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 (CPC) assumed the role of lead agency for the environmental review of the proposed action. 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 action 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 action sought before the CPC 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 this EAS. The applicant, Twin Deer Group, LLC, is seeking a zoning map amendment to rezone Queens Block 8164, Lots 15, 22, 30, 43, 122, 130 and 230, Block 8165, Lots 23 and 25; and Block 8166, Lots 20 and 25 (the proposed rezoning area) in the Douglaston neighborhood of Queens Community District 11, from an R1-2 zoning district to an R1-2 zoning district with a C2-2 commercial overlay (the proposed action). The proposed action would facilitate the development of a two-story, approximately 15,834 gross-square-foot (gsf) enlargement of an existing 13,901 gsf restaurant, resulting in an approximately 29,735-gsf restaurant with a maximum building height of 30 feet (the proposed project) located on Queens Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230 (projected development site 1). The proposed action would facilitate the expansion of an existing, long-standing restaurant located along a major thoroughfare, and would be compatible with existing surrounding uses. The proposed commercial overlay would permit local retail and service uses within the proposed rezoning area; however, it would not introduce a new land use and would be consistent with existing land use patterns. The proposed action would bring the existing restaurant use on the development site into conformance with the use provisions of the New York City Zoning Resolution (ZR) and would not result in an adverse zoning impact. In addition, the proposed action would not have an adverse impact with respect to relevant public policies. The proposed rezoning area is located within the coastal zone, and the proposed action would be consistent with all applicable policies of the Waterfront Revitalization Program (WRP #21-202). The analysis concludes that the proposed action would not result in significant adverse land use, zoning, or public policy impacts, and no further analysis is required.

Shadows

A detailed analysis related to shadows is included in this EAS. Using a maximum proposed building height of 39'-10" for projected development site 1 (with bulkhead), the shadows screening assessment identified one sunlight-sensitive open space resource within the shadow study area, Alley Pond Park. The detailed shadows analysis results indicate that the project generated shadow would cast incremental shadows on portions of Alley Pond Park on the May 6th analysis day for 37 minutes, on the June 21st analysis period for 1 hour and 4 minutes, and on the December 21st analysis period for 51 minutes. Two areas of Alley Pond Park are reached by project-generated shadow – passive open space areas (that are not publicly accessible) located adjacent to the western boundary of projected development site 1; Alley Pond Golf Center, which is composed of a parking lot and passive open space, on the northern side of Northern Boulevard across the street from (north of) the site. The analysis findings demonstrate that vegetation in the affected portions of Alley Pond Park would continue to receive adequate sunlight of at least four to six hours, per the guidance in the 2020 CEQR Technical Manual found in Chapter 8, Shadows, on the affected analysis dates. The usability and viability of each resource, with respect to the survival of vegetation and the enjoyment of public recreation areas, would not be jeopardized as a result of project-generated incremental shadows. Therefore, the analysis concludes that the proposed action would not result in significant adverse shadow impacts, 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 with-action condition assumes that the applicant would construct a 15,834-gsf enlargement of the existing 13,901-gsf, one-story restaurant, resulting in a two-story, 29,735-gsf building; as well as 37 additional parking spaces, resulting in a 143-space accessory surface parking lot. The two existing vacant lots (Block 8164, Lots 22 and 122) toward the western end of projected development site 1, currently fenced from the sidewalk, would be redeveloped with an active use. The addition of a second story would be consistent with the character and scale of the existing building and remainder of the project area, and new landscaped areas would provide a visual buffer between pedestrians and the enlarged building and parking lot. Although the proposed action would introduce additional building height, the comparative massing diagrams depicting the potential development under the no-action and with action conditions demonstrate that the development with the proposed actions would remain compatible with the scale and character of other buildings within the surrounding area. Visual resources proximate to the rezoning are limited to natural features associated with Alley Pond Park (i.e., wetlands, forested area, etc.); however, because dense tree cover buffers the majority of the park from surrounding area, no prominent features of the are visible from projected development site 1 or the rezoning area. Therefore, the analysis concludes that the proposed action would not result in significant adverse impacts to urban design or visual resources, and no further analysis is required.

Transportation

A detailed analysis related to transportation (vehicular traffic) is included in this EAS. As the incremental increase in project-generated vehicle trips would exceed the 2020 CEQR Technical Manual threshold of 50 vehicle trips per hour, a detailed analysis of operating conditions is provided at three intersections (Northern Boulevard and Northbound Cross Island Parkway On-Ramp, Northern Boulevard and Douglaston Parkway, and Northern Boulevard at the entrance to the enlarged parking lot at projected development site 1). The results of a comparison between the level of service (LOS) under the2023 no-action condition and LOS under the 2023 with-action condition indicate that no significant traffic impacts are expected to occur at the analysis locations per criteria established in the 2020 CEQR Technical Manual. None of the analyzed intersections can be considered a high crash location as a result of the proposed action. In addition, a comparison of the parking demand and available on- and off-street parking supply concluded that there would be enough parking spaces to accommodate the parking demand under the 2023 with action condition. Therefore, the analysis concludes that the proposed action would not result in significant adverse impacts to transportation, and no further analysis is required.

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SEQRA Classification: Unlisted

Hazardous Materials, Air Quality An (E) designation (E-663) 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 action 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 Stacey Barron at (212) 720-3419.

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

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Determination of Significance Appendix

The proposed action was determined to have the potential to result in changes to development on the following site:

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230

(E) Designation Requirements

To ensure that the proposed action would not result in significant adverse impacts related to hazardous materials and air quality, an (E) designation (**E-663**) would be established as part of approval of the proposed action 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.

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Air Quality

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

> ***Projected Development Site 1:*** *Any new commercial development or enlargement on the above-referenced property must exclusively use natural gas in any fossil fuel-fired heating, ventilating and air conditioning (HVAC) or hot water equipment. The stack must be located on the proposed addition at least 37 feet and eight inches above grade to avoid any significant adverse air quality impacts.*