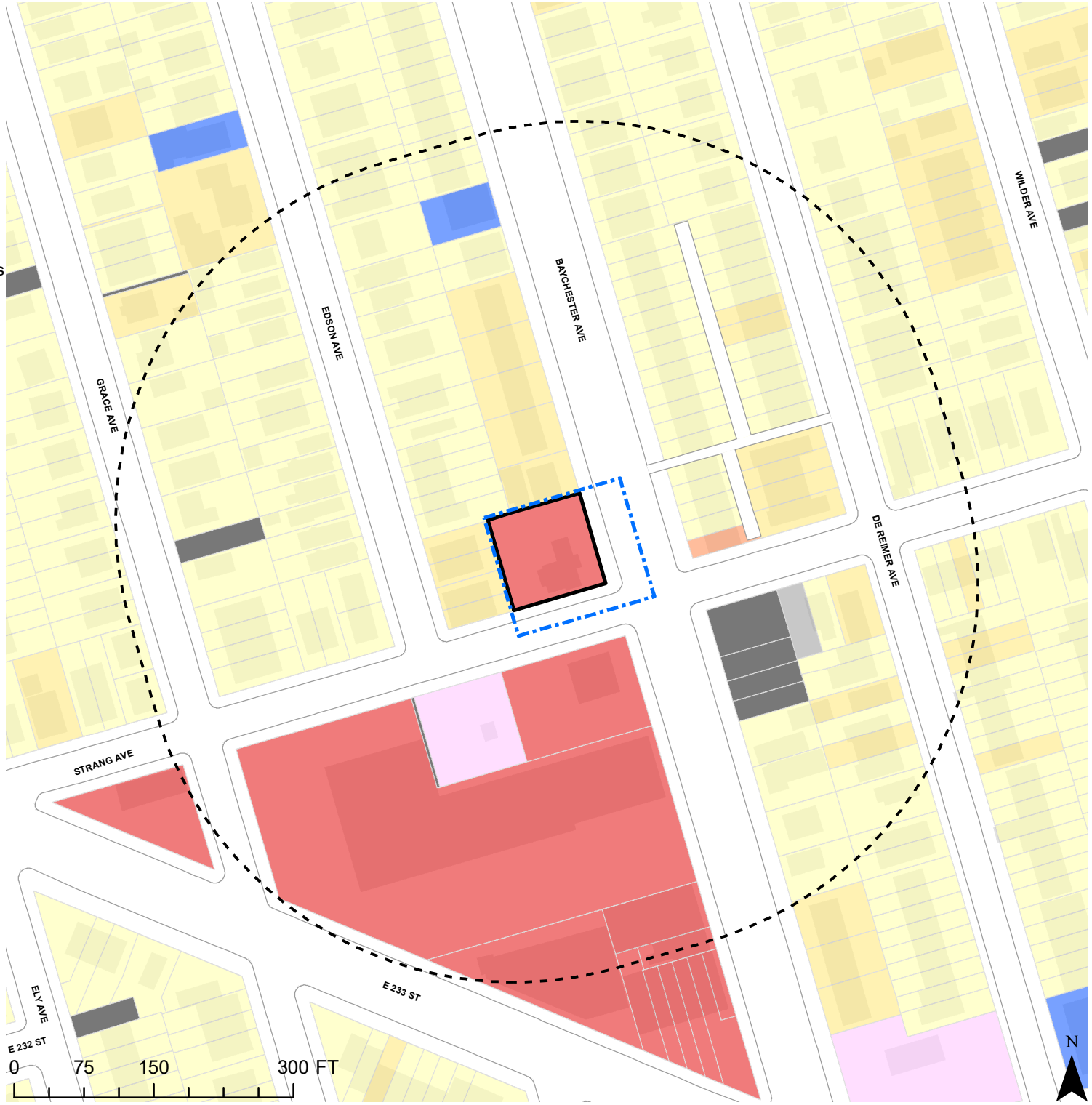
Proposed Affected Area

Projected Development Site

400-Foot Study Area Radius

Land Use

- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial / Residential Buildings
- Commercial / Office Buildings
- Industrial / Manufacturing
- Transportation / Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data



Data Source(s):
(1) New York City Department of City Planning, Information Technology Division: MapPLUTO Data;
(2) NYC Department of Information Technology and Telecommunications: NYC Street Centerlines;
(3) NYC Department of Information Technology and Telecommunications: Pavement Edge;
(4) NYC Department of Information Technology and Telecommunications: Building Footprints;
(5) NYC Department of Information Technology and Telecommunications: Hydrography;

Proposed Affected Area

Projected Development Site

400-Foot Study Area Radius



Data Source(s):
(1) New York City Department of City Planning, Information Technology Division: MapPLUTO Data;
(2) ESRI, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AerioGRID, IGN, and the GIS User Community

1959 Strang Avenue, Bronx

Site Photos



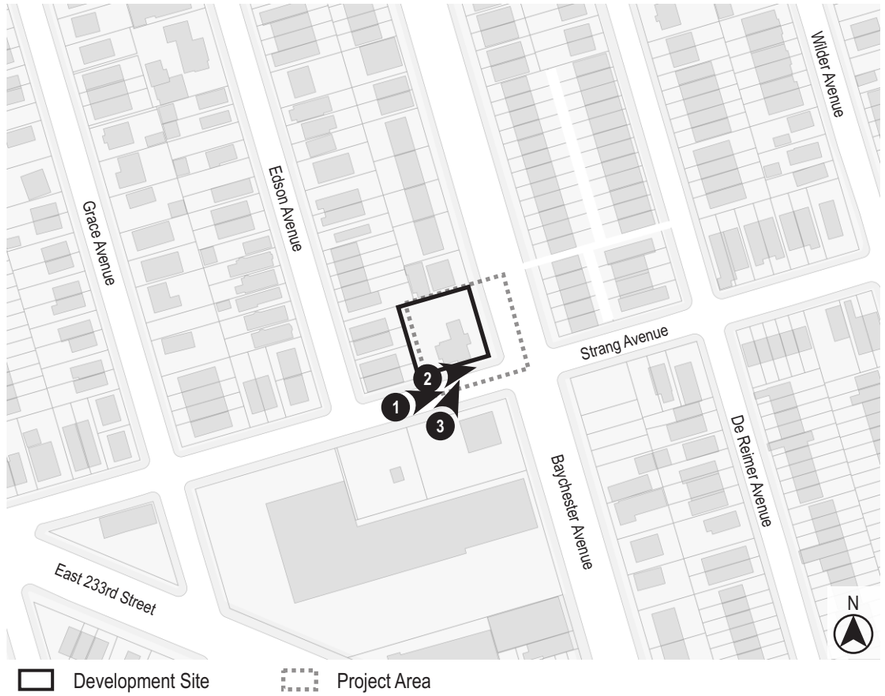
1. View of Strang Avenue facing northeast (Development Site at left).



2. View of the sidewalk along the north side of Strang Avenue facing northeast (Development Site at left).



3. View of the Development Site facing northeast from Strang Avenue.



1959 Strang Avenue, Bronx

Site Photos



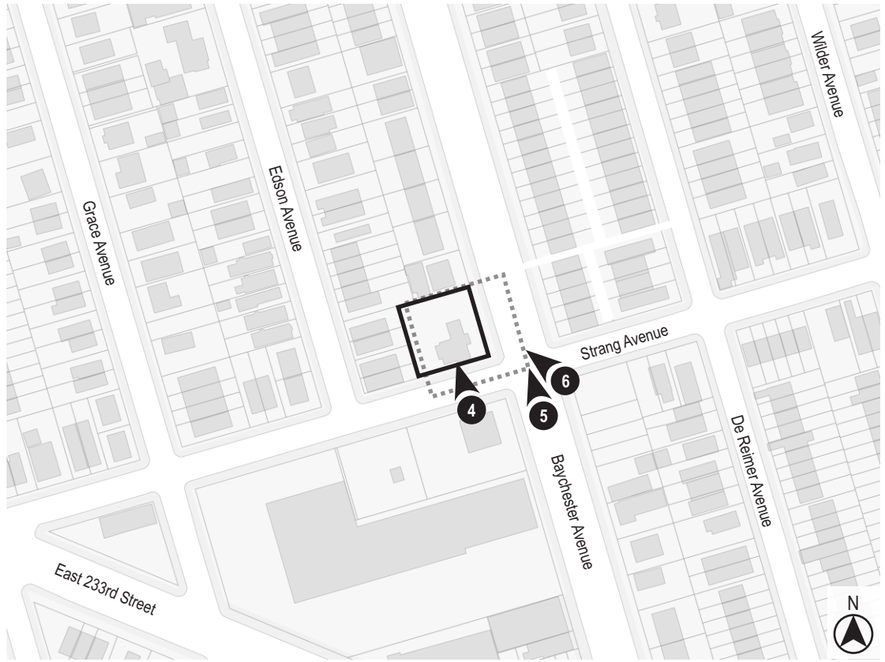
4. View of the Development Site facing northwest from Strang Avenue.



5. View of Baychester Avenue facing northwest from Strang Avenue (Development Site at left).



6. View of the Development Site facing northwest from the intersection of Strang Avenue and Baychester Avenue.



1959 Strang Avenue, Bronx

Site Photos



7. View of Strang Avenue facing southwest from Baychester Avenue (Development Site at right).



8. View of the Development Site facing southwest from Baychester Avenue.



9. View of the Development Site facing southwest from Baychester Avenue.



1959 Strang Avenue, Bronx

Site Photos



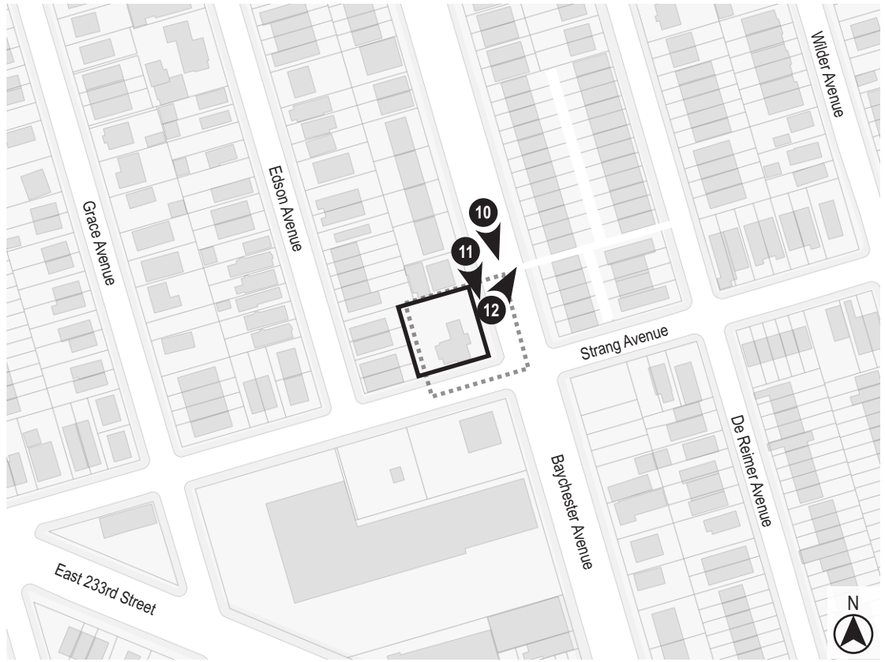
10. View of Baychester Avenue facing southeast (Development Site at right).



11. View of the sidewalk along the west side of Baychester Avenue facing southeast (Development Site ahead at right)



12. View of the east side of Baychester Avenue facing northeast from the Development Site.



1959 Strang Avenue, Bronx

Site Photos



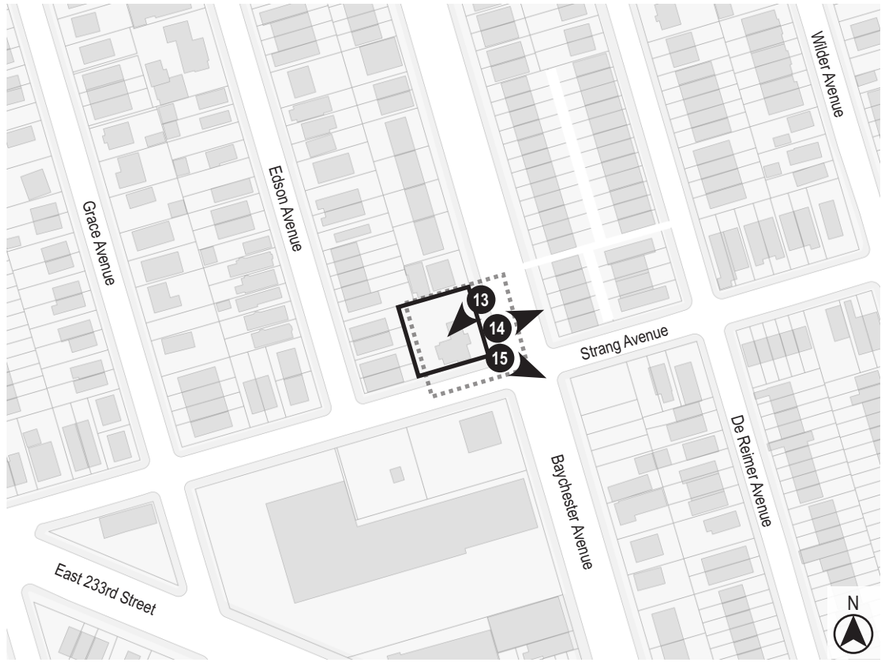
13. View of the Development Site facing southwest from the sidewalk along the west side of Baychester Avenue.



14. View of the east side of Baychester Avenue facing northeast from the Development Site.



15. View of the intersection of Strang Avenue and Baychester Avenue facing southeast from the Development Site.



1959 Strang Avenue, Bronx

Site Photos



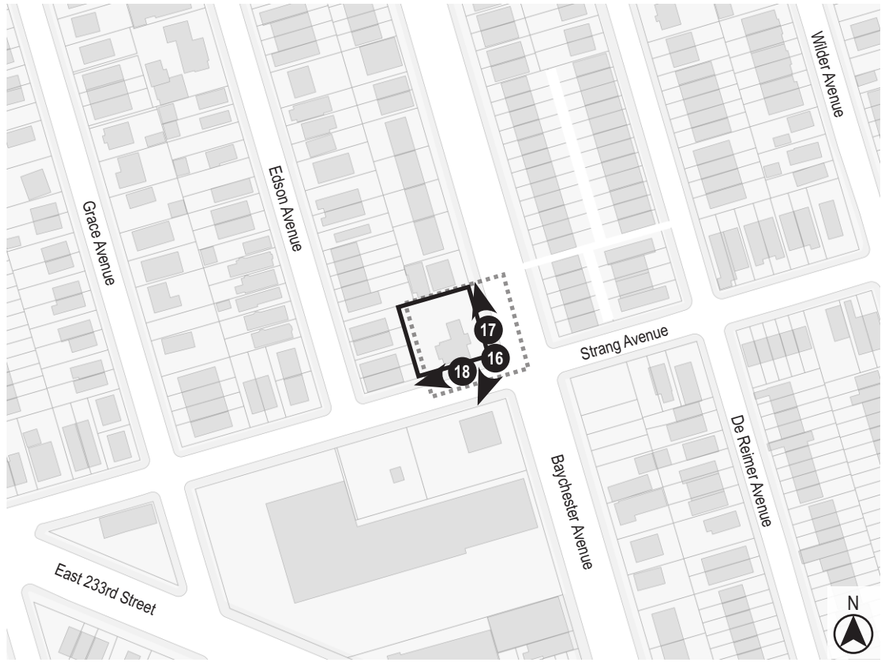
16. View of the south side of Strang Avenue facing southwest from the Development Site.



18. View of the sidewalk along the north side of Strang Avenue facing southwest from Baychester Avenue (Development Site at right).



17. View of the sidewalk along the west side of Baychester Avenue facing northwest from Strang Avenue (Development Site at left).



1959 Strang Avenue, Bronx

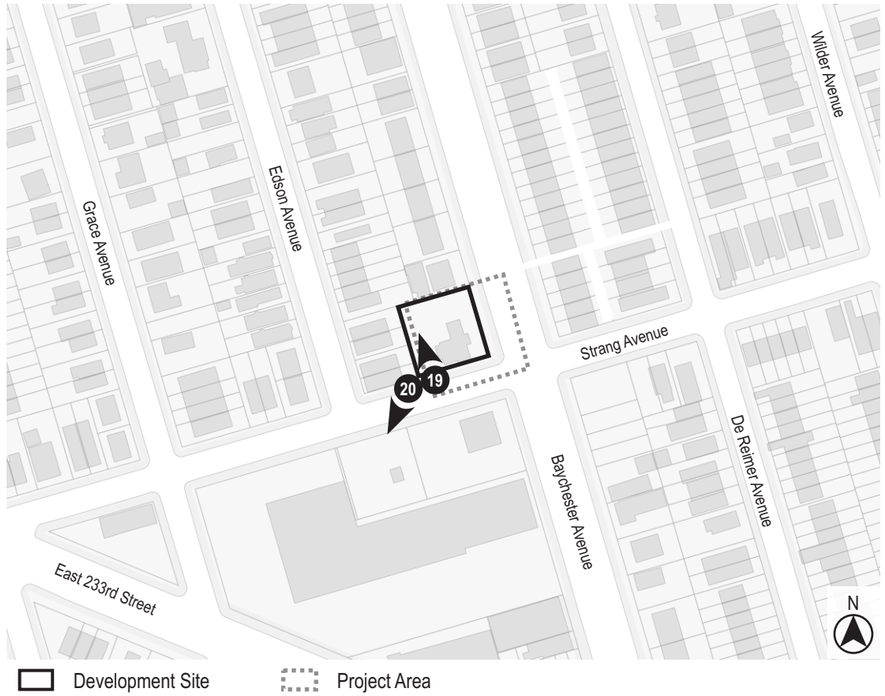
Site Photos



19. View of the Development Site facing northwest from the sidewalk along the north side of Strang Avenue.



20. View of the south side of Strang Avenue facing southwest from the Development Site.



1959 STRANG AVENUE REZONING

PROJECT DESCRIPTION

INTRODUCTION

This Environmental Assessment Statement (EAS) is filed under the City Environmental Quality Review (CEQR) procedures in connection with an application made to the City Planning Commission (CPC) for a zoning map amendment (the "proposed action"). The zoning map amendment would rezone a 10,000 sf area, consisting of Block 4981, Lot 94, in Bronx Community District (CD) 12, by mapping a C2-3 local commercial overlay within existing R4 and R4-1 districts.

PROPOSED ACTION

The Applicant, Wharton Properties, seeks a zoning map amendment to zoning sectional map 2b to map a C2-3 local commercial overlay over a site located in the Edenwald neighborhood of the Bronx. The action would rezone a single lot on the southeastern portion of Bronx Block 4981, which is bounded by Strang Avenue on the south, Baychester Avenue on the east, Edenwald Avenue on the north, and Edson Avenue on the west. The lot is now split between an R4 district and an R4-1 district. The map amendment would rezone 9,000 sf from R4 to R4/C2-3 and 1,000 sf from R4-1 to R4-1/C2-3.

The proposed zoning map amendment would alter the rezoning area's use regulations by permitting uses listed in commercial Use Groups 6, 7, 8, 9, and 14. Such uses are now prohibited except where they have been located continuously since before the effective date of the current Zoning Resolution in 1961. New commercial development could achieve a maximum permitted floor area ratio (FAR) of 1.00 and a maximum permitted building height of 30 feet or two stories, whichever is less. Residential and community facility uses would continue to be permitted, as they are at present.

REZONING AREA

The proposed rezoning area consists of one lot (Block 4981, Lot 94, 1959 Strang Ave., "Projected Development Site 1") in Bronx CD 12. It is a 100' by 100', 10,000 sf corner lot fronting on the north side of 60'-wide Strang Avenue and the west side of 100'-wide Baychester Avenue. It is occupied by a vacant former restaurant, which closed sometime between 2007 and 2017, and its paved former parking lot. The one-story- and-cellar, 5,500 gross square feet (gsf) building has a 2,750 sf footprint and 2,750 zoning square feet (zsf); the site's lot coverage is 27.5 percent, and its floor area ratio (FAR) is 0.275. There is a curb cut on the westernmost part of the Strang Avenue frontage.

It is a split lot, with 9,000 sf zoned R4 and a 1,000 sf, 10'-wide portion at the western edge zoned R4-1. The entire site and the adjacent area were zoned R4 from 1961 to 2007, when an R4-1 district was mapped over the western part of the site and the block's Edson Avenue frontage as part of the Wakefield-Eastchester Rezoning (070409 ZMX).

The site was developed for commercial use in either the early 1930s or the early 1950s. In 1959 it received a BSA variance (BSA 808-59-BZ) for use as a "drive-in restaurant and parking for patrons only," and a Certificate of Occupancy for that use was issued in 1961(CO 31557-61). The variance has since expired.

Three-story, three-unit residential buildings occupy the adjacent properties on Strang and Baychester Avenues. Two-family homes face the site on the opposite side of Baychester Avenue. A one-story bank faces the site on the opposite side of Strang Avenue, and the Baychester Shopping Plaza occupies most of the rest of the block.

In front of the site on Baychester Avenue is a bus stop for the Bx 16 bus line, which provides service between Norwood and Pelham.

PROJECT DESCRIPTION

The proposed action would facilitate the redevelopment of Projected Development Site 1 with a new one-story commercial building with accessory surface parking. Current plans show a 14.5'-tall, 3,610 gsf (and 3,610 zsf) building divided into two store spaces on the eastern part of the site, with pedestrian entrances on Baychester Avenue, and a 12-car parking lot on the western part, with vehicles entering via a 12.5'-wide curb cut onto Baychester Avenue at the north end of the site and exiting via a 14'-wide curb cut onto Strang Avenue. The site's lot coverage would be 36 percent, and its FAR would be 0.36.

The proposed project would comply with all bulk and parking regulations applicable to the proposed R4/C2-3 and R4-1/C2-3 zoning. It would be underbuilt relative to the permitted maximum FAR of 1.00 and the permitted maximum street wall height of two stories or 30 feet (whichever is less). (Illustrative architectural plans are attached as Appendix C.)

PURPOSE AND NEED

The proposed action would return a currently unutilized lot to active use. Commercial uses occupied the site for more than half a century and are the only uses to have occupied the site. Baychester Avenue is a broad street served by mass transit, with a bus stop in front of the site. Commercial uses, including a bank and the Baychester Shopping Center, occupy the south side of Strang Avenue across from the site and the triangle bounded by Strang and Baychester Avenues and E. 233rd Street.

ANALYSIS FRAMEWORK

Existing Conditions

Existing conditions are as described above under Rezoning Area. To reiterate, Projected Development Site 1 is occupied by a vacant former restaurant, which closed sometime between 2007 and 2017, and its paved former parking lot.

The Future without the Proposed Action

The no-action scenario is the same as the existing conditions.

The Future with the Proposed Action

Because the proposed project would achieve less than half the commercial FAR permitted under the proposed zoning, this EAS assesses a different with-action scenario for Projected Development Site 1. The with-action RWCDS is the development of a two-stories-and-cellar commercial building with accessory surface parking. The development would be a 30'-tall, 12,000 gsf (8,000 zsf) retail building on the eastern part of the site, with approximately 85 feet of frontage along Baychester Avenue and approximately 47 feet of frontage along Strang Avenue, and with pedestrian entrances on Baychester Avenue. There would be a 20-car parking lot on the western part of the lot, with vehicles entering via a 12.5'-wide curb cut onto Baychester Avenue at the north end of the site and exiting via a 14'-wide curb cut onto Strang Avenue. Landscaping along the western and northern edges of the lot would screen the development from the adjacent residential properties. The site's lot coverage would be 40 percent, and its FAR would be 0.80.

The limiting factor for FAR is the requirement for one accessory off-street parking space for every 400 zsf. Assuming 300 sf per space, the maximum development would be 8,000 zsf in two stories and 6,000 sf of parking and circulation. The project would maximize the permitted building height.

REQUIRED APPROVALS

The proposed project would require an amendment to zoning sectional map 2b to map a C2-3 local commercial overlay within existing R4 and R4-1 districts. The zoning map amendment would be subject to the Uniform Land Use Review Procedure (ULURP).

BUILD YEAR

It is assumed that the rezoning will take approximately 18 months, including both precertification review and ULURP, and that demolition and construction would take approximately 18 months. The projected build year is therefore 2024.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Land Use				
Residential	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
Describe type of residential structures	N/A	N/A	N/A	
No. of dwelling units	N/A	N/A	N/A	
No. of low- to moderate-income units	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Commercial	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
Describe type (retail, office, other)	N/A	N/A	Retail	Retail
Gross floor area (sq. ft.)	N/A	N/A	12,000	12,000
Manufacturing/Industrial	No	No	No	
If "yes," specify the following:				
Type of Use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Open storage area (sq. ft.)	N/A	N/A	N/A	
If any enclosed activities, specify:	N/A	N/A	N/A	
Community Facility	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
Type of Use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Vacant Land	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes", describe:	N/A	N/A	N/A	
Publicly Accessible Open Space	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify type (mapped City, State, or Federal Parkland, wetland-mapped or otherwise known, other):	N/A	N/A	N/A	
Other Land Uses	☑ Yes ☐ No	☑ Yes ☐ No	☐ Yes ☑ No	
If "yes," describe:	Vacant building	Vacant building	N/A	
Parking				
Garages	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	N/A	
Operating hours	N/A	N/A	N/A	
Attended or non-attended	N/A	N/A	N/A	
Lots	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	0	
No. of accessory spaces	N/A	N/A	20	20
Operating hours	N/A	N/A	24/7	
Other (includes street parking)	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	
If "yes," describe:	4 curbside	4 curbside	4 curbside	
Population				
Residents	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
If "yes," specify number:	N/A	N/A	N/A	
Briefly explain how the number of residents was calculated:				
Businesses	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. and type	N/A	N/A	2 retail	2 retail
No. and type of workers by business	N/A	N/A	24	24
No. and type of non-residents who are not workers	N/A	N/A	Shoppers: TBD	Shoppers
Briefly explain how the number of businesses was calculated:	Project plans			
Other (students, visitors, concert-goers, *etc* .)	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If any, specify type and number:	N/A	N/A	N/A	
Briefly explain how the number was calculated:				
Zoning				
Zoning classification	R4 and R4-1	R4 and R4-1	R4/C2-3 and R4-1/C2-3	
Maximum amount of floor area that can be developed	R: 7,500 CF: 20,000 Com: 0 M: 0	R: 7,500 CF: 20,000 Com: 0 M: 0	R: 7,500 CF: 20,000 Com: 10,000 M: 0	Com: 10,000
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential and commercial; R4, R4-1, R4/C1-1, R4/C2-1	Residential and commercial; R4, R4-1, R4/C1-1, R4/C2-1	Residential and commercial; R4, R4-1, R4/C1-1, R4/C2-1, R4/C2-3, R4-1/C2-3	R4/C2-3, R4-1/C2-3

Attach any additional information that may be needed to describe the project.

If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.

PART II: TECHNICAL ANALYSES

INTRODUCTION

Based on the criteria in Part II of the Environmental Assessment Statement Short Form, the following technical areas require further analysis: land use, zoning, and public policy; historic and cultural resources; urban design and visual resources; hazardous materials; transportation; air quality; and noise. These analyses, which follow the guidance in the *CEQR Technical Manual*, are presented below. The heading numbers correlate with the relevant chapters of the *CEQR Technical Manual*.

4. LAND USE, ZONING, AND PUBLIC POLICY

Introduction

A land use analysis characterizes the uses and development trends in the area that may be affected by an action and determines whether a proposed project is compatible with those conditions or whether it may adversely affect them. The analysis also considers the proposed project's compliance with, and effect on, the area's zoning and other applicable public policies.

According to the *CEQR Technical Manual*, a preliminary assessment that includes a basic description of existing and future land uses, as well as basic zoning information, is provided for most projects, regardless of their anticipated effects. Regarding public policy, the *CEQR Technical Manual* states, "Large, publicly-sponsored projects are assessed for their consistency with PlaNYC, the City's sustainability plan." An assessment of an action's consistency with the Waterfront Revitalization Program is required if an action would occur within the designated Coastal Zone. Public policy assessments are also appropriate if an action would occur within an area covered by an Urban Renewal Plan or a 197-A Plan.

Study Area

According to the *CEQR Technical Manual,* the appropriate study area for land use, zoning, and public policy is related to the type and size of the proposed project, as well as the location and context of the area that could be affected by the project. Study area radii vary according to these factors, with suggested study areas ranging from 400 feet for a small project to 0.5 miles for a very large project.

Because of the relatively modest size of the proposed project, the land use and zoning assessment for the proposed action considers a study area extending 400 feet around the proposed rezoning area. As shown in Figure 4, Existing Land Use Map (above, following the EAS form), the study area extends northward to the midblock between Strang and Edenwald Avenues, eastward to the midblock between De Reimer and Wilder Avenues, southward to the intersection between Baychester Avenue and E. 233rd Street, and westward to Grace Avenue.

Need for a Preliminary Assessment

A land use and zoning assessment is appropriate for the proposed action, which is a zoning map amendment.

The proposed project is neither large nor publicly sponsored. No portion of the proposed rezoning area is within an urban renewal area, an area covered by a 197-a Plan, or the Coastal Zone. This section therefore concentrates on land use and zoning analyses.

Land Use

<u>Existing Conditions within the Rezoning Area</u>

The proposed rezoning area consists of one lot (Block 4981, Lot 94, 1959 Strang Ave., "Projected Development Site 1") in Bronx CD 12. It is a 100' by 100', 10,000 sf corner lot fronting on the north side of Strang Avenue and the west side of Baychester Avenue. It is occupied by a vacant former restaurant, which opened in 1959 and closed sometime between 2007 and 2017, and its paved

former parking lot. The one-story- and-cellar, 5,500 gross square feet (gsf) building has a 2,750 sf footprint and 2,750 zoning square feet (zsf); the site's lot coverage is 27.5 percent, and its floor area ratio (FAR) is 0.275. There is a curb cut on the westernmost part of the Strang Avenue frontage.

Existing Conditions within the Study Area

Three-story, three-unit residential buildings occupy the adjacent properties on Strang and Baychester Avenues. Similar residential buildings, one- and two-family homes, and a house of worship occupy the rest of Block 4981 (bounded by Strang Avenue on the south, Baychester Avenue on the east, Edenwald Avenue on the north, and Edson Avenue on the west).

To the east, two-family homes face the site on the opposite side of Baychester Avenue, although one of the buildings has a dental office rather than a ground floor residential unit. Low density residential development occupies all lots within the portion of the study area north of Strang Avenue and east of Baychester Avenue. Such uses also occupy the portion of the study area north of Strang Avenue and west of Edson Avenue.

The land use pattern is quite different in the portion of the study area south of Strang Avenue. A one-story bank faces the site on the southwest corner of Strang and Baychester Avenues. To its west on Strang Avenue is an electrical substation. The 32,511 gsf Baychester Shopping Plaza occupies most of the rest of Block 4954(two physical blocks bounded by Strang Avenue on the north, Baychester Avenue on the east, and E. 233rd Street on the southwest). The tenants of the shopping plaza are a supermarket, a pharmacy, a variety store, a beauty supplies store, a cellphone plan dealer, a bakery, a liquor store, fast food restaurants, a check cashing and financial services center, a medical center, and a dental office. South of the shopping plaza are a laundromat, a deli, and a strip shopping center built in 2018. In the southwest corner of the study area, on the part of Block 4954 located west of Grace Avenue, is a carwash.

The southeastern part of the study area is residential except for a 9,375 sf vacant lot at the southeast corner of Strang and Baychester Avenues (Block 4955, Lots 28, 29, 30, and 31).

Future without the Proposed Action

Absent the proposed action, redevelopment would not occur on Projected Development Site 1. It would remain an unutilized parcel occupied by a vacant former restaurant.

There are no known development plans for the vacant property catercorner to Projected Development Site 1 at the southeast corner of Strang and Baychester Avenues. No land use changes are anticipated within the study area.

Future with the Proposed Action

If the proposed action is approved, Projected Development Site 1 (Block 4981, Lot 94) would be redeveloped. The with-action scenario is the development of a two-stories-and-cellar commercial building with accessory surface parking. It would be a 30'-tall, 12,000 gsf (8,000 zsf) building divided into two store spaces on the eastern part of the site, with pedestrian entrances on Baychester Avenue, and a 20-car parking lot on the western part, with vehicles entering via a

12.5'-wide curb cut onto Baychester Avenue at the north end of the site and exiting via a 14'-wide curb cut onto Strang Avenue. Landscaping along the lot's western and northern edges would screen the development from the adjacent residential properties. The site's lot coverage would be 40 percent, and its FAR would be 0.80.

The proposed action would facilitate the development of an active use on what is now an unutilized lot. Local retail development would be consistent with the land use history of the site, which was in commercial use from at least the 1950s until the restaurant on the lot closed sometime between 2007 and 2017, and with land uses on the block immediately to the north of the site, which include two shopping centers, a bank, a laundromat, and a deli. The proposed action would not have a significant adverse land use impact.

Zoning

Existing Conditions within the Affected Area

The rezoning area consists of Block 4981, Lot 94, on the northwest corner of Strang and Baychester Avenues. It is a split lot, with 9,000 sf zoned R4 and a 1,000 sf, 10'-wide portion at the western edge zoned R4-1. The entire site and the adjacent area were zoned R4 from 1961 to 2007, when an R4-1 district was mapped over the western part of the site and the block's Edson Avenue frontage as part of the Wakefield-Eastchester Rezoning (070409 ZMX).

R4 and R4-1 are both low density residential districts that permit residential and community facility uses but prohibit the development of new commercial or industrial uses.

R4 permits a maximum FAR of 0.90 for residential development and a maximum FAR of 2.00 for community facility development. The maximum permitted lot coverage is 45 percent for residential development; for a community facility, it is 55 percent on a corner lot and 60 percent on an interior or though lot. Front, side, and rear yards are required; the front yard mut be at least 10 feet deep for residential development and at least 15 feet deep for community facilities. For residential buildings the maximum permitted perimeter wall height is 25 feet, and the maximum permitted building height is 35 feet. For community facilities the maximum front wall height is 35 feet; above that height, no portion of the building may penetrate a sky exposure plane sloping upwards and rearwards over the property at a 45-degree angle.

R4-1 is a contextual version of R4 with almost identical basic regulations (except that percentage lot coverage regulations do not apply) but with additional requirements applicable to residential development. For example, although the basic regulation provides that the front yard of a new residential development must be at least ten feet, in the R4-1 district an additional regulation stipulates that, if an adjacent front yard is deeper than ten feet, the new development must have a front yard at least as deep as its neighbor's, but in no case must it be deeper than 20 feet.

Existing Conditions within the Study Area

North of Strang Avenue, the study area is divided between the R4 and R4-1 districts. The boundary line is located 90 feet west of Strang Avenue. West of that line, the area is zoned R4-1. East of that, the zoning is R4, except, for the small portion of the study area east of Baychester Avenue and more than 350 feet north of Strang Avenue, which is zoned R4-1.

The portion of the study area south of Strang Avenue and east of Baychester Avenue is also zoned R4.

North of Strang Avenue and west of Baychester Avenue, the zoning is R4/C1-1. The regulations for residential and community facility development are the same as in an R4 district, but the addition of a C1-1 local retail overlay permits commercial uses listed in Use Group 6 (retail stores, personal service establishments, eating and drinking establishments, and offices). For new commercial development, the maximum permitted FAR is 1.00, and the maximum permitted building height is 30 feet or two stories, whichever is less.

The southern edge of the study area is zoned R4/C2-1. C2 commercial overlays permit a wider range of commercial uses than C1 overlays, including those listed in Use Groups 7 (repair, home maintenance, and funeral establishments), 8 (amusement establishments such as theaters and bowling alleys, plus car rental establishments and driving schools), 9 (a diverse collection of uses including banquet halls, business schools, medical labs, musical instrument repair shops, and art, music, dancing, and theatrical studios), and 14 (facilities for boating and related activities).

Future Conditions without the Proposed Action

In the absence of the proposed action, no zoning changes are anticipated within the rezoning area or the study area.

Future Conditions with the Proposed Action

The proposed action is a zoning map amendment to map a C2-3 local commercial overlay over Projected Development Site 1. C2-3 overlays are the same as C2-1 overlays, except that the accessory off-street parking requirements are different. The site would be divided between an R4/C2-3 district and an R4-1/C2-3 district.

The proposed zoning map amendment would alter the rezoning area's use regulations by permitting uses listed in commercial Use Groups 6, 7, 8, 9, and 14. Such uses are now prohibited except where they have been located continuously since before the effective date of the current Zoning Resolution in 1961. New commercial development could achieve a maximum permitted floor area ratio (FAR) of 1.00 and a maximum permitted building height of 30 feet or two stories, whichever is less. Residential and community facility uses would continue to be permitted, as they are at present.

The zoning map amendment would affect only a single lot that was occupied by a Use Group 6 commercial use (a restaurant) from before the adoption of the 1961 Zoning Resolution until sometime between 2007 and 2017 and that has been unutilized since then. The site is directly across the street from an existing R4/C1-1 district. The action would not cause any nonconformity or noncompliance with zoning regulations and would not result in the introduction of a land use that is incompatible with neighboring uses or inconsistent with the historical use of the site. The proposed action would not have a significant adverse impact regarding zoning.

Conclusion

The proposed action would not result in any significant adverse impact with regard to land use, zoning, or public policy, and no further analysis is warranted.

9. HISTORIC AND CULTURAL RESOURCES

Introduction

This section considers the proposed action's potential impact on archaeological and architectural resources. Archaeological resources are artifacts or other remains, from either the prehistoric (Native American) or the historic (colonial or post-colonial) period that might provide information about the period from which they date or the society that produced them. Architectural resources include designated New York City landmarks and buildings within a designated New York City historic district, properties calendared for consideration by the New York City Landmarks Preservation Commission (LPC), properties listed on or determined to be eligible for listing on the State or National Register of Historic Places, National Historic Landmarks, and other properties that meet the eligibility criteria for such designations.

Archaeological Resources

According to the *CEQR Technical Manual*, archaeological resources generally need to be assessed for any project 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.

The proposed action would result in redevelopment involving in-ground disturbance on Projected Development Site 1 (Block 4981, Lot 94). Portions of the lot have not previously been disturbed.

In correspondence dated October 4, 2021 (which is included in Appendix A to this report), the LPC stated that the site has no archaeological significance. The proposed action would therefore not have a significant adverse impact on archaeological resources.

Architectural Resources

The vacant former restaurant building on Projected Development Site 1 is undistinguished, and no architectural resources have been identified within 400 feet of the proposed rezoning area.

In correspondence dated October 4, 2021 (which is included in Appendix A to this report), the LPC confirmed that the site has no architectural significance. The proposed action would therefore not have a significant adverse impact on architectural resources.

Conclusion

The proposed action would not result in significant adverse impacts related to archaeological or architectural resources, and further assessment is not warranted.

10. URBAN DESIGN AND VISUAL RESOURCES

Introduction

An assessment of urban design is needed when a project may have effects on any of the elements that contribute to the pedestrian experience of public space. A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following:

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

2. Projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the future without the proposed project.

A preliminary urban design and visual resources assessment is required because the proposed action is a zoning map amendment that would alter the rezoning area's use and bulk regulations. The proposed action would map a C2-3 local commercial overlay over one lot (Block 4981, Lot 94) at the northwest corner of Strang and Baychester Avenues in the Edenwald section of the Bronx. The lot is now split between an R4 district and an R4-1 district. The map amendment would rezone 9,000 sf from R4 to R4/C2-3 and 1,000 sf from R4-1 to R4-1/C2-3. Under the reasonable worst-case development scenario (RWCDS) that forms the basis of analyses of future with-action conditions, the rezoned lot would be redeveloped with a two-stories-and-cellar, 30-foot-tall, 12,000 gsf retail building occupying 40 percent of the lot and 20 accessory surface parking spaces.

Pedestrian Wind Conditions

The *CEQR Technical Manual* calls for a separate preliminary assessment to determine whether an analysis of pedestrian wind conditions is appropriate, since the construction of large buildings at locations that experience high wind conditions may result in channelization or downwash effects that could affect pedestrian safety.

The proposed action would result in the redevelopment of the project site with a two-story, 30-foot-tall building. Such a low-rise building would not cause pedestrian level vortex effects, which tend to form around towers surrounded by open space. As the *CEQR Technical Manual* explains, "Channelized wind pressure from between tall buildings and downwashed wind pressure from parallel tall buildings may cause winds that affect pedestrian comfort and safety." The proposed action would not have a significant adverse impact on pedestrian wind conditions, and a detailed wind conditions assessment is not required.

Existing Conditions

<u>The Rezoning Area</u>

The rezoning area consists of Bronx Block 4981, Lot 94, which is a 10,000 sf, 100' by 100' corner lot fronting on Strang and Baychester Avenues. . It is occupied by a vacant former restaurant, which opened in 1959 and closed sometime between 2007 and 2017, and its paved former parking lot. (See Photos 3 through 9 and 13.) The one-story- and-cellar, 5,500 gross square feet (gsf) building has a 2,750 sf footprint and 2,750 zoning square feet (zsf); the site's lot coverage is 27.5 percent,

and its floor area ratio (FAR) is 0.275. There is a curb cut on the westernmost part of the Strang Avenue frontage. The lot is secured by a chain link fence.

Urban Design in the Vicinity of the Rezoning Area

North of Strang Avenue, the area consists almost entirely of low-scale residential development on lots ranging in size from 1,700 to 4,800 square feet (from 18 to 50 feet in width). They include one- and two--family homes and small multifamily buildings, both detached and attached.

A detached three-story, three-family home occupies the Baychester Avenue property adjacent to the project site (Block 4981, Lot 88). Built in 1988, it is a boxy 33'-tall building with a flat roof and a beige brick front façade punctured by regularly spaced square windows on the second and third stories and, on the ground floor, two larger windows flanking the doorway. (See Photos 5 and 6.) There is a 20'-deep front yard and two side yards, one of which is occupied by a ribbon driveway leading to a garage that occupies much of the rear yard. Next to this property is a row of attached three-story, three-unit walkups built in 1976 (Lots 83, 84, 87, and 88). The 30'-tall, red brick buildings also have flat roofs and also have 20'-deep front yards. All windows are shaded by colored awnings. Two of the buildings have driveways and garages, and there are two second floor porches. Next to these buildings are a pair of attached two-family homes from 1960 (Lots 78 and 77). The three-story, red brick buildings have garages on the first floor and residential units on the upper floors. The main difference between these buildings and those closer to Strang Avenue is their shallow front setbacks. Next to these is a house of worship, which is the only non-residential use on the block (Lot 74). It is two stories tall, with glazing topped by a sign board on the first floor and red brick above that. Three rows of attached two-family homes occupy the remaining 17 lots along the west side of Baychester Avenue between Strang and Edenwald Avenues. All are brick buildings with flat roofs that are set 20 feet back from the street line, although driveways occupy much of the front yard area. Two of the rows are three stories tall, and one is 2½ stories tall.

Strang Avenue between Baychester and Edson Avenues is only two properties wide, and two pairs of three-unit residential walkups fronting on Edson Avenue abut the project site's western lot line (Lots 99-102). The two-story-and basement, 23'-tall buildings have red brick facades, white cornices, and flat roofs. The shallow, 75'-deep lots have front yards that are 5 feet deep and rear yards that are 20 feet deep. To their north is a row of attached single-family homes (Lots 1-5). They are three-story, 27'-tall brick buildings. The rest of the block consists of older detached and semi-detached one- and two-family homes in a variety of styles that were built between 1920 and 1950, interspersed with more recent attached two-story-and-basement two-family homes.

Similar residential blocks exist to the east and west of Block 4981. Across Baychester Avenue from the project site, a group of five attached three-story, 29'-tall two-family homes occupy the southwest corner of Strang and Baychester Avenues (Block 4982, Lots 97-101). (See Photo 14.) The brick buildings are set back 20 feet from the street line, and a staircase in front of each building leads to the entrance to the unit occupying the second and third floors. The corner building has a dental office rather than a first floor residential unit.

A similar development pattern also prevails to the southeast of the project site. There is, however, a 9,375 sf cluster of vacant lots at the southeast corner of Strang and Baychester Avenues, catercorner to the project site (Block 4955, Lots 28, 29, 30, and 31). Trees, grass, and shrubbery occupy the lots, which are bounded by chain link fences at the front lot lines but are not separated from one another. (See Photo 15.)

The pattern is quite different in the area south of Strang Avenue and east of Baychester Avenue. A one-story bank and its accessory parking lot face the site on the southwest corner of Strang and Baychester Avenues (Block 4954, Lot 23). (See Photo 16.) To its west on Strang Avenue is a property (Block 4954, Lot 18) occupied by an electrical substation, but the substation is set well back on the 9,819 sf lot, amidst ample landscaping. The Baychester Shopping Plaza occupies most of the rest of Block 4954 (two physical blocks bounded by Strang Avenue on the north, Baychester Avenue on the east, and E. 233rd Street on the southwest). It is a suburban style shopping center, consisting of an L-shaped, multitenant, 32,511 gsf, one-story development with paved parking lots to the south and west on an 86,130 sf (two-acre) lot. South of the shopping plaza are free-standing stores and a strip shopping center. A carwash occupies the part of Block 4954 located west of Grace Avenue.

The street system is a grid of long, narrow blocks. Block 4981 (bounded by Strang, Baychester, Edenwald, and Edson Avenues) is 175 feet by 960 feet. Most streets (such as Strang Avenue) are 60 feet wide. Others (such as Baychester Avenue) are 100 feet wide and carry two-way traffic. The grid is interrupted to the southwest of the project site both because E. 233rd Street cuts diagonally through the grid, truncating the streets in its path, and because Edson Avenue has been discontinued between Strang Avenue and E. 233rd Street. As a result, the block to the immediate south of the project site is an irregularly shaped superblock, on which the Baychester Shopping Plaza has been developed. (See Figure 5, Aerial Photo.)

The sidewalks and adjacent properties are generally well maintained, and there are numerous street trees.

Visual Resources in the Vicinity of the Rezoning Area

According to the *CEQR Technical Manual*, "a visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources." No visual resources have been identified in the vicinity of the rezoning area.

Future without the Proposed Action

Absent the proposed action, redevelopment of the project site would not occur. No other changes would occur within the vicinity of the proposed rezoning area.

Future with the Proposed Action

The proposed action would map a C2-3 local commercial overlay over one lot (Block 4981, Lot 94, which is Projected Development Site 1) at the northwest corner of Strang and Baychester Avenues. The lot is now split between an R4 district and an R4-1 district. The map amendment would rezone 9,000 sf from R4 to R4/C2-3 and 1,000 sf from R4-1 to R4-1/C2-3.

As a result of the rezoning, Projected Development Site 1 would be redeveloped with a two-stories-and-cellar commercial building with accessory surface parking. The development would be a 30'-tall, 12,000 gsf (8,000 zsf) retail building on the eastern part of the site, with approximately 85 feet of frontage along Baychester Avenue and approximately 47 feet of frontage along Strang Avenue, and with pedestrian entrances on Baychester Avenue. There would be a 20-car parking lot on the western part of the lot, with vehicles entering via a 12.5'-wide curb cut onto Baychester Avenue at the north end of the site and exiting via a 14'-wide curb cut onto Strang Avenue. Landscaping along the western and northern edges of the lot would screen the development from the adjacent residential properties. The site's lot coverage would be 40 percent, and its FAR would be 0.80.

Table 10-1 compares the development characteristics of Projected Development Site 1 under existing, future no-action, and future with-action conditions.

Table 10-1
Existing, No-Action, and With-Action Conditions

	Existing Conditions	No-Action Conditions	With-Action Conditions
Development scenario	Vacant building on a paved, unused lot	Vacant building on a paved, unused lot	Retail with accessory surface parking
Gross/(net) floor area	5,500 gsf/2,750 zsf (0.275 FAR)	5,500 gsf/2,750 zsf (0.275 FAR)	12,000 gsf/8,000 zsf (0.80 FAR)
Lot coverage	2,750 sf (27.5%)	2,750 sf (27.5%)	4,000 sf (40%)
Building height	1 story (10 feet)	1 story (10 feet)	2 stories (30 feet)

The proposed action would facilitate the redevelopment of what is now a fenced, unused lot with a derelict commercial building. The new development would be a two-story commercial building with accessory surface parking. Although it would be one of only two non-residential buildings on the block, it would occupy a corner that is opposite another commercial building (a bank) and a superblock that is developed entirely with commercial buildings and their accessory parking lots. As required by the proposed zoning, landscaping along the site's side lot lines would screen views of the parking lot from the adjacent residential properties. The new building's height, 30 feet, would be consistent with the heights of the nearby residential buildings. (See the street perspective diagrams on the following pages.)

The proposed action would not affect the topography, street system, block forms, or building arrangements within the vicinity of the proposed rezoning area.

The proposed action would not result in a significant adverse urban design impact.

No visual resources have been identified in the vicinity of the rezoning area. The proposed action would therefore not have a significant adverse impact on visual resources.

VIEW 1: LOOKING SOUTH DOWN BAYCHESTER AVENUE TOWARDS STRANG AVENUE



VIEW 1: FUTURE NO-ACTION CONDITION



VIEW 1: FUTURE WITH-ACTION CONDITION

FOR ILLUSTRATIVE PURPOSES ONLY

VIEW 2: LOOKING WEST DOWN STRANG AVENUE FROM THE INTERSECTION OF BAYCHESTER AND STRANG AVENUES



VIEW 2: FUTURE NO-ACTION CONDITION



VIEW 2: FUTURE WITH-ACTION CONDITION

FOR ILLUSTRATIVE PURPOSES ONLY

Conclusion

The proposed action would not result in a significant adverse impact to urban design or visual resources, and no further analysis is warranted.

12. HAZARDOUS MATERIALS

Phase I Environmental Site Assessment

A Phase I Environmental Site Assessment (ESA) of the project site (Bronx Block 4981, Lot 94) was performed in 2020, in conformance with the scope and limitations of ASTM Practice E 1527-13. The purpose of the study was to identify any "recognized environmental conditions" through research into the history and uses of the site and surrounding area, an inspection of the subject property and a survey of adjoining and nearby uses, and a review of available regulatory agency records and environmental databases.

The project site consists of a 10,000 sf lot located at the northwest corner of Strang and Baychester Avenues that is developed with a single-story former restaurant with a full cellar, surface parking, and landscaped areas.

A site visit was conducted on July 20, 2020. There was no evidence of any current use or storage of hazardous substances or petroleum products. A pile of solid waste was located on the site to the northwest of the building, which appeared to contain general trash and construction debris. Inside the building, a square concrete vault was located in the cellar. The vault could not be opened for inspection. Additionally, an approximately 3-inch diameter vertical pipe was observed adjacent to the south side of the building, protruding approximately two-inches from the ground. No information could be obtained about the purpose of either the pipe or the vault. Although there was no other evidence of underground storage tanks (USTs), the possibility that a UST was located in the vault and connected to the pipe could not be discounted.

The surrounding area is developed with a mix of commercial and residential uses. At the time of the site visit, residential buildings and a house of worship were located to the immediate north of the site along the west side of Baychester Avenue. To the south, on the other side of Strang Avenue, were a bank and a multi-tenant commercial building with a liquor store, a grocery store, a laundromat, a drugstore, small restaurants and a deli. Residential buildings, a dental office, and a vacant lot were located on the east side of Baychester Avenue. Residential buildings and a house of worship were located to the west along Edson Avenue.

