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 proposed actions sought by the Applicant, 42-18 Development LLC, are a zoning map amendment from an R5/C2-1 district to R6A/C1-3 and R5 zoning districts; and a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to designate the affected area as a Mandatory Inclusionary Housing (MIH) area (collectively, the "Proposed Actions"). The affected area, located in the Astoria neighborhood of Queens Community District 1, is bounded by 31st Avenue to the north, 44th Street to the east, a line 150 feet parallel to 31st Avenue to the south, and 42nd Street to the west and includes multiple lots on Blocks 692, 693 and 694 (Block 692, Lots 43, 44, 45, 46, 49, 50, 51, 36, 37 (portion of, "p/o"), 38, 39, 140, 148 (p/o), 343 and 243; Block 693, Lots 35 (p/o), 36, 37, 38, 39 (p/o), 40 (p/o), 41 (p/o), 42 (p/o) and 137; and Block 694, Lots 1 and 4). The Proposed Actions would facilitate the development of a 38,188 gross square foot (gsf) six-story (65 feet tall) mixed residential and commercial building comprising 30,188 gsf of residential use, 8,000 gsf of ground floor retail use, and 12 accessory residential parking spaces in the cellar level, on the development site owned by the applicant (Block 692, Lots 43, 44, 45, and 46; Projected Development Site 1). The proposed building would include 33 dwelling units, 9-10 of which would be affordable pursuant to MIH. The future With-Action scenario analyzed in the EAS also considers the redevelopment of Projected Development Site 2 (Block 694, Lots 1 and 4) with a 25,837 gsf six-story (95-foot-tall), mixed use building with 20 dwelling units (including 5-6 affordable pursuant to MIH) and 2,151 gsf of ground-floor retail use. The Proposed Actions would allow for the redevelopment of underutilized, low-rise residential and commercial buildings with mid-rise, mixed-use buildings that are relatively larger (with respect to bulk and height) than surrounding buildings. The proposed uses and density would not be incompatible with existing development and would reinforce existing land use patterns. The proposed rezoning would facilitate the introduction of more than 50 dwelling units, including over 14 permanently affordable units pursuant to MIH, which would be supportive of the City's Housing New York 2.0 plan. The analysis concludes that no significant adverse impacts are anticipated for land use, zoning, and public policy, and no further analysis is warranted.

Hazardous Materials

An (E) designation (E-690) related to hazardous materials would be established as part of the approval of the Proposed Actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials analyses conclude that with the (E) designation in place, the Proposed Actions would not result in a significant adverse impact related to hazardous materials.

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, AICP at (212) 720-3419.

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, AICP	DATE 3/24/2023
SIGNATURE	

TITLE	
Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 3/27/2023
SIGNATURE	

Project Name: 42-18 31st Ave Rezoning
CEQR # 22DCP174Q
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Actions were determined to have the potential to result in changes to development on the following sites:

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	Block 692, Lots 43, 44, 45, and 46
Projected Development Site 2	Queens	Block 694, Lots 1 and 4

(E) Designation Requirements

To ensure that the Proposed Actions would not result in significant adverse impacts related to hazardous materials, an (E) designation (**E-690**) would be established as part of approval of the Proposed Actions on **Projected Development Site 1 and Projected Development Site 2** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X		
Projected Development Site 2	X		

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Sites 1 and 2** 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.