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* 431 Concord Avenue

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
21DCP007X	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
200274ZMX, N200275ZRX	P2018X0209

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			First Concord Realty, LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader, Director, EARD			Frank St. Jacques, Akerman LLP		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 666 Fifth Avenue, 20th floor		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10103
TELEPHONE 347-721-8275	EMAIL oabinad@planning.nyc.gov		TELEPHONE 212-259-6474	EMAIL frank.stjacques@akerman.com	

5. *Project Description*

The Applicant, First Concord Realty, LLC, is proposing the following Actions:

- A Zoning Map Amendment from an existing M1-2 district to an R7D district of properties bounded by Concord Avenue and East 145th Street in the Mott Haven neighborhood of the Bronx, Community District 1. This would involve a rezoning of the Applicant's property, Block 2578, p/o Lots 16 and 18 (Projected Development Site 1), and a single non-Applicant property, Block 2578, p/o Lot 15 (Potential Development Site 1).

- A Zoning Text Amendment to modify Appendix F to designate the newly mapped R7D district as a Mandatory Inclusionary Housing (MIH) designated area. The Applicant is seeking to map MIH Option 2 on the property. The final MIH Option applicable to the development will be voted on by the City Council through the ULURP process.

The Applicant intends to pursue HPD discretionary funding to make the project a 100% affordable housing development.

The Proposed Actions would facilitate the development on Projected Development Site 1 with an 11-story, 115-foot tall, 87,369 gsf (5.51 FAR) Quality Housing residential building with approximately 92 affordable residential dwelling units and 29 accessory parking spaces located on the first/ground floor of the building.

For the purposes of the CEQR analysis, it is assumed that the building's 79,027 gsf of occupiable residential floor area would convert to 93 dwelling units based on the standard average unit size of 850 sf. For the purposes of a conservative analysis, the EAS assumes that 20% of the residential floor area as applied to the RWCDS 93 dwelling units would be reserved as affordable to households with incomes at or below 80% of the AMI resulting in 19 affordable units.

Although Potential Development Site 1 is not proposed for development, it is anticipated that it could be developed with a 8-story, 85-foot tall, 18,480 gsf residential building containing 22 residential dwelling units based on the standard average unit size of 850 sf. For the purposes of a conservative analysis, the EAS assumes that 20% of the residential floor

area would be reserved as affordable to households with incomes at or below 80% of the AMI resulting in 4 affordable units. No accessory parking would be required or provided.

See attached Project Description.

Project Location

BOROUGH Bronx	COMMUNITY DISTRICT(S) 1	STREET ADDRESS 431 Concord Avenue
TAX BLOCK(S) AND LOT(S) Block 2578, p/o Lots 15, 16, 18		ZIP CODE 10455
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Area bounded by Concord Avenue and East 145th Street		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-2		ZONING SECTIONAL MAP NUMBER 6c

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 Appendix F

***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	☒ FUNDING OF CONSTRUCTION, specify: HPD low-income multi-family rental subsidy
☐ RULEMAKING	☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES	☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL	☐ PERMITS, specify:
☐ OTHER, explain:	

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

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
	☒ OTHER, explain: Dept. of Buildings building permit

***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.): 16,750 (Rezoning Area); 13,750 (Proposed Development Site)

Waterbody area (sq. ft) and type: 0

Roads, buildings, and other paved surfaces (sq. ft.): 16,750 (Rezoning Area); 13,750 (Proposed Development Site)

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): 87,369

NUMBER OF BUILDINGS: 1

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 87,369

HEIGHT OF EACH BUILDING (ft.): 115' NUMBER OF STORIES OF EACH BUILDING: 11

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: 13,750

The total square feet not owned or controlled by the applicant: 3,000

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: 13,750 sq. ft. (width x length) VOLUME OF DISTURBANCE: 85,400 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 13,750 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.)	87,369	0	0	0
Type (*e.g.,* retail, office, school)	93 units	0	0	0

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

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 281 NUMBER OF ADDITIONAL WORKERS: 4

Provide a brief explanation of how these numbers were determined: Residents: Based on average household size of 3.02 residents per dwelling unit (Neighborhood Tabulation Area 2010 Census Average HH size of 3.02 in Census Tracts within 1/4 mile (tracts 31, 33, 35, 37); Workers: assumes .04 workers per dwelling unit

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): 2022

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: Assumes Proposed Actions would be approved in mid-2021 based on a targeted certification in autumn 2020 and a 7 month ULURP process completed in spring 2021. Construction of the project would be completed in 2022 based on an 18 month construction period.

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

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: community facility, parking, vacant

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **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. See attached report.		
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: See attached report.	☒	☐
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): 3,813 (41 lbs x 93 DUs)		
○ 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): 11,069,652 (126.7 MBtu/sf x 87,369 gsf)		
(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) See attached report.	☐	☒
(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?	☐	☒

	YES	NO
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; 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. A detailed air quality analysis was performed but a public health assessment is not warranted because there were no air quality impacts.		
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. A neighborhood character assessment is not warranted because the project does not have the potential to result in any significant adverse impacts to Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; or Noise as discussed in the relevant chapters of the narrative report attached to this form. In addition, the proposed project would not result in a combination of moderate effects to several of the above noted elements that cumulatively may affect neighborhood character. There were no moderate effects (defined as effects that are reasonably close to the significant adverse impact threshold for a particular technical analysis area) resulting from the Proposed Actions to Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; or Noise.		
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. The Proposed Actions would screen out because they would occur beyond the 90-foot threshold distance from the S/NR eligible P.S. 754 at 470 Jackson Avenue cited in TPPN #1088.		

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
John Strauss, Environmental Studies Corp.	October 30, 2020

SIGNATURE

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

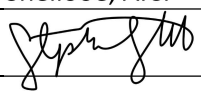
☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Divison	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Stephanie Shellooe, AICP	October 30th, 2020

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, and determined that no significant adverse impacts would occur. A significant adverse impact would occur if a proposed action would generate a land use incompatible with the surrounding area. The proposed actions are a Zoning Map Amendment to rezone the project area (Bronx Block 2578, p/o lots 15, 16, and 18) from a M1-2 zoning district to an R7D zoning district and a Zoning Text Amendment to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the rezoning area in the neighborhood of Mott Haven and within Bronx Community District 1. The project area is the eastern portion of Block 2578 with frontage on Concord Avenue. The closest subway station, East 143rd Street on the 6 line, is located two blocks east of the site, less than 0.25 miles away. The Proposed Actions would facilitate the development of an 11-story residential building on Block 2578 p/o Lots 16 & 18, containing approximately 92 dwelling units. The proposed actions would not introduce a new land use, nor affect the existing mixed-use character of the area, nor affect public policy, which represent the thresholds of impact significance in the CEQR Technical Manual (TM). The analysis concludes that no significant adverse impacts related to Land Use, Zoning, and Public Policy would result from the proposed actions.

Open Space

A preliminary assessment of the effects of the proposed actions related to open space is included in the EAS. According to the 2014 CEQR Technical manual, a significant adverse open space impact may occur if a proposed action would reduce the open space ratio by more than five percent in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents. In areas with higher open space ratios, closer to 2.5 acres per 1,000 residents, a greater percentage of change (more than five percent) may be tolerated. There are 42.53 acres (22.532 acres active and 19.998 passive) of open space resources in the Study Area, as analyzed for the 2022 build year. As a result of the proposed actions, the total residential study area open space ratio would decrease by 0.6-percent to .947 acres per 1,000 residents. Therefore, the proposed actions would not result in a significant adverse impact related to open space.

Hazardous Materials, Air Quality

An (E) designation (E-588) related to hazardous materials and air quality 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 and air quality analyses conclude that with the (E) designation in place, the proposed actions would not result in significant adverse impacts related to hazardous materials and 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 Christine Camilleri at ccamilleri@planning.nyc.gov.

TITLE	LEAD AGENCY
Deputy 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 | 212.720.3493
NAME Stephanie Shellooe	DATE October 30th, 2020
SIGNATURE	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE November 2nd, 2020
SIGNATURE	

Project Name: 431 Concord Avenue
CEQR # 21DCP007X
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	Bronx	Block 2578, Lots 16 and 18
Potential Development Site 1	Bronx	Block 2578, Lot 15

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials and noise an (E) designation (E-588) would be established as part of approval of the proposed actions on **Projected Development Site 1 and Potential Development Site 1** as described below:

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

The (E) designation requirements applicable to **Potential 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 1 ESA for the Project Site along with a soil, soil gas and groundwater 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 sample sites should be selected to adequately characterize the site, the specific source 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 be 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 the 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. An OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation. All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials. In addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed.

Project Name: 431 Concord Avenue
CEQR # 21DCP007X
SEQRA Classification: Unlisted

Air Quality

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

Projected Development Site 1 (Block 2578, Lots 16 and 18): *Any new residential or 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, and at a minimum of 98 feet above the grade to avoid any potential significant adverse air quality impacts.*

Potential Development Site 1 (Block 2578, Lot 15): *Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for the HVAC and hot water system(s) and must be fitted with low NOx (30 ppm) burner(s), ensure that the stack is located at the building's highest level at a minimum of 88 feet above the grade, and that the stack is located at least 17.5 feet from the southern lot line facing East 144th Street to avoid any potential significant adverse air quality impacts.*

431 CONCORD AVENUE PROJECT DESCRIPTION

Reasonable Worst-Case Development Scenario

INTRODUCTION

The Applicant, First Concord Realty, LLC, is proposing the following Proposed Actions:

- A Zoning Map Amendment from an existing M1-2 district to an R7D district of properties bounded by Concord Avenue and East 145th Street in the Mott Haven neighborhood of the Bronx, Community District 1. This would involve a rezoning of the Applicant's property, Block 2578, p/o Lots 16 and 18, and a single non-Applicant property, Block 2578, p/o Lot 15 (the Affected Area).

- A Zoning Text Amendment to modify Appendix F to designate the newly mapped R7D district as a Mandatory Inclusionary Housing (MIH) designated area. Following approval of the project, the Applicant intends to pursue HPD discretionary funding to make the project a 100% affordable housing development.

The proposed project on the Project Site (Projected Development Site 1) is the development of a new 11-story, 115-foot tall[1], 87,369 gross square foot (gsf) Quality Housing residential building with approximately 92 affordable residential dwelling units and 29 accessory parking spaces. The Applicant has chosen Option 2 under the MIH Text Amendment provisions applicable to the Proposed Actions under which 27 of the 92 units would be considered affordable for residents with incomes averaging 80% of Area Median Income (AMI). The final MIH Option will be voted on by the City Council through the ULURP process. See attached rendering of the proposed project.

For the purposes of the CEQR analysis, it is assumed that the building's 79,027 gsf of occupiable residential floor area would convert to 93 dwelling units based on the standard average unit size of 850 sf. For the purposes of a conservative analysis, the EAS assumes that 20% of the residential floor area as applied to the RWCDS 93 dwelling units would be reserved as affordable to households with incomes at or below 80% of the AMI resulting in 19 affordable units.

Although the non-Applicant owned property (Potential Development Site 1) is not proposed for development, it is anticipated that it would be developed with an 8-story, 85-foot tall, 18,480 gsf residential building with 22 residential dwelling units based on the standard average unit size of 850 sf. For the purposes of a conservative analysis, the EAS assumes that 20% of the residential floor area would be reserved as affordable to households with incomes at or below 80% of the AMI resulting in 4 affordable units. No accessory parking would be required or provided.

ACTIONS NECESSARY TO FACILITATE THE PROPOSAL

The Applicant, First Concord Realty, LLC, is proposing the following Proposed Actions:

I. A Zoning Map Amendment from an existing M1-2 district to an R7D district of properties bounded by Concord Avenue and East 145th Street in the Mott Haven neighborhood of the

[1] It is assumed that the mechanical bulkhead on the building would extend up to an additional 10 feet in height.

431 Concord Avenue, The Bronx, NY 10455
For Illustrative Purposes

Gerald J. Caliendo, R. A. P. C.

Architecture Interior design
Consultant Expediting
Code Building Dept.
138-72 Queens Blvd
Briarwood N.Y. 11435
Tel: 7182689098 Fax: 7182689097

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Bronx, Community District 1. This would involve a rezoning of the Applicant's property, Block 2578, p/o Lots 16 and 18, and a single non-Applicant property, Block 2578, p/o Lot 15.

II. A Zoning Text Amendment to modify Appendix F to designate the newly mapped R7D district as a Mandatory Inclusionary Housing (MIH) designated area. Following approval of the project, the Applicant intends to pursue HPD discretionary funding to make the project a 100% affordable housing development. Under the preferred MIH Option 2, 30% or 27 of the 92 dwelling units would be considered affordable at 80% of AMI or less on the Applicant Site, and 20% or 4 of the 22 units on the Non-Applicant Site would be considered affordable at 80% AMI. The final MIH Option will be voted on by the City Council through the ULURP process.

DESCRIPTION OF THE SURROUNDING AREA

The Affected Area is located in the Mott Haven neighborhood of Community District 1 of the Bronx. Mott Haven is predominantly developed with industrial buildings (mainly warehouses) to the south, and with residential housing complexes of various types to the north (primarily tenement style apartment buildings and 1-2 family homes in addition to one NYCHA development, the Moore Houses). The area surrounding the Affected Area is mixed-use in character and is comprised of multi-family walk-up residential buildings, a variety of manufacturing buildings, three schools (Samuel Gompers Industrial High School, JM Rapport School for Career Development, and Heketi Community Charter School), and numerous parking lots and vacant parcels. Concord Avenue does not have significant commercially activity and the area is more residential in character north of 145th Street. The closest retail corridors are located along East 149th Street and Southern Boulevard.

The Affected Area is located adjacent to the Port Morris Industrial Business Zone on the south. St. Mary's Park, west of the Affected Area, is a 35-acre park, the largest in the South Bronx, and includes several playgrounds, barbecue areas, baseball and basketball fields, an indoor pool, and a recreation center. The closest subway station, East 143rd Street on the 6 line, is located two blocks east of the site, less than 0.25 miles away.

The existing zoning of the surrounding 400-foot radius project study area consists of an M1-2 district located to the east and south of the Affected Area, and an R7-1 district to the west and north.

The M1-2 district allows for a variety of light manufacturing uses such as repair shops, wholesale service and storage facilities, as well as heavier industrial uses subject to stringent performance standards. The bulk parameters of the district allow for buildings up to 2.0 FAR for manufacturing and commercial uses and 4.8 for community facility uses, built to the front and side lot lines, with a 20-foot rear yard. Building heights are regulated by a 1:1 sky exposure plane beginning at 30 feet (or two stories) above the street line. Off-street parking and loading facilities are required in M1-2 districts according to the type and size of the use on the property.

The R7-1 district allows residential as well as community facility uses. The R7-1 zoning district permits a residential FAR ranging between 0.87 and 3.44, generally designed under the height factor (building height controlled by sky exposure plane) or quality housing (75-foot maximum building height) rules, and a community facility floor area ratio of up to 4.8. While a 30-foot rear yard is required, front and side yards are not. Off-street parking is

required in R7 districts for 60% of dwelling units under height factor regulations and 50% of dwelling units under Quality Housing regulations.

The Affected Area was initially mapped in 1961 with an M1-1 zoning district, but was changed to an M1-2 district in 1964 (CP-18356, effective March 28,1964). More recently, the Crossroads Plaza Rezoning (C 120164 HAX, effective May 31, 2012) changed an R7-2 zoning district to R8X to facilitate the development of three mixed-use buildings with 428 units on a site located between East 149th Street, Southern Boulevard, East 147th Street, and Union Boulevard. Additionally, the East 147th Street Rezoning (C 160251 ZMK, effective October 27, 2016) changed M1-2 and M3-1 zoning districts to R7X and R7X/C1-4 on East 147th Street and Southern Boulevard and established an MIH Area to facilitate the development of a new 165-unit affordable housing building.

DESCRIPTION OF THE AFFECTED AREA

The Affected Area consists of a part of the eastern portion of Block 2578, including three contiguous tax lots, p/o Lots 15, 16 and 18. The Affected Area is located within an M1-2 zoning district. It is bounded by East 145th Street to the north; Lot 21 to the south; Concord Avenue to the east; and a line midway between East 144th and East 145th Streets to the west. Concord Avenue is a 60-foot wide narrow street with two-way traffic running north and south. Lot 16 and 18 are the Applicant-owned development site and Lot 15 is non-Applicant owned and are further described below.

- Projected Development Site 1 (Block 2578, p/o Lot 16 & 18) – The Applicant owned property consists of 13,750 square feet of lot area located along Concord Avenue between East 144th and East 145th Streets. The property has approximately 125 feet of frontage along Concord Avenue and a depth of approximately 110 feet. The individual lots comprising Projected Development Site 1 are developed as follows:

Lot 16 – This 5,500 square foot lot at 439 Concord Avenue is developed with a one-story approximately 1,988 gsf church (Movimiento de Iglesias Pentecostes) and a two-story vacant and heavily fire damaged building that was formerly occupied by a church (Dias de Culto) and a residential unit. The fire damaged structure is under full vacate order from the Fire Department of New York (FDNY).

Lot 18 - This 8,250 square foot lot at 431 Concord Avenue consists of vacant undeveloped land.

- Potential Development Site 1 (Block 2578, Lot 15) – The 3,000 square foot corner lot at 441 Concord Avenue is improved with a one-story, approximately 1,676 gsf garage occupied by an auto-repair use.

The western portion of Block 2578 is zoned R7-1. Lot 6 is an approximately 12,255 square foot lot improved with a six-story residential building with 47 units. Lots 1 and 21 are approximately 25,000 square feet in area and contain a one-story industrial building and a non-conforming warehouse. Across Concord Avenue to the east of the Affected Area on Block 2577 are one- and two-family homes (Lots 1, 4-8, 20, 22), a mixed-use building (Lot 24), and unimproved sites that are vacant or used for parking (Lots 2, 3, 9, 14).

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Proposed Actions would facilitate the development on the Applicant owned Projected Development Site 1 (Block 2578, p/o Lots 16 & 18) of an 11-story, 87,369 gsf Quality

Housing residential building with approximately 92 residential dwelling units (16 studios; 42 one-bedrooms; 24 two-bedrooms; 10 three-bedrooms) and 29 accessory parking spaces. The second through ninth floors would each contain 10 units, and the tenth and eleventh floors would each contain 6 units. The building would reach a height of 115 feet after a 15-foot setback above the base height of 95 feet and a 44.5-foot rear yard. An approximately 2,541 square foot outdoor recreation area would be provided on the roof of the structure. Parking would be accessed from a curb cut along Concord Avenue. The building's ground floor would be approximately 8,342 sf in size and would be used for non-occupiable residential space including parking (approximately 4,318 gsf), and lobby and building utility space (approximately 4,024 gsf). Therefore, the building would contain approximately 79,027 gsf of residential space on floors two through eleven. The average unit size would be approximately 859 gsf. No community facility space is proposed as part of the proposed development. The existing structures and uses on the Site would be demolished and removed.

The proposed development on Projected Development Site 1 would total 75,737 zsf of residential floor area which would be an FAR of 5.51 and comply with the maximum permitted development on the Site.

BUILD YEAR/PROJECT PHASING

It is assumed that the proposed rezoning would be approved in 2020. It would take approximately 18 months to construct the proposed building on the Applicant's Projected Development Site 1 for a build year of 2022.

PURPOSE AND NEED OF THE PROPOSED ACTIONS

The Proposed Actions would permit the development, on the Applicant owned Projected Development Site 1, of approximately 92 new affordable housing units in the Mott Haven neighborhood of the Bronx on currently underutilized land. The Proposed Actions, including the proposed rezoning from M1-2 to R7D, are needed to provide sufficient residential floor area for the project to be economically feasible. The proposed Zoning Map Change would include rezoning the Applicant Owned Projected Development Site 1 from its existing M1-2 district to the proposed R7D district which is required in order to develop residential uses on the property. It is also required to allow the proposed bulk of the new building to be increased from the current permitted FAR of 2.0 for manufacturing and commercial uses and 4.8 for community facility uses to 4.2 for all permitted residential and community facility uses (manufacturing uses would not be allowed), and 5.6 as a bonus for inclusionary housing. A maximum of 77,000 zoning square feet (zsf) of residential floor area and 57,750 zsf of community facility floor area would be permitted on the 13,750 sf Development Site.

The Applicant seeks to develop the zoning lot with housing consistent with the standards of the Quality Housing Program as well as the MIH Program zoning regulations. The proposed zoning text amendment to modify Appendix F is necessary in order to make the newly mapped R7D district a Mandatory Inclusionary Housing designated area.

As for Projected Development Site 1, which could be developed with up to 22 new housing units, including 4 affordable units, the proposed R7D zoning for Potential Development Site 1 would permit a residential and community facility development of up to 4.2. Under the proposed MIH zoning, the maximum permitted residential FAR would be increased to 5.6.

A maximum of 16,800 zsf of residential floor area and 12,600 zsf of community facility floor area would be permitted on the 3,000 square foot Development Site.

There is a high demand for affordable housing in this neighborhood of the Bronx. This portion of Mott Haven has a very mixed-use character and includes one- and two-family residences, multi-family residences, mixed-use (commercial and residential) buildings, industrial uses, schools, and vacant land. The site is well served by public transit and is in close proximity to St. Mary's Park, a 35.3-acre park that provides opportunities for active and passive recreation.

The project cannot be developed under the current M1-2 zoning district as residential use is not permitted. The proposed increase in density would allow residential development on underutilized property in close proximity to public transportation. The site is in a Transit Zone. The proposed rezoning would also allow the creation of new affordable housing in Bronx Community District 1, where 48.8 percent of households are rent burdened (spending 35 percent or more of their income on rent).

NO-ACTION SCENARIO

It is assumed that under the No-Action Scenario, existing conditions would continue on the Projected Development Site 1 and Potential Development Site 1.

WITH-ACTION SCENARIO

The Applicant's proposed project is the same as the With-Action Reasonable Worst Case Development Scenario (RWCDS) with the exception of the number of dwelling units. The Applicant is proposing the development of 92 dwelling units while the RWCDS memo assumes 93 dwelling units. The RWCDS maximizes the use and bulk permitted by the R7D district and is based on the standard 850 dwelling unit factor used in dense areas of the city. For certain technical areas, where it is more conservative to assume so, based on the Applicant's intent to seek discretionary HPD financing to make the project 100% affordable, the EAS will analyze 93 dwelling units at or below 80% of the AMI. While the Applicant is proposing that 100% of the proposed units be affordable, for the purposes of a conservative analysis, the EAS assumes that 20% of the residential floor area would be reserved as affordable to households with incomes at or below 80% of the AMI resulting in 19 affordable units.

Although no development is proposed on the non-Applicant owned property within the Affected Area, Potential Development Site 1 (Block 2578, p/o Lot 15) is projected to be developed with an 8-story, 85-foot tall[2], 18,840 gsf residential building with 22 residential dwelling units, based on the standard average unit size of 850 sf. For the purposes of a conservative analysis, the EAS assumes that 20% of the residential floor area would be reserved as affordable to households with incomes at or below 80% of the AMI resulting in 4 affordable units. No accessory parking would be required or provided. The building would have a height of 85 feet and an FAR of 5.6 based on 16,799 zsf on the 3,000 square foot lot. The maximum building height of 115 feet has not been applied to this site as it consists of a narrow lot where floors above the building base of 95 feet would only be 12.33’ wide in

[2] It is assumed that the mechanical bulkhead on the building would extend up to an additional 10 feet in height.

order to accommodate the required setback of 15' on both narrow streets upon which the site fronts. The existing structures and uses on the Site would be demolished and removed.

The existing structures and uses on Projected Development Site 1 and Potential Development Site 1 would be demolished and removed.

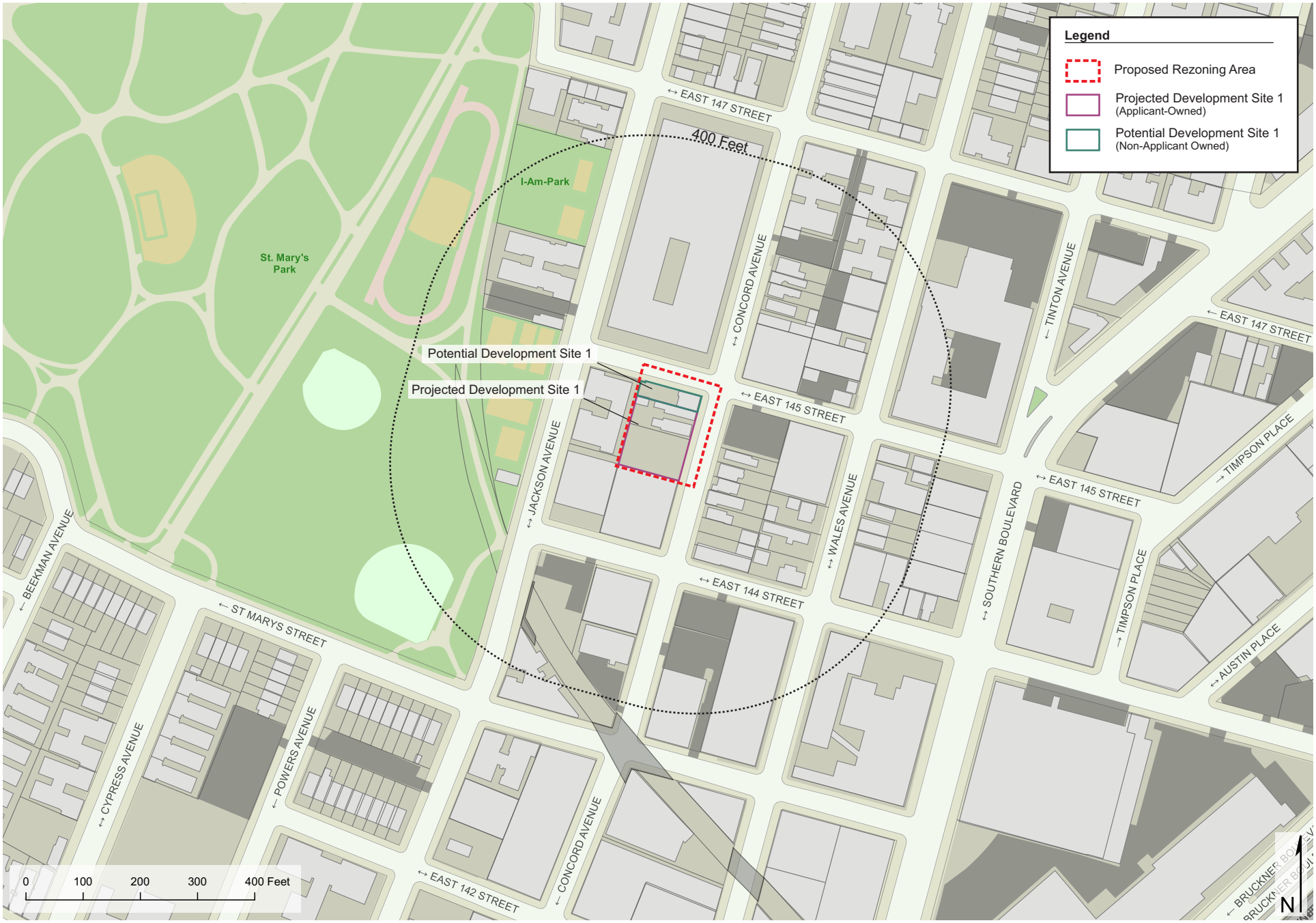
INCREMENT BETWEEN NO-ACTION AND WITH-ACTION SCENARIOS

Under the With-Action Scenario for the project build year of 2022, Projected Development Site 1 would be developed with one new building containing a total of 87,369 gsf of floor area including 93 dwelling units, 19 of which would be affordable units, and 29 accessory parking spaces. The existing/No-Action development of a 1,988 gsf church would be removed. This would result in an increase of 85,381 gsf of total floor area and would include the addition of 93 dwelling units, 19 of which would be affordable units, and 29 accessory parking spaces.

Table 1

No-Action and With-Action Development Scenarios and Increment

Develop Site #	Block/Lot	Applic/Non-Applic Owned	Lot Size (SF)	No-Action Scenario	With-Action Scenario	Increment
Projected Site 1	2,578/p/o 16, 18	Applicant	13,750	988 gsf church, 8,250 sf vacant lot	87,369 gsf residential-93 DUs (19 affordable), 29 parking spaces	Removed: 1,988 gsf chuch, 8,250 sf vacant lot Added: 87,369 gsf residential-93 DUs (19 affordable), 29 parking spaces
Potential Site 1	2578/p/o 15	Non-Applicant	3,000	1,676 gsf automobile repair garage	18,840 gsf residential-22 DUs (4 affordable)	Removed: 1,676 gsf automobile repair garage Added: 18,840 gsf residential - 22 DUs (4 affordable)


Legend
Proposed Rezoning Area
Projected Development Site 1
(Applicant-Owned)
Potential Development Site 1
(Non-Applicant Owned)
400 Feet
Potential Development Site 1
Projected Development Site 1
I-Am-Park
St. Mary's Park
EAST 147 STREET
CONCORD AVENUE
TINTON AVENUE
EAST 145 STREET
JACKSON AVENUE
WALES AVENUE
SOUTHERN BOULEVARD
TIMPSON PLACE
AUSTIN PLACE
EAST 144 STREET
BEEKMAN AVENUE
ST MARYS STREET
CYPRESS AVENUE
POWERS AVENUE
EAST 142 STREET
BRUCKNER BOULEVARD
0
100
200
300
400 Feet
N



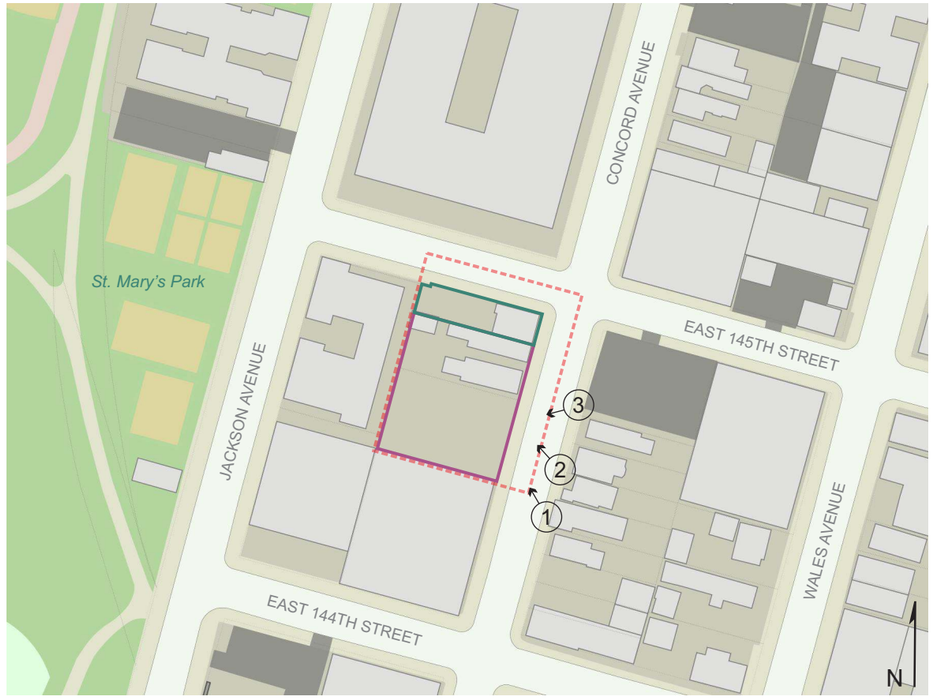
1. View of Projected Development Site 1 facing northwest from Concord Avenue.



2. View of Projected Development Site 1 facing northwest from Concord Avenue.



3. View of Projected Development Site 1 facing southwest from Concord Avenue.





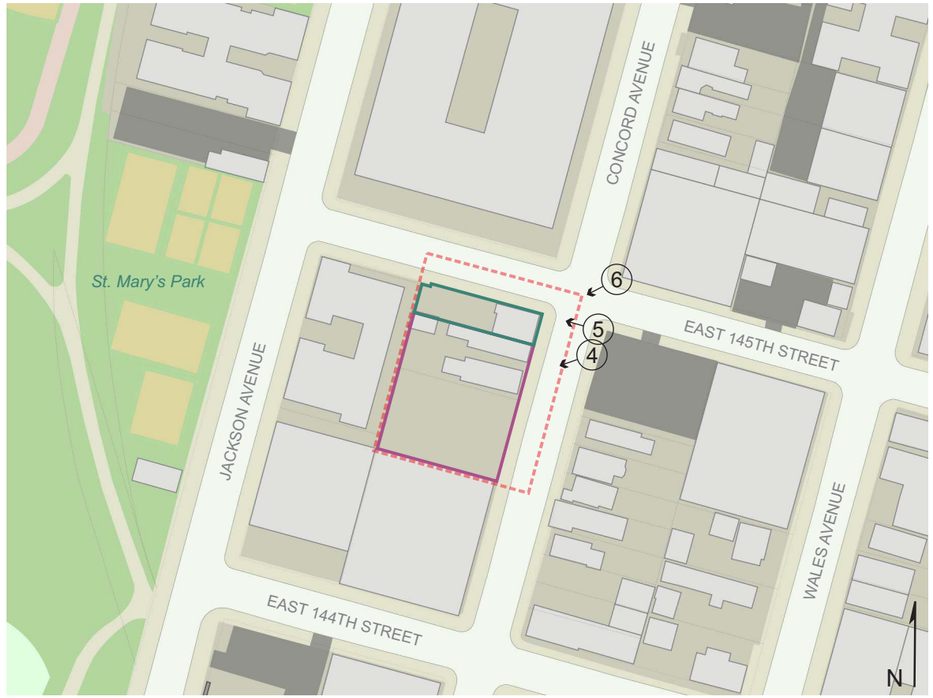
4. View of Projected Development Site 1 facing southwest from Concord Avenue.



5. View of Potential Development Site 1 facing northwest from Concord Avenue.



6. View of the Potential Development Site 1 facing southwest from the intersection of Concord Avenue and East 145th Street.





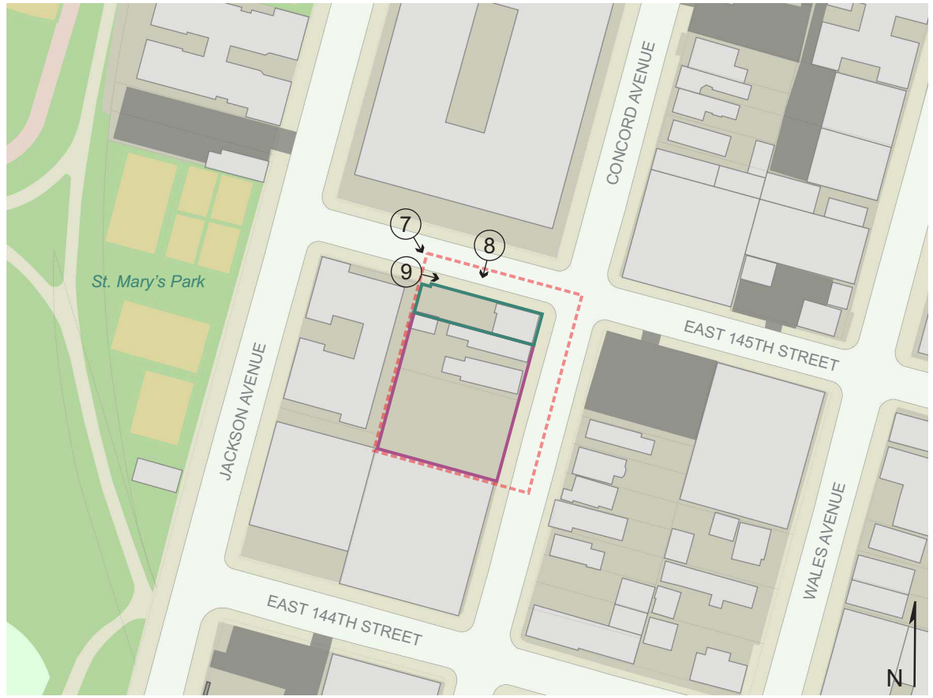
7. View of Potential Development Site 1 facing southeast from East 145th Street.



8. View of Potential Development Site 1 facing south from East 145th Street.



9. View of the sidewalk along the south side of East 145th Street facing southeast (Potential Development Site 1 at right).





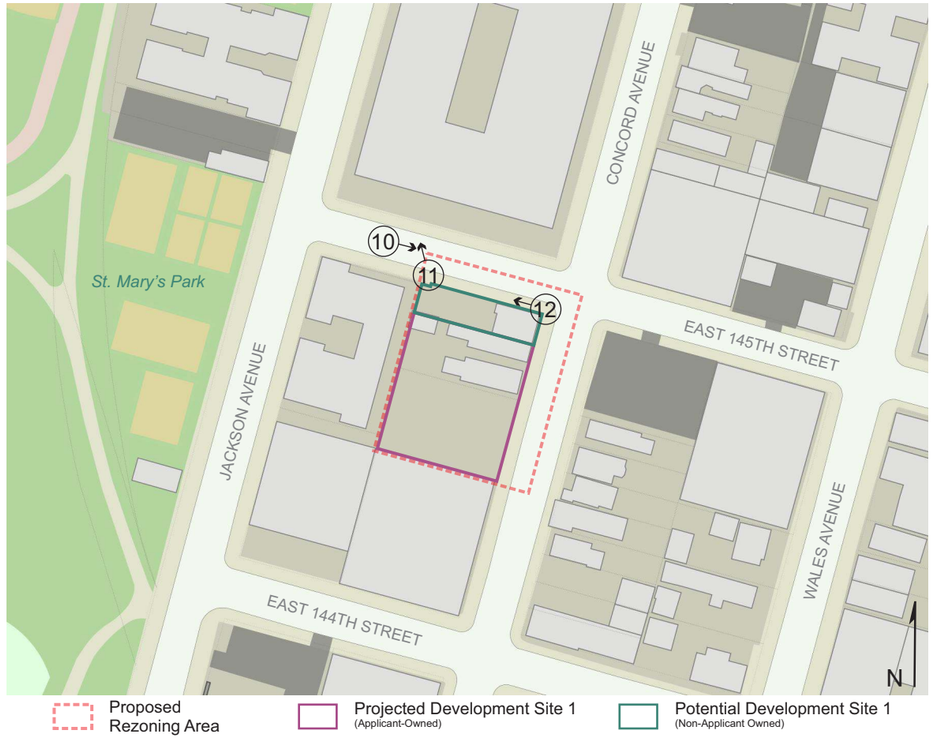
10. View of East 145th Street facing southeast toward Concord Avenue (Potential Development Site 1 at right).



11. View of J.H.S. 155 on the north side of East 145th Street facing northwest from Potential Development Site 1.



12. View of the sidewalk along the south side of East 145th Street facing northwest from Concord Avenue (Potential Development Site 1 at left).





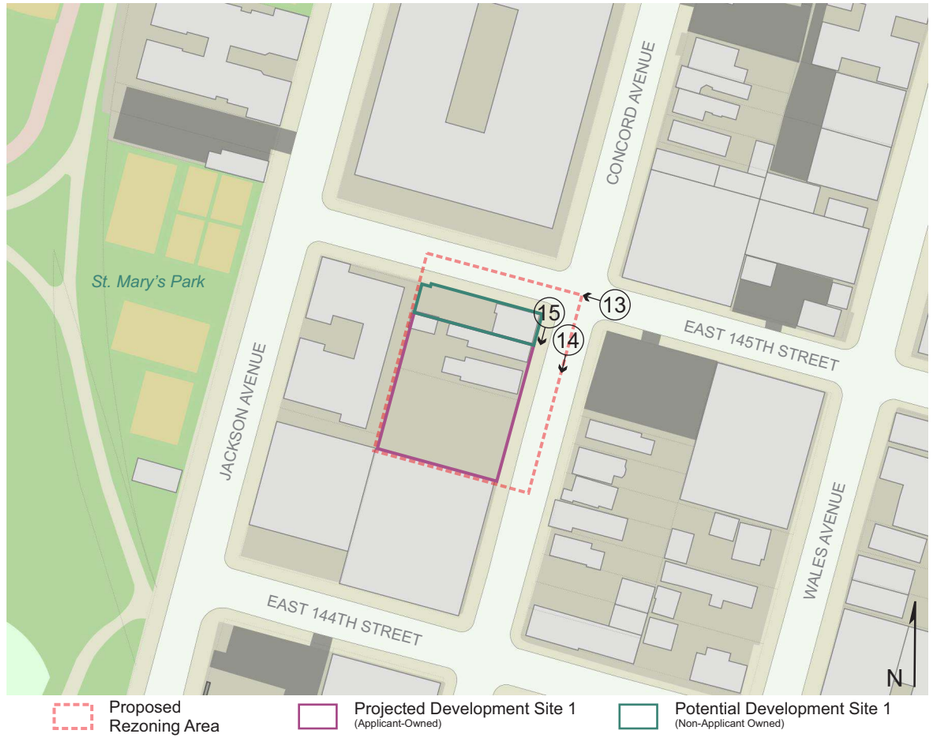
13. View of East 145th Street facing northwest from Concord Avenue (Potential Development Site 1 at left).



14. View of Concord Avenue facing southwest toward East 144th Street (Projected Development Site 1 at right).



15. View of the sidewalk along the west side of Concord Avenue facing southwest from East 145th Street (Potential Development Site 1 at right).





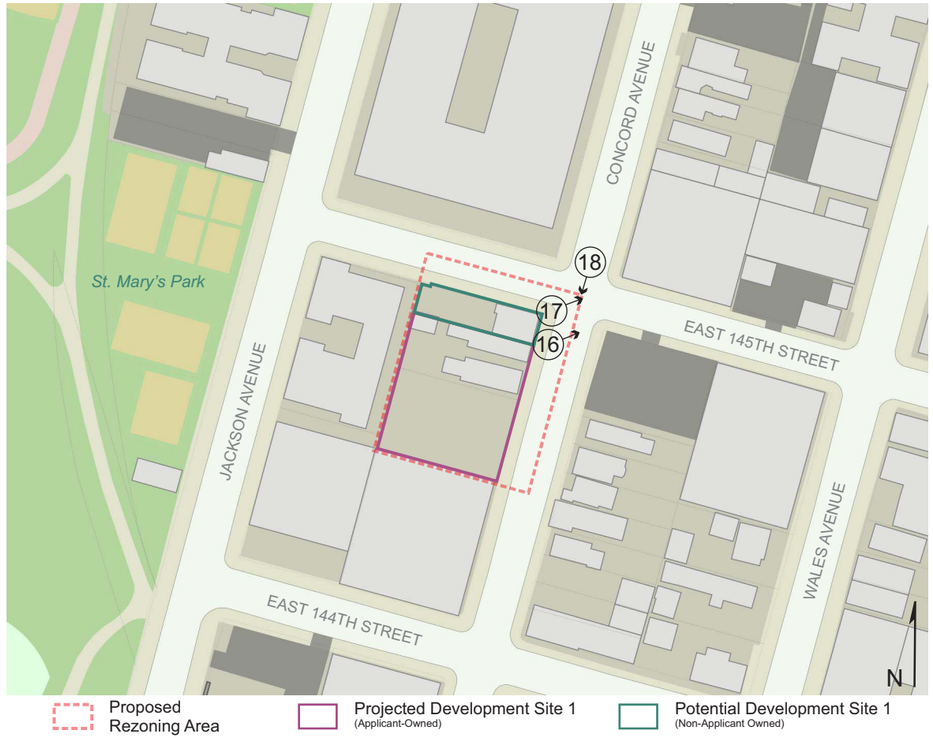
16. View of the east side of Concord Avenue facing northeast from Projected Development Site 1.



17. View of the intersection of Concord Avenue and East 145th Street facing northeast from Potential Development Site 1.



18. View of Concord Avenue facing southwest from East 145th Street (Potential Development Site 1 at right).





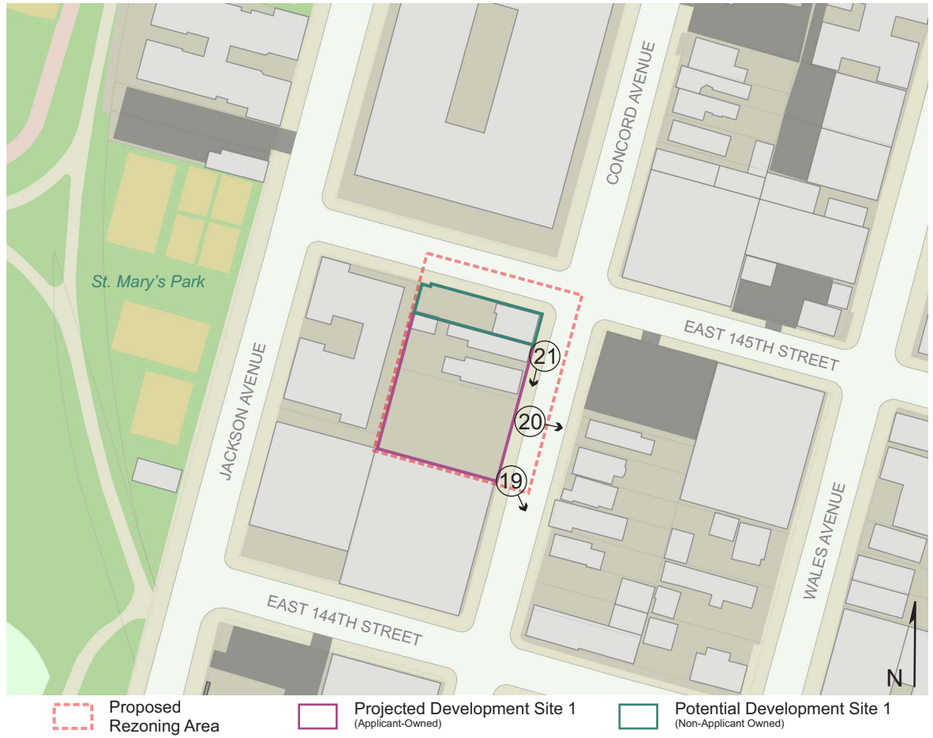
19. View of the east side of Concord Avenue facing southeast from Projected Development Site 1.



20. View of the east side of Concord Avenue facing east from Potential Development Site 1.



21. View of the sidewalk along the west side of Concord Avenue facing southwest toward East 144th Street (Potential Development Site 1 at right).

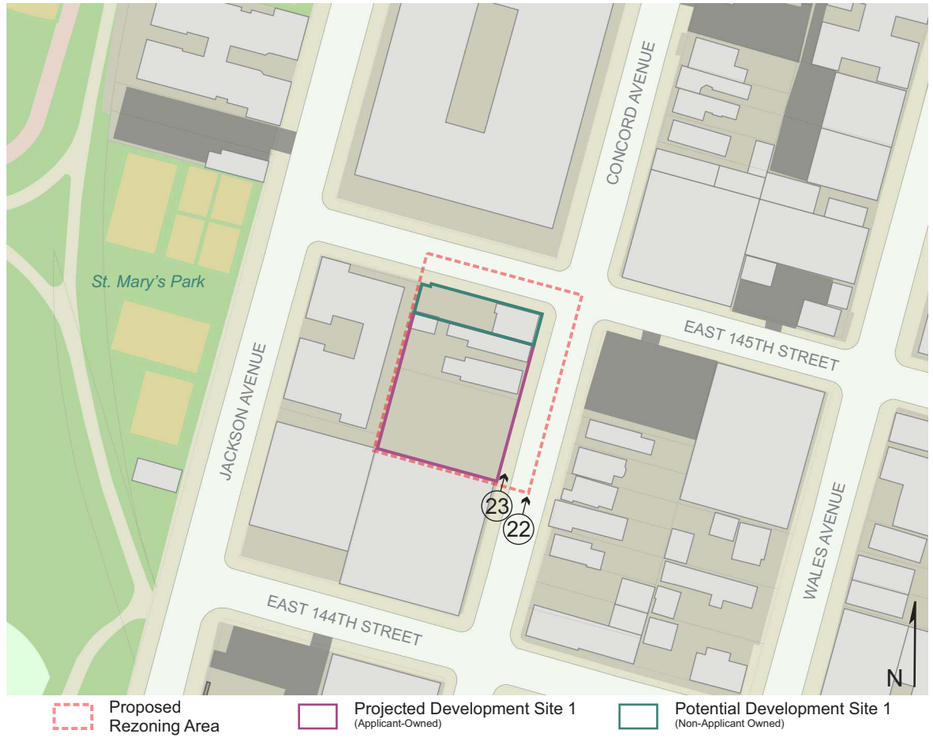




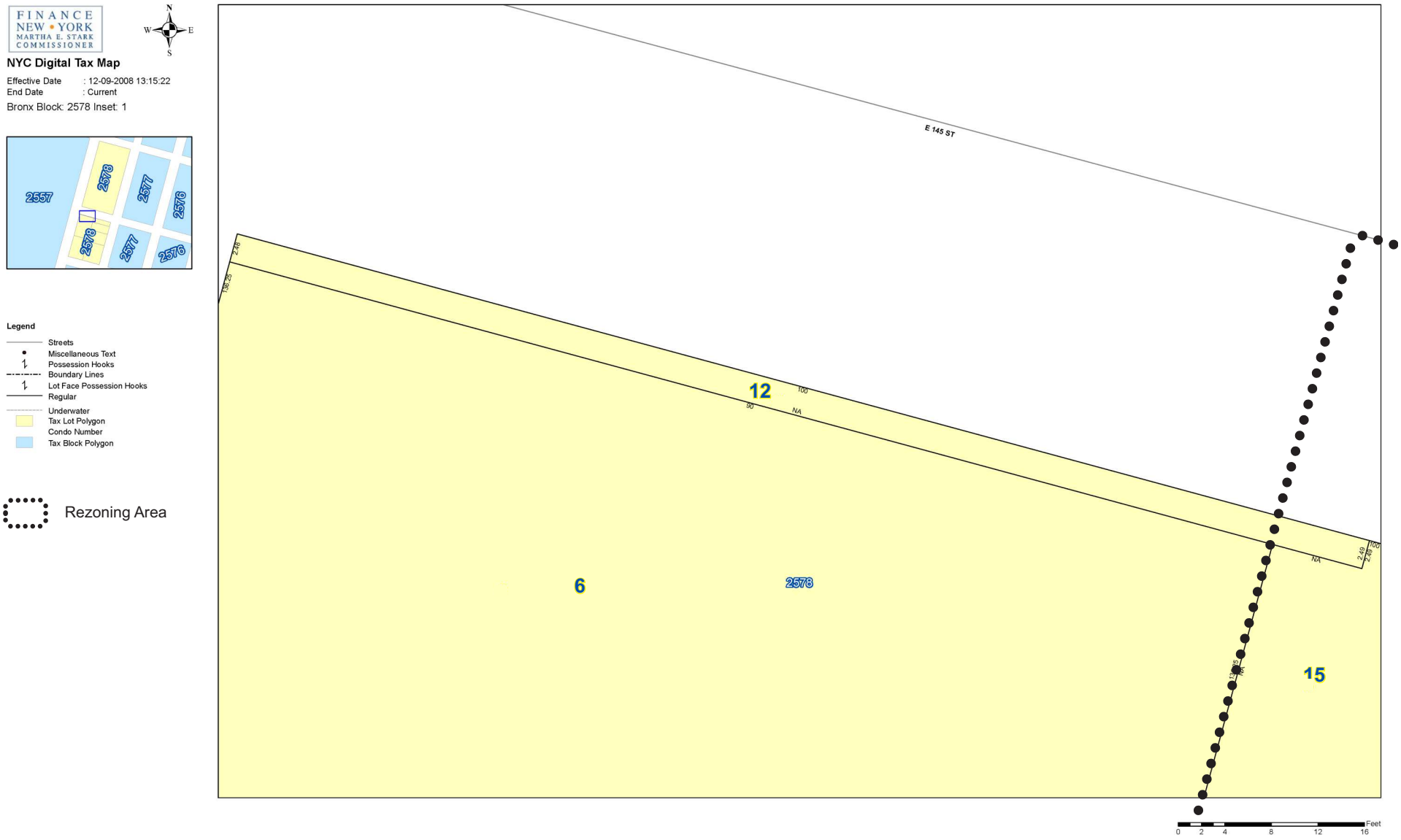
22. View of Concord Avenue facing northeast toward East 145th Street (Projected Development Site 1 at left).

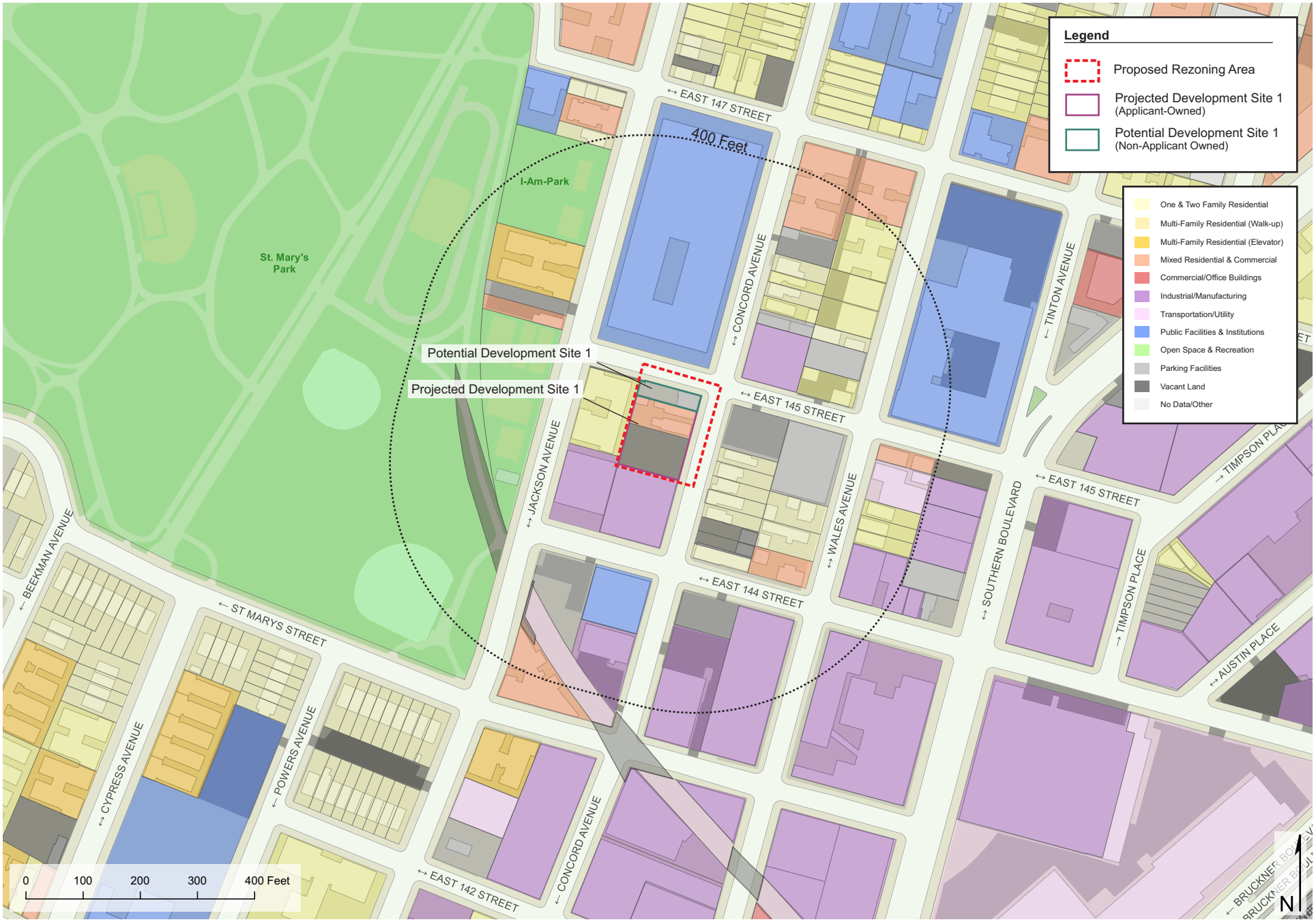