According to New York City Department of Finance, the building was constructed in 1931. However, the site appears to be undeveloped in aerial photographs from 1941 and 1951. Historical Sanborn maps show the site as undeveloped in 1897, 1908, 1918, 1935, and 1950. Later aerial photos show that a structure was located on the site in 1954 and that by 1962 the site had been redeveloped with a larger structure along with a surface parking lot. No significant changes can be seen in any later photographs. Sanborn maps for the years between 1950 and 1977 were not consulted; the 1977 map, along with all later maps, show the site as developed with a commercial building and a parking area.

The site was not identified on any regulatory databases. Listings for nearby properties did not reveal any environmental concerns.

The Phase I ESA concluded that the vault in the cellar and the pipe could indicate the presence of a UST and thus constitute a recognized environmental condition.

Phase II Subsurface Investigation

A limited Phase II subsurface investigation was performed in November 2020. The investigation included a geophysical investigation, the drilling of soil borings, and the collection and testing of soil and groundwater samples.

In order to determine the absence/presence and the location/orientation of potential UST(s), a geophysical survey was conducted using a Whites TM-808 Magnetometer, a Schonstedt Magnetometer, a PCL 800 Pipe and Cable Locator, and a Sensors & Software LMX100 ground penetrating radar (GPR). The geophysical survey was performed by traversing all accessible areas in the lot and sidewalk at roughly two-foot intervals, both parallel and perpendicular to the building. No anomalies indicative of a UST(s) were identified. All piping in the basement were traced and were found to be either utilities or piping going to a rooftop air-conditioner.

Soil boring locations were selected to evaluate potential petroleum impacts at the subject site. Borings were strategically placed throughout the property to adequately access any potential contamination.

A Geoprobe drill rig was used to drill the soil borings (SB-1 through SB-5) at the site. Representative soil samples were collected in continuous five-foot intervals from ground surface to a terminal depth of approximately 15 feet below grade in the soil borings. The soil samples were collected in a disposable single-use acetate sheaths. The subsurface lithology consisted of fill material that varied in each boring ranging from 4 to 5 feet below grade. Indigenous soil was encountered at various depths in each boring below the fill material. The soil samples were inspected for visual and/or olfactory evidence of contamination. No staining or petroleum-like odors were evident in the soil borings. In addition, the soil samples were field screened with a photo-ionization detector (PID) for the presence of volatile organic compounds (VOCs). PID readings were observed to be 0.0 – 1.0 parts per million (PPM) in the unsaturated soil samples. Based on the depth of the fill material, a sample was collected from each boring beneath the fill material and just above the water table interface.

The soil samples were submitted to a New York State Department of Health (NYDOH) certified laboratory, where they were analyzed for the presence of petroleum-related VOCs and semi-volatile organic compounds (SVOCs). The analytical results of the soil samples did not detect concentrations of VOCs (CP51) or SVOCs (CP51) above the minimum reporting limit (MRL) in the two soil samples, SB-2 and SB-4. The MRLs were reported at levels which were well below respective 6NYCRR Part 375 Table 375-6.8(a) Unrestricted Use Soil Cleanup Objectives (UUSCOs).

Groundwater was encountered at approximately 15 feet below grade. Representative groundwater samples were collected from borings SB-1/GW-1, SB-3/GW-2 and SB-5/GW-3. Based upon the field data collected it was determined that the samples from borings SB-1 (GW-1), SB-3 (GW-2) and SB-5 (GW-3) would be submitted for laboratory analysis. The groundwater samples were placed in laboratory supplied glassware, packed on ice, and submitted to a certified laboratory, where they were analyzed for VOCs via EPA Method 8260 (CP-51) and SVOCs via EPA Method 8270 (CP-51).

The analytical results for the groundwater samples were compared to the Groundwater Standards and Guidance Values listed in NYSDEC Technical and Administrative Guidance Series (TOGS 1.1.1). The analytical results of the groundwater samples did not detect concentrations of VOCs (CP51) or SVOCs (CP51) above the MRL in the three groundwater samples, with the exception of the following SVOCs in GW-1: Benz(a)anthracene (0.1 ug/L), Benzo(b)fluoranthene (0.07 ug/L), Benzo(k)fluoranthene (0.05 ug/L), Chrysene (0.08 ug/L), and Indeno (1,2,3-cd) pyrene (0.07 ug/L). It was determined that the detected SVOC compounds were likely due to matrix interference from the slightly turbid samples collected in the field.

The Phase II investigation concluded that no USTs are present at the site and that the site's soil and groundwater have not been contaminated with hazardous materials or petroleum products.

Response to the Phase I and Phase II Assessments

The New York City Department of Environmental Protection (DEP) Bureau of Sustainability reviewed the Phase I ESA and an earlier draft of this EAS and issued a comment letter on January 6, 2022 (reproduced in Appendix A). The letter stated, in part, "The November 2020 Phase II is limited and not conducted in accordance with the City Environmental Quality Review (CEQR) Technical Manual. Therefore, DCP should inform the applicant that based on the limited Phase II Investigation that was conducted in October 2020 and the findings in the September 2020 Phase I, a supplemental Phase II Environmental Site Assessment (Phase II) is necessary to adequately identify/characterize the surface and subsurface soils, groundwater and soil vapor of the subject property, and to inform and disclose the measures necessary to avoid impacts from hazardous materials. A Phase II Investigation Protocol/Work Plan summarizing the proposed drilling, soil, groundwater and soil vapor sampling activities should be developed in accordance with the CEQR Technical Manual and submitted for DEP review and approval."

(E) Designation

The existence of an existing building on the site constrains the ability to perform Phase II testing at this time. In lieu of Phase II testing being done in the course of preparing this EAS, an (E) designation for hazardous materials would be placed on the zoning map for the subject property. The hazardous materials text of E-366 would be as follows:

Block 4981, Lot 94 (Projected Development Site 1)

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I ESA and limited Phase II subsurface investigation of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. No fieldwork should begin until written approval of a Phase II Work Plan and HASP is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum-based contamination and non-petroleum-based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what

remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Conclusion

With the (E) designation in pace, the proposed action would not have a significant adverse impact related to hazardous materials, and no further analysis is warranted.

16. TRANSPORTATION

Introduction

In order to determine the potential for the proposed action to result in significant adverse transportation impacts, trip generation screening analyses were performed pursuant to the methodologies identified in the *CEQR Technical Manual*.

Projected Development Site

Projected Development Site 1 (Block 4981, Lot 94) is located at 1959 Strang Avenue in the Edenwald neighborhood of Bronx Community District 12. The project site is on the block bounded by Edenwald Avenue, a two-way eastbound/westbound roadway on the north; Baychester Avenue, a two-way northbound/southbound roadway on the east; Strang Avenue, a two-way eastbound/westbound roadway on the south; and Edson Avenue, a two-way northbound/southbound roadway on the west. The site is now unutilized and occupied by a vacant former restaurant. (See Figure 16-1, Project Site and Street Direction.)

No-Action Scenario

Absent the proposed action, the project site would remain unutilized.

With-Action Scenario

The proposed action would facilitate the redevelopment of the project site with 12,000 gsf of commercial local retail space and 20 on-site accessory parking spaces. The proposed on-site accessory parking lot would have an ingress point on Baychester Avenue and an egress point on Strang Avenue. The projected completion date is 2024.

Preliminary Analysis Methodology and Screening Assessments

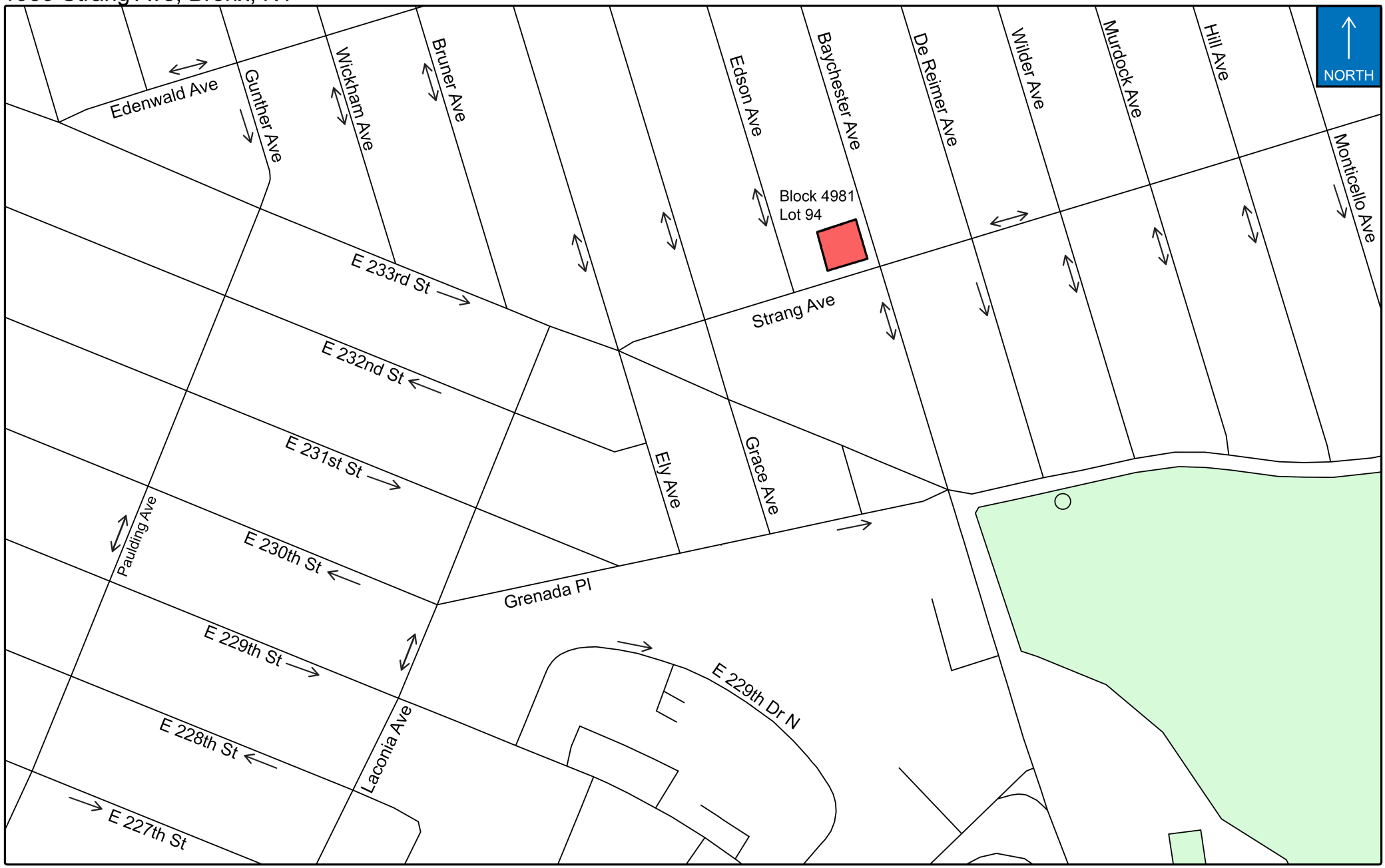
The *CEQR Technical Manual* recommends a two-tier screening procedure for the preparation of a "preliminary analysis" to determine if quantified analyses of transportation conditions are warranted. As discussed below, the preliminary analysis begins with a trip generation analysis (Tier 1) to estimate the volume of person and vehicle trip ends attributable to the proposed action. If the proposed action is expected to result in fewer than 50 peak hour vehicle trip ends and fewer than 200 peak hour transit or pedestrian trip ends, further quantified analyses are not warranted. When these thresholds are exceeded, detailed trip assignments (Tier 2) are performed to estimate the project trip ends at specific transportation elements and to identify potential locations for further analyses. If the trip assignments show that the proposed action would result in 50 or more peak hour vehicle trips through an intersection, 200 or more peak hour subway trip ends at a station, 50 or more peak hour bus trips in one direction along a bus route, or 200 or more peak hour pedestrian trips traversing a pedestrian element, then further quantified analyses may be warranted to assess the potential for significant adverse impacts on traffic, transit, pedestrians, and parking.

Level 1 Screening Assessment

<u>Transportation Planning Assumptions</u>

The 2020 *CEQR Technical Manual* (Table 16-2) was utilized for trip generation rates, including peak hour temporal distribution and truck trip rates. Modal split information is based on the recent NYCDOT survey results for a similar local retail space, located outside of ¼-mile radius of a subway station (Brooklyn Non-Transit Zone). Vehicle occupancy rates are based on the recently

1959 Strang Ave, Bronx, NY



Project Site: Block 4981, Lot 94

Project Site & Street Direction

Figure 1

approved Gowanus Neighborhood Rezoning and Related Actions EIS, Table 14-8. These assumptions are presented in Table 16-1 below.

Trip Generation

The results are shown in Tables 16-2 and 16-3 below. Table 16-2 calculates the number of person trips to or from the project site during each of the four peak hours and the breakdown by principal travel mode (car, taxi, mass transit, or walking). As the table shows, the proposed action would generate 55, 351, 185, and 216 person trip-ends during the four peak hours. Table 16-3 translates the number of person trips by car into the number of added vehicle trips (by dividing the number of persons traveling by vehicle by the average number of persons traveling together in a vehicle. Table 16-3 also calculates the number of truck trips to or from the site during each peak hour (and "balances" the trips because each truck makes both a trip to the site and one from the site) and adds the truck and car trips to determine the number of vehicle trips per hour.

Vehicular Trip Ends

As Table 16-3 shows, the proposed action would generate 3, 19, 10, and 12 peak hour vehicle trip ends during the AM, MD, PM, and Saturday MD peak hours, respectively. These numbers are all below the *CEQR Technical Manual* threshold of 50 vehicle trip ends during any peak hour. Therefore, the vehicular trip ends generated by the proposed action would not result in any conditions that would require a detailed assessment of traffic and parking impacts.

Subway Trip Ends

There is one subway station, Eastchester-Dyre Avenue on the number 5 line, within a one-mile walking distance of the project site. As Table 16-2 shows, the proposed action would generate two, zero, six, and zero subway trip ends during the AM, MD, PM, and Saturday MD peak hours, respectively. These numbers are all below the *CEQR Technical Manual* threshold of 200 subway trip ends per subway station during any peak hour time period. Therefore, the proposed action would not result in any conditions that would typically trigger the need for a detailed assessment of subway impacts.

Bus Trip Ends

One bus line, the BX16 line operating along Baychester Avenue, serves the project site. As Table 16-2 shows, the proposed action would generate one, zero, four, and zero bus trip ends during the AM, MD, PM, and Saturday MD peak hours, respectively. These numbers are all below the *CEQR Technical Manual* threshold of 50 bus trip ends per bus line in one direction during any peak hour. Therefore, the proposed action would not result in any conditions that would typically trigger the need for a detailed assessment of bus impacts.

Pedestrian Trip Ends

The total number of pedestrian trips includes the trips between the project site and a bus stop or subway station as well as purely pedestrian trips. As Table 16-2 shows, the proposed action would generate 49, 312, 164, and 192 pedestrian trip ends during the AM, Midday, PM, and Saturday Midday peak hours, respectively. Pedestrian trip generation would exceed the *CEQR Technical Manual* threshold of 200 pedestrian trip ends during any one peak hour during the weekday midday hour. A Level 2 screening analysis was therefore performed for pedestrian trips during that period, as described below.

Table 16-1: Transportation Planning Factors

Land Use:	Local Retail
Person Trip Generation:	**(1)**
Weekday	205
Saturday	240
	per 1,000 s.f.
Linked-Trip:	25%
Temporal Dist.:	**(1)**
AM Peak Hour	3%
MD Peak Hour	19%
PM Peak Hour	10%
Sat. MD Peak Hour	10%
Modal Split :	**(2)**
Auto	11%
Taxi	0%
Subway	3%
Bus	2%
Walk & Other	84%
Total	100%
In/Out Splits:	**(3)**
AM Peak Hour	50/50
MD Peak Hour	50/50
PM Peak Hour	50/50
Sat. MD Peak Hour	55/45
Vehicle Occupancy:	**(3)**
Auto	2
Taxi	2
Truck Trips	**(1)**
Weekday	0.35
Saturday	0.04
	per 1,000 s.f.
Temporal Dist.:	**(1)**
AM Peak Hour	8%
MD Peak Hour	11%
PM Peak Hour	1%
Sat. MD Peak Hour	11%
In/Out Split:	50/50

Sources:

(1)-2020 CEQR Technical Manual, Table 16-2.

(2)-Modal split data is provided by NYCDOT for a local retail space in the Bronx.

(3)-Gowanus Neighborhood Rezoning and Related Action EIS, Table 14-8.

Table 16-2: Estimated Person Trips

Land Use:	Local Retail (gsf)	Total	Total Pedestrians (Subway, Bus, and Walk & Other)
Size/Units:	12,000		
Peak hour Trips			
AM Peak Hour	55	55	
Midday Peak Hour	351	351	
PM Peak Hour	185	185	
Sat. MD Peak Hour	216	216	
Person Trips:			
AM Peak Hour			
Auto	6	6	
Taxi	0	0	
Subway	2	2	2
Bus	1	1	1
Walk & Other	46	46	46
Total	55	55	49
Midday Peak Hour			
Auto	39	39	
Taxi	0	0	
Subway	11	11	11
Bus	7	7	7
Walk & Other	294	294	294
Total	351	351	312
PM Peak Hour			
Auto	20	20	
Taxi	0	0	
Subway	6	6	6
Bus	4	4	4
Walk & Other	155	155	155
Total	185	185	164
Sat. MD Peak Hour			
Auto	24	24	
Taxi	0	0	
Subway	6	6	6
Bus	4	4	4
Walk & Other	181	181	181
Total	216	216	192

Table 16-3: Estimated Vehicular Trips

Land Use:	Local Retail	Total
	gsf	
Size/Units:	12,000	
Vehicle Trips:		
Auto (Total)	3	3
Taxi	0	0
Taxi (Balanced)	0	0
Truck	0	0
Truck (Balanced)	0	0
Total	3	3
Midday Peak Hour		
Auto (Total)	19	19
Taxi	0	0
Taxi (Balanced)	0	0
Truck	0	0
Truck (Balanced)	0	0
Total	19	19
PM Peak Hour		
Auto (Total)	10	10
Taxi	0	0
Taxi (Balanced)	0	0
Truck	0	0
Truck (Balanced)	0	0
Total	10	10
Sat. MD Peak Hour		
Auto (Total)	12	12
Taxi	0	0
Taxi (Balanced)	0	0
Truck	0	0
Truck (Balanced)	0	0
Total	12	12

Level 2 Screening Assessment

Because the projected pedestrian trip generation would exceed the Level 1 threshold during the weekday midday peak hour, additional analysis was performed. A Level 2 screening assessment involves the distribution and assignment of projected trips to the transportation network and the determination of whether specific locations are expected to experience incremental trips exceeding *CEQR Technical Manual* thresholds. Typically, if the results of this analysis show that the proposed action would result in 200 or more peak hour pedestrian trip ends per any pedestrian element, further quantified analyses may be warranted to evaluate the potential for significant adverse pedestrian impacts. Pedestrian elements include sidewalks, corners, and crosswalks.

Based on the results on the pedestrian trip assignment for the midday peak hour, the pedestrian trips per hour would be fairly evenly distributed along the pedestrian elements adjacent to the site, and the proposed action would not add 200 or more persons to any single pedestrian element. Therefore, the proposed action would not result in any conditions that would require a detailed assessment of pedestrian impacts.

Conclusion

In accordance with the threshold guidelines detailed in the *CEQR Technical Manual*, the proposed action is not expected to result in significant adverse impacts related to traffic flow, parking, transit services, pedestrian flow, or traffic and pedestrian safety. Further analysis is not warranted.

17. AIR QUALITY

Introduction

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. Under the City Environmental Review (CEQR), an air quality assessment determines both a proposed project's effects on ambient air quality and the effects of ambient air quality on the project.

Air Quality Standards, Regulations, and Benchmarks

Criteria Pollutants

The EPA has established national ambient air quality standards (NAAQS) for seven 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. The NAAQS primary standards are designed to protect public health with adequate margin of safety. The NAAQS secondary standards are designed to protect the public welfare from adverse effects, including those related to effects on soils, water, vegetation, visibility, and other aspects. As required by the Clean Air Act, EPA periodically conducts comprehensive reviews of the scientific literature on health and welfare effects associated with exposure to the criteria air pollutants. The NAAQS have been adopted as the ambient air quality standards for the State of New York.

The New York State Department of Environmental Conservation (NYSDEC) measures air pollutants at more than 50 sites across the state using continuous and/or manual instrumentation. These sites are a mix of federally-mandated and supplemental monitoring networks. The primary NAAQS and background concentrations from the nearest federally-mandated monitoring station(s) of the pollutant(s) that a detailed analysis was conducted for are presented in **Table 17-1.**

Table 17-1: NAAQS and Background Concentration Published in the NYSDEC 2019 Report

Pollutant	Averaging Period	National and State Standards	Background Concentration	Monitoring Station
NO_2	1-Hour	188 µg/m^3	100.4 µg/m^3	Botanical Garden
	Annual	100 µg/m^3	24.2 µg/m^3	
$PM_{2.5}$	24-Hour	35 µg/m^3	19.8 µg/m^3	
	Annual	12 µg/m^3	7.7 µg/m^3	
SO_2	1-Hour	196 µg/m^3	13.7 µg/m^3	
	Annual (1)	80 µg/m^3	1.5 µg/m^3	

Note:
1. 6 CRR-NY 257-2.3 for annual SO_2 standard: "During any 12 consecutive months, the annual average of the 24-hour average concentrations shall not exceed 0.03 ppm.
2. Part per million (ppm); microgram per meter cube (µg/m^3).

NO_2 NAAQS

The 1-hour nitrogen dioxide (NO_2) NAAQS was promulgated in the United States in February 2010. The 1-hour standard is based on a percentile rank from the annual distribution of daily maximum 1-hour values, averaged across the number of years processed. The 1-hour NO_2

modeled design value is based on the 98th percentile, or 8th highest, of the daily maximum 1-hour values across the year. For typical multi-year modeling analysis based on 5 years of National Weather Service (NWS) meteorological data, the modeled design value is the 5-year average of the 8th highest values for NO_2.

Nitrogen oxides (NOx) emissions from combustion consist predominantly of nitric oxide (NO) at the source. The NOx in these emissions is then gradually converted to NO_2. For determining compliance with the 1-hour standard, the EPA has developed a three-tiered modeling approach: a) Tier 1, the most conservative approach, assumes a full (100%) conversion of NOx to NO_2. b) Tier 2 is the Ambient Ratio Method 2 (ARM2) which assumes ambient equilibrium between NO and NO_2. AERMOD multiplies Tier 1 impacts with the ambient ratios (the national default minimum and maximum ambient ratios for the primary facility are 0.5 and 0.9, respectively.) c) Tier 3, which is the most precise approach, accounts for the chemical transformation of NO emitted from the stack to NO_2 within the source plume using hourly ozone background concentrations.

NYC Guidelines - Determining the Significance of Air Quality Impacts

The city's *de minimis* criteria are used to determine the significance of the incremental increase in CO and $PM_{2.5}$ concentrations that would result as a consequence of the proposed project. The following criteria are used for determination of significant adverse $PM_{2.5}$ incremental impacts for projects subject to CEQR:

- 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 0.1 $\mu g/m^3$ at ground level on a neighborhood scale (i.e., the annual increase in concentration representing the average over an area of approximately 1 square kilometer, centered on the location where the maximum ground-level impact is predicted for stationary sources; or for mobile sources, at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations); or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 $\mu g/m^3$ at any receptor location for stationary sources.

Accordingly, 24-hour $PM_{2.5}$ *de minimis* design value is 7.6 $\mu g/m^3$. As no mobile source detailed analysis is required, CO detailed analysis is not required and, therefore, CO *de minimis* is not shown.

Non-Criteria Pollutants

The NYSDEC Department of Air Resources established short-term (one-hour) and annual concentrations standards for certain noncriteria pollutants. The standards are acceptable ambient levels for these pollutants, which are based on human exposure. The New York State standards for noncriteria pollutants are published in the DAR-1 guidance document (latest version dated February 12, 2021). DAR-1 presents Annual and Short-Term Guideline Concentrations (AGCs and SGCs, respectively) for contaminants that range in toxicity from high to low. The AGCs and SGCs are annual and 1-hour guideline concentrations, respectively, for potentially toxic or carcinogenic air contaminants. In addition, NYSDEC also regulates pollutants that produce

discomfort due to odors, where significant discomfort is evaluated on quantity, characteristic, or duration.

Mobile Source

According to the *CEQR Technical Manual,* projects 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 (e.g., diesel trains, helicopters, boats), or add new uses near mobile sources (e.g., roadways, garages, parking lots). Detailed analyses are required to predict whether a proposed action could potentially result in significant adverse air quality impact if certain threshold criterions are met or exceeded. Proposed actions that do not meet or exceed the threshold criterions (screen out) are not expected to result in mobile source impacts.

Screening analyses for the project's peak hour auto traffic and peak hour heavy-duty diesel vehicle (HDDVs) traffic are presented in this section. Per the *CEQR Technical Manual*, a detailed analysis for carbon monoxide (CO) is required if the generated peak hour auto traffic or diversion of existing peak hour traffic would result in an increment of 170 auto trips (in this area of the city). A detailed analysis for particles with an aerodynamic diameter of less than or equal to 2.5 micrometers ($PM_{2.5}$) is required if the generated peak hour HDDVs traffic or its equivalent in vehicular emissions, depending on the type of road, would be met or exceeded.

According to the transportation analysis for this project, the Proposed Action would generate a total of 3, 19, 10, and 12 net vehicle trip ends (inbound and outbound combined) during the AM, MD, PM, and Saturday MD peak hour periods, respectively. The peak-hours project generated traffic would not exceed the threshold of 170 vehicular trips (condition outlined in Sections 210 of Chapter 17 of *the CEQR Technical Manual*). Therefore, no CO detailed analysis is required.

The $PM_{2.5}$ equivalent truck calculation in vehicular emission screen ranges from 12 to 23 HDDVs depending on the type of road. For analysis purpose, it was assumed that all vehicles would travel on Strang Avenue, which is a paved road (12 HDDVs). All autos were assumed to be LDGT1 class vehicles, based on guidance from the New York City Department of City Planning (DCP) for similar projects. The worst-case HDDVs or its equivalent in vehicular emissions would result in a maximum of 9.2 equivalent trucks. **Table 17-2** shows the project-generated traffic (inbound and outbound combined) and the results of the *CEQR Technical Manual* Equivalent Truck Calculation.

Table 17-2: *CEQR Technical Manual* Proposed Project Scenario 2 Equivalent Truck Calculations

Roadway	Roadway Classification (Threshold HDDVs screen)	Peak-Hour Period	Truck Per Hour	Auto Per Hour	Equivalent Truck	Pass / Fail
Strang Avenue	Paved Roadway (12)	AM	0	3.0	1.4	Pass
		Midday	0	19.0	9.2	Pass
		PM	0	10.0	4.8	Pass
		Sat Midday	0	12.0	5.8	Pass

As seen in **Table 17-2**, the project-generated HDDVs traffic or its equivalent in vehicular emissions does not exceed the equivalent truck calculations threshold of 12 HDDVs. Therefore, the Proposed Action equivalent in vehicular emissions passes the $PM_{2.5}$ HDDVs screening analysis, and no detailed analysis is required.

In addition, the Proposed Project is not located near a highway or a large parking facility. Therefore, no analysis is required.

Stationary Source

Heating and Hot Water Systems

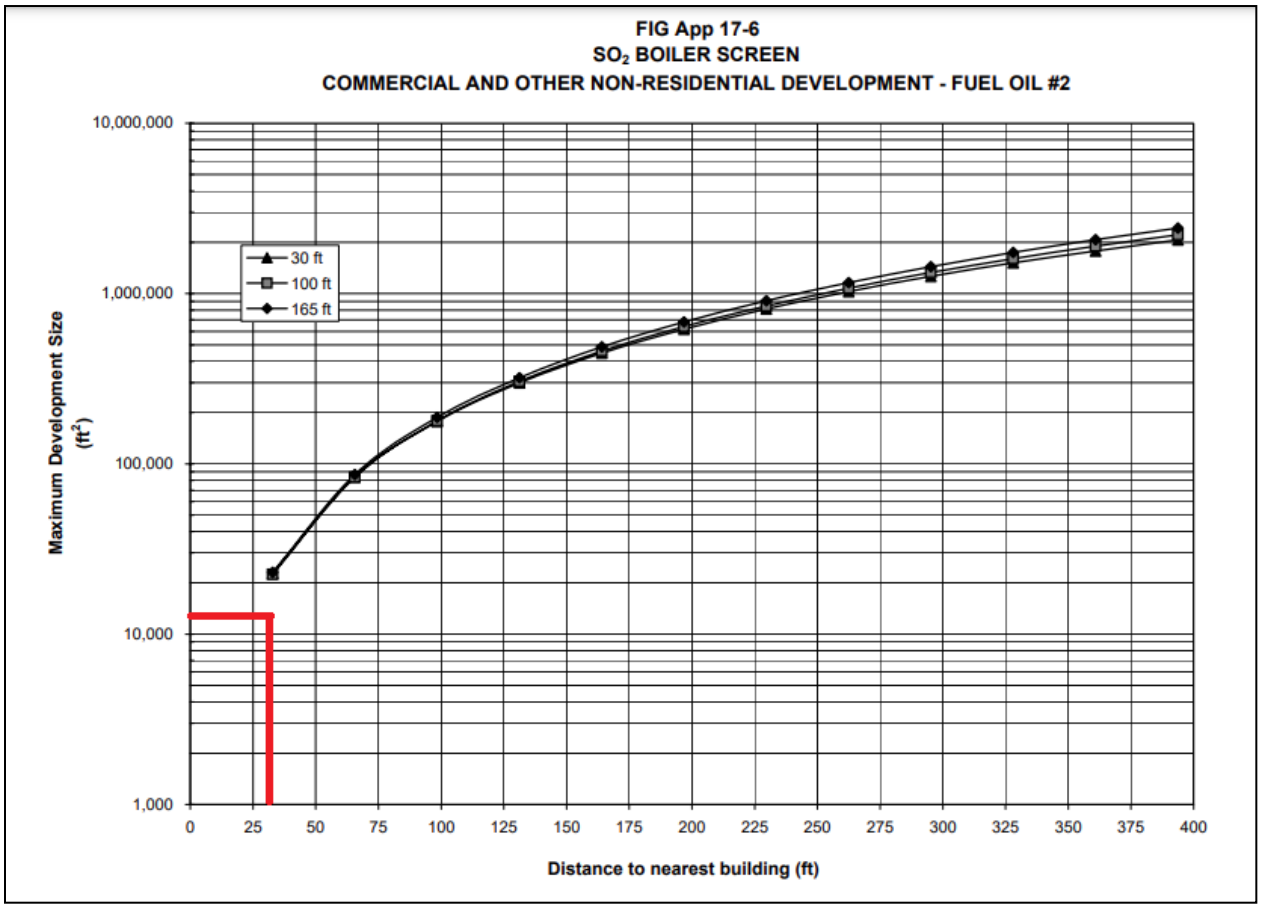
Per the *CEQR Technical Manual*, the heating/hot water, ventilation, and air conditioning (HVAC) systems analysis considers the potential for emissions from the HVAC system of the Proposed Actions to result in development that significantly impact existing land uses (project-on-existing). Based on CEQR guidance, a preliminary screening assessment 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, 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 *CEQR Technical Manual* screening analysis is based on these factors. A detailed analysis is required if the screening analysis failed. In addition, according to 15 RCNY 2-15, no new boiler or burner installations may use No. 6 or No. 4 fuel oils. Therefore, the highest-emitting fuel that could be used is No. 2 fuel oil.

The Proposed Action Reasonable Worst Case Development Scenario (RWCDS) would facilitate the development of a two-story, 30-foot high, commercial building. For the screening analysis purposes, it is assumed that fuel oil No. 2 would be used in the HVAC system. The CEQR nomographs depicted on Figure 17-6 of the *CEQR Technical Manual Appendices* was used for the screening analysis. This stationary source screen is a generic screen for fuel oil No. 2 fueled boiler serving a commercial or other non-residential use building. **Figures 17-1** (using Figure 17-6 of the *CEQR Technical Manual Appendices)* shows the project-on-existing screening analysis nomograph.

Figure 17-1: Project-on-Existing - HVAC Screen Minimum Distance Fuel Oil #2 Nomograph



As seen in the screening analysis (see **Figure 17-1**), using the nomograph provided in the *CEQR Technical Manual*, the 12,000 gsf Proposed Project does not intersect the curve for fuel oil No. 2; therefore, it is assumed that the minimum distance to nearest building should be 30 feet in order to avoid HVAC source impact. The residential building located at 4015 Baychester Avenue (Block 4981, Lot 88) is approximately 5 feet from the Proposed Project and is 33 feet high. Therefore, a detailed analysis is required for this building.

Detailed Analysis

A stationary source modeling was conducted to evaluate the potential impacts associated with the boilers stacks emissions. Lakes Environmental MPI executable was used in the analysis. The MPI executable take advantage of computers with multiple processors, reducing run-time significantly. Lakes Environmental has adjusted the US EPA AERMOD source code and recompiled the model to parallelize the processing of receptors. The latest MPI executable (used in the analysis) modified the EPA's AERMOD latest executable model version 21112. AERMOD model 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 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 (2015-2019), obtained from the NYSDEC. Surface data used in the analysis is from LaGuardia Airport, upper air data is from Brookhaven station, New York. The meteorological data was processed using the latest versions of AERMINUTE, AERSURFACE and AERMET. The meteorological data provided hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period. Population in Bronx County, obtained from the U.S. Census Bureau (July 2019), was specified to account for the effects of increased surface heating from an urban area on pollutant dispersion under stable atmospheric conditions.

Fuel Oil No. 2 was assumed to be the type of fuel used in the building's heating and hot water system(s). The pollutants of concern of Oil No. 2 fueled boilers are NO_2, $PM_{2.5}$, and SO_2. The boiler's energy intensity was calculated based on energy consumption rate, obtained from the *CEQR Technical Manual Appendices*, corresponding to commercial use in the building. Emissions were calculated based on emission factors published in the EPA's *AP-42* manual for *External Combustion Sources*.[1] All fuel was assumed to be consumed during the 100-day (or 2,400 hour) heating season, based on *CEQR Technical Manual* guidance. **Table 17-3** shows the boiler's energy intensity and pollutants emission rates.

Table 17-3: HVAC System(s) Short-term and Annual Emission Rates

Site ID	Development Site RWCDS Floor Area (gsf)	Boiler's Energy Intensity (MMBtu); Fuel Used	Pollutant	Short-term Emission Rate (g/s)	Annual Emission Rate (g/s)
Proposed Project RWCDS	12,000	0.30; Oil No. 2	NO_2	2.65E-03	7.25E-04
			$PM_{2.5}$	2.82E-04	7.72E-05
			SO_2	2.82E-05	7.72E-06

The *CEQR Technical Manual* default stack's diameter and exhausts exit velocity were applied in the analysis, and the stack's exit temperature was assumed to be 426^{o}K, which is appropriate for boilers. The boiler's stack was placed 3 feet above the roof and initially as close as possible to the receiving building. A stack set back distance was specified if exceedance of a threshold concentration standard was predicted.

The RWCDS building was modeled as a building that cover its entire lot area (the wall façade located on the outer lot lines) and rise to its maximum height (30-foot). 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.

Ground elevation and roof heights of buildings in the area were obtained from the NYC Building Footprint database[2], except the receiving building (4501 Baychester Avenue) roof height which

[1] EPA. *Compilation of Air Pollutant Emission Factors AP-42 Fifth Edition, Vol. 1: Chapter 1: External Combustion Sources*, https://www3.epa.gov/ttn/chief/ap42/ch01/final/c01s04.pdf. July 1998.

[2] City of New York, nyc-geo-metadata (May 03, 2016); https://data.cityofnewyork.us/Housing-Development/Building-Footprints/nqwf-w8eh

was obtained from the New York City Department of Building (DOB) certificate of occupancy. In addition, satellite imagery was used to augment and/or verify certain buildings' roof heights (such as buildings that have multiple tiers. The base elevations of receptors and the stack were set to their building base elevations.

The 1-hour NO_2 concentration was modeled with 8th highest concentration (the NAAQS design value) and a Tier 1 approach. All other pollutants concentrations were modeled with a generic emission rate of 1 gram per second and 1st highest output concentration. Each pollutant averaging time was modeled twice; with building wake effect enabled/disabled. The predicted concentration is the highest concentration of these. The NO_2 and SO_2 modeled concentrations were added to the background concentrations. The $PM_{2.5}$ modeled concentrations were evaluated with the NYC Guidelines threshold, *de minimis*, for stationary sources. The HVAC dispersions analysis results are shown in **Table 17-4**.

Table 17-4: HVAC Dispersion Analysis Results

Pollutant and Averaging Time	Modeled Concentration ($\mu g/m^3$) (2)	Background Concentration ($\mu g/m^3$)	Evaluated Concentration ($\mu g/m^3$)	Threshold Concentration ($\mu g/m^3$)	Threshold Standard
1-hour NO_2	72.71	100.39	173	188	NAAQS
Annual NO_2	1.80	24.2	26	100	NAAQS
24-hour $PM_{2.5}$	4.23	19.8	4.2	7.6	*de minimis*
Annual $PM_{2.5}$	0.19	7.7	0.19	0.3	*de minimis*
1-hour SO_2	1.0	13.7	15	196	NAAQS
Annual SO_2	0.02	1.5	2	80	NAAQS

The concentrations shown in **Table 17-4** were predicted with certain restrictions to ensure that no significant adverse air quality impact(s) would occur. The restrictions placed on Projected Development Site 1 are specified in the Air Quality E-Designation (E-666) shown below.

(E) Designation

Block 4981, Lot 94 (Projected Development Site 1)): Any new commercial development on the above-referenced property must ensure that the heating, ventilating, air conditioning (HVAC), and hot water system(s) stack is located at the building's highest level or at least 33 feet above grade, and that the stack is located at least 25 feet from the northern lot line facing Edenwald Avenue to avoid any potential significant adverse air quality impacts.

Industrial Sources

Per the *CEQR Technical Manual*, projects that would result in new uses (particularly schools, hospitals, parks, and residences) within 400 feet of manufacturing processing facilities may result in potentially significant adverse impacts. The analysis first determines if there are any existing manufacturing uses within the 400-foot study area containing exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project. If warranted, an air dispersion analysis is then conducted for any existing industrial source(s) located in the study area.

Existing manufacturing uses with exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project were identified by reviewing the DEP online Clean Air Tracking System (CATS) database, the NYSDEC map application (DECinfo Locator), and through a field survey. The field survey took place on September 21st, 2021.

The study area encompasses all or part of Blocks 4979, 4980, 4981, 4982, 4983, 4954, 4955, and 4956, and includes properties along Strang Avenue, Baychester Avenue, East 233rd Street, Grace Avenue, Edison Avenue, and De Reimer Avenue. Land uses in the study area are predominantly residential, with commercial/retail uses located along Baychester Avenue and East 233rd Street. Commercial/retail uses located in the study are include grocery stores, a drug store, restaurants and delicatessens, a car wash, a bank, and others. The results of the study are as follows:

A search of the CATS database found that there are not any facilities with DEP Processing permits located in the study area. A search of the NYSDEC database found that there are not any facilities with NYSDEC permits in the study area. No other potential source(s) of toxic air emissions was identified in the study area during the field survey. As such, no analysis is warranted, and no significant adverse air quality impacts are predicted from these types of facilities.

Major and Large Source

Per the *CEQR Technical Manual*, projects that would introduce new uses near major sources, large sources, or odor producing facilities may result in potentially significant adverse air quality impacts. The study area considers major sources, large sources, and odor producing facilities within 1,000 feet of the proposed project. Major emission sources are identified as those sources located at Title V facilities; large emission sources are identified as sources located at facilities which require an Air State Facility permit. Solid waste or medical waste incinerators, asphalt and concrete plants, power generating plants, large boilers of large public facilities for example, and large industrial facilities are typical type of sources requiring these permits. Odor producing facilities are operations that have the potential to cause discomfort, such as: solid waste management facilities, water pollution control plants (i.e., sewage treatment plants), and incinerators.

No existing large combustion source(s), such as power plants, cogeneration facilities, etc., located within 1,000 feet of the Proposed Project, was identified[3], and no odor producing facility was identified within 1,000 feet of the Proposed Project. As such, no analysis is warranted, and no significant adverse air quality impacts are predicted from these types of facilities.

Conclusion

No significant adverse air quality impact was predicted in the analysis. Therefore, there is no reason to believe that the Proposed Action would result in any potentially significant adverse stationary or mobile source air quality impacts, and further assessment is not warranted.

[3] New York State Department of Environmental Conservation (2021). DECinfo Locator. <https://gisservices.dec.ny.gov/gis/dil/> (Sep. 22, 2021).

19. NOISE

Introduction

The purpose of a noise assessment under CEQR is to determine whether an action would (1) raise noise levels significantly at existing or anticipated sensitive noise receptors (such as residences or schools) or (2) introduce new sensitive uses (such residential buildings or schools) at locations subject to unacceptably high ambient noise levels.

The assessment is concerned with both mobile and stationary noise sources. Mobile sources are those that move in relation to a noise-sensitive receptor. They include automobiles, buses, trucks, aircraft, and trains. Stationary sources of noise do not move in relation to a noise-sensitive receptor. Typical stationary noise sources of concern include machinery or mechanical equipment associated with industrial and manufacturing operations; building heating, ventilating, and air conditioning (HVAC) systems; speakers for public address and concert systems; playground noise; and spectators at concerts or sporting events. An action could raise noise levels either by introducing new stationary noise sources (such as outdoor playgrounds or rooftop air conditioning compressors) or by increasing mobile source noise (generally by generating additional traffic). Similarly, an action could introduce new residences or other sensitive receptors that would be subject to noise from either stationary or mobile sources.

The proposed action is a zoning map amendment that would map a C2-3 local commercial overlay over a 10,000 sf lot (Block 4981, Lot 94) at the northwest corner of Strang and Baychester Avenues in the Edenwald section of the Bronx. The lot is now split between R4 district and R4-1 lower density residential districts. Under the reasonable worst-case development scenario (RWCDS) that forms the basis of analyses of future with-action conditions, the currently unutilized site would be redeveloped with a two-stories-and-cellar, 12,000 gsf retail building and 20 accessory surface parking spaces.

Noise Fundamentals

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

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

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 19-1: Noise Levels of Common Sources

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.	
Source: 2020 CEQR Technical Manual	

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

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

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

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

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (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.

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

Impact Determination and Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Protection Order - City Environmental Quality Review (CEPO-CEQR) noise standards at the exterior façade to achieve interior noise levels of 45 dB(A) or below. CEPO-CEQR Noise Exposure Guidelines classify noise exposure into four categories: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable. The ranges for each category vary by type of use. The standards are presented in Table 19-2.

Table 19-2

CEQR Noise Exposure Guidelines for Use in City Environmental Impact Review[1]

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.

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.

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.

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.

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).

For sensitive receptors introduced by the proposed action, the L_{10} noise levels measured directly outside the projected development site are compared with the values in the Noise Exposure Guidelines. If the measured noise levels exceed those in the Marginally Acceptable range, a sufficient level of window/wall noise attenuation is required to prevent a significant adverse impact. The minimum attenuation requirements are presented in Table 19-3.

Table 19-3

Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				**Clearly Unacceptable**
Noise level with proposed action	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation[A]	(I) 28 dBA	(II) 31 dBA	(III) 33 dBA	(IV) 35 dBA	$36 + (L_{10} - 80)$[B] dBA

Note: [A]The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dBA less in each category. All the above categories require a closed window situation and hence alternate means of ventilation.
[B]Required attenuation values increase by 1 dBA increments for L_{10} values greater than 80 dBA.
Source: New York City Department of Environmental Protection, 2012.

New Stationary Noise Sources

The proposed action would result in the redevelopment of the projected development sites with a fully enclosed commercial use. All rooftop mechanical equipment, including air conditioner compressors, would be enclosed and would comply with New York City Noise Code requirements, which limit noise levels generated by such equipment to 65 dBA during the daytime (7AM to 10 PM) and 55 dBA during the nighttime. The proposed action would therefore not have the potential to cause a significant adverse stationary source noise impact.

New Mobile Noise Sources

According to the trip generation analysis in Section 16, Transportation, the projected action-generated redevelopment would be expected to generate a maximum of 19 additional vehicular trips during any peak hour. An increase in traffic volumes of that magnitude would not be sufficient to produce a detectable increase in ambient noise levels. The proposed action would therefore not have the potential to cause a significant adverse mobile source noise impact.

Existing Ambient Noise Levels

An action can cause a significant adverse noise impact if it introduces new noise-sensitive uses in an area characterized by high ambient noise levels. The proposed action would lead to the development of new retail space, which is not a sensitive receptor for CEQR noise assessment purposes. The proposed action would therefore not have the potential to cause a significant adverse noise impact as a result of existing ambient noise levels.

Conclusion

The proposed action would not cause a significant adverse noise impact, and further analysis is not warranted.

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-X (DEPARTMENT OF CITY PLANNING)
Project:
Address: 1959 STRANG AVENUE BBL: 2049810094
Date Received: 9/28/2021

[X**] No architectural significance**

[X**] No archaeological significance**

[ ] Designated New York City Landmark or Within Designated Historic District

[ ] Listed on National Register of Historic Places

[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[ ] May be archaeologically significant; requesting additional materials

Gina Santucci

10/4/2021

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 35886_FSO_DNP_10042021.docx

Environmental Protection

Vincent Sapienza, P.E.
Commissioner

Angela Licata
Deputy Commissioner of Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
Fax (718) 595-4422
alicata@dep.nyc.gov

January 6, 2022

Stephanie Shellooe
Deputy Director
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: 1959 Strang Avenue
Block 4981, Lot 94
CEQR # 22DCP069X

Dear Ms. Shellooe:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the October 2021 Environmental Assessment Statement prepared by Environmental Studies Corp., the September 2020 Phase I Environmental Site Assessment (Phase I) prepared by Arcadis U.S., Inc. and the November 2020 Limited Phase II Subsurface Investigation (Phase II) prepared by Associated Environmental Services, Ltd. on behalf of Wharton Properties (applicant) for the above referenced project. It is our understanding that the applicant is seeking a zoning map amendment from the New York City Department of City Planning (DCP) to map a C2-3 local commercial overlay over a 10,000 square feet lot at the northwest corner of Strang Avenue and Baychester Avenue in Bronx Community District 12. The lot is now split between R4 and R4-1 districts. The action would facilitate redevelopment of the site, now occupied by a vacant former restaurant, with a 3,610 gross square feet (gsf), one-story commercial building with an accessory surface parking lot for 12 cars. Under the reasonable worst-case development scenario, the rezoned lot would be redeveloped with a two-stories-and-cellar, 12,000 gsf retail building occupying 40 percent of the lot and 20 accessory surface parking spaces.

The September 2020 Phase I report revealed that historical on-site and surrounding area land uses consisted of a variety of residential and commercial uses including dry cleaners, filling stations with gasoline tanks, a bank, a multi-tenant commercial building with a liquor store, a grocery store, a laundromat, a drugstore, restaurants, a deli, residential buildings, a dental office, etc. Regulatory databases identified 30 spills, one historical cleaner and 4 historical auto sites within 1/8 mile; 2 dry cleaners, 5 underground storage tank sites and 3 aboveground storage tank sites within 1/4 mile; 29 leaking storage tank sites within 1/2 mile; and 1 manufactured gas plant within 1 mile of the subject property.

During the October 2020 fieldwork, five borings were advanced to depths of 15 feet below grade surface (bgs). Five soil samples were collected and two were submitted for laboratory analysis. The samples SB-2 (12-14 feet bgs) and SB-4 (10-14 feet bgs) were analyzed for petroleum-related volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260 (CP-51 List) and semi-volatile organic compounds (SVOCs) by EPA Method 8270 (CP-51 List). Groundwater samples were collected from three temporary wells (GW-1, GW-2, and GW-3) installed in borings SB-1, SB-3, and SB-5. The groundwater samples were analyzed for VOCs by EPA Method 8260 (CP-51 List) and SVOCs by EPA Method 8270 (CP-51 List).

The soil analytical results revealed that VOCs (CP-51 List) and SVOCs (CP-51 List) were either non-detect (ND) or below their New York State Department of Environmental Conservation (NYSDEC) 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives.

The groundwater analytical results revealed that VOCs were ND. Several SVOCs (benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene and indeno(1,2,3-cd)pyrene) were detected above their NYSDEC Technical and Operational Guidance Series 1.1.1 Class GA Ambient Water Quality Standards and Guidance Values.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

- DCP should instruct the applicant to include the full appendices (C, D, and E) in the Phase I and submitted for DEP review.

- The November 2020 Phase II is limited and not conducted in accordance with the City Environmental Quality Review (CEQR) Technical Manual. Therefore, DCP should inform the applicant that based on the limited Phase II Investigation that was conducted in October 2020 and the findings in the September 2020 Phase I, a supplemental Phase II Environmental Site Assessment (Phase II) is necessary to adequately identify/characterize the surface and subsurface soils, groundwater and soil vapor of the subject property, and to inform and disclose the measures necessary to avoid impacts from hazardous materials. A Phase II Investigation Protocol/Work Plan summarizing the proposed drilling, soil, groundwater and soil vapor sampling activities should be developed in accordance with the CEQR Technical Manual and submitted for DEP review and approval. The Work Plan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil, groundwater and soil vapor sampling locations. Soil and groundwater samples should be collected and analyzed by a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) certified laboratory for the presence of full Target Compound List (TCL) volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds by EPA Method 8270, pesticides by EPA Method 8081, polychlorinated biphenyls by EPA Method 8082, and Target Analyte List (TAL) metals (filtered and unfiltered for groundwater samples). The soil vapor sampling should be conducted in accordance with NYSDOH's October 2006 Guidance for Evaluating Soil

Vapor Intrusion in the State of New York. The soil vapor samples should be collected and analyzed by a NYSDOH ELAP certified laboratory for the presence of VOCs by EPA Method TO-15. An Investigation Health and Safety Plan (HASP) should also be submitted for DEP review and approval.

- DCP should instruct the applicant that as per the updated CEQR Technical Manual (2021 Edition), a minimum of two soil samples should be collected from each test boring/probe. One shallow soil sample should be collected from the upper two feet of soil (typically the 0-2 feet bgs interval). A second soil sample should be collected from the two foot interval below the proposed maximum excavation depth(s). If groundwater or bedrock is encountered at a shallower depth than the proposed maximum excavation depth during borehole advancement, the subsurface soil sample should be collected from the two foot interval above the groundwater interface or bedrock. Soil borings must be screened for evidence of gross contamination (based on visual/olfactory evidence of impacts and/or elevated soil screening readings obtained using accepted field instruments). Where screening indicates contamination at an intermediate interval(s) in a soil boring, i.e. between 2 feet bgs and the proposed maximum excavation depth, an additional soil sample(s) should be collected for analysis. If groundwater is encountered in a test boring/probe within five feet of surface grade, only one sample per boring may be warranted as long as adequate upgradient and downgradient groundwater samples are collected. Soil samples collected should be discrete (grab) samples.

- DCP should instruct the applicant that where the water table is less than 30 feet beneath the deepest level of existing or proposed on-site basement or slab-on-grade foundation, groundwater samples should be collected for laboratory analysis to adequately characterize the site.

- DCP should instruct the applicant that the Phase II Work Plan and HASP should be submitted for DEP review and approval prior to the start of any fieldwork.

Future correspondence and submittals related to this project should include the following CEQR # **22DCP069X**. If you have any questions, you may contact Scott Davidow, P.G. at (718) 595-7716.

Sincerely,

Wei Yu

Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
S. Davidow
T. Estesen
M. Wimbish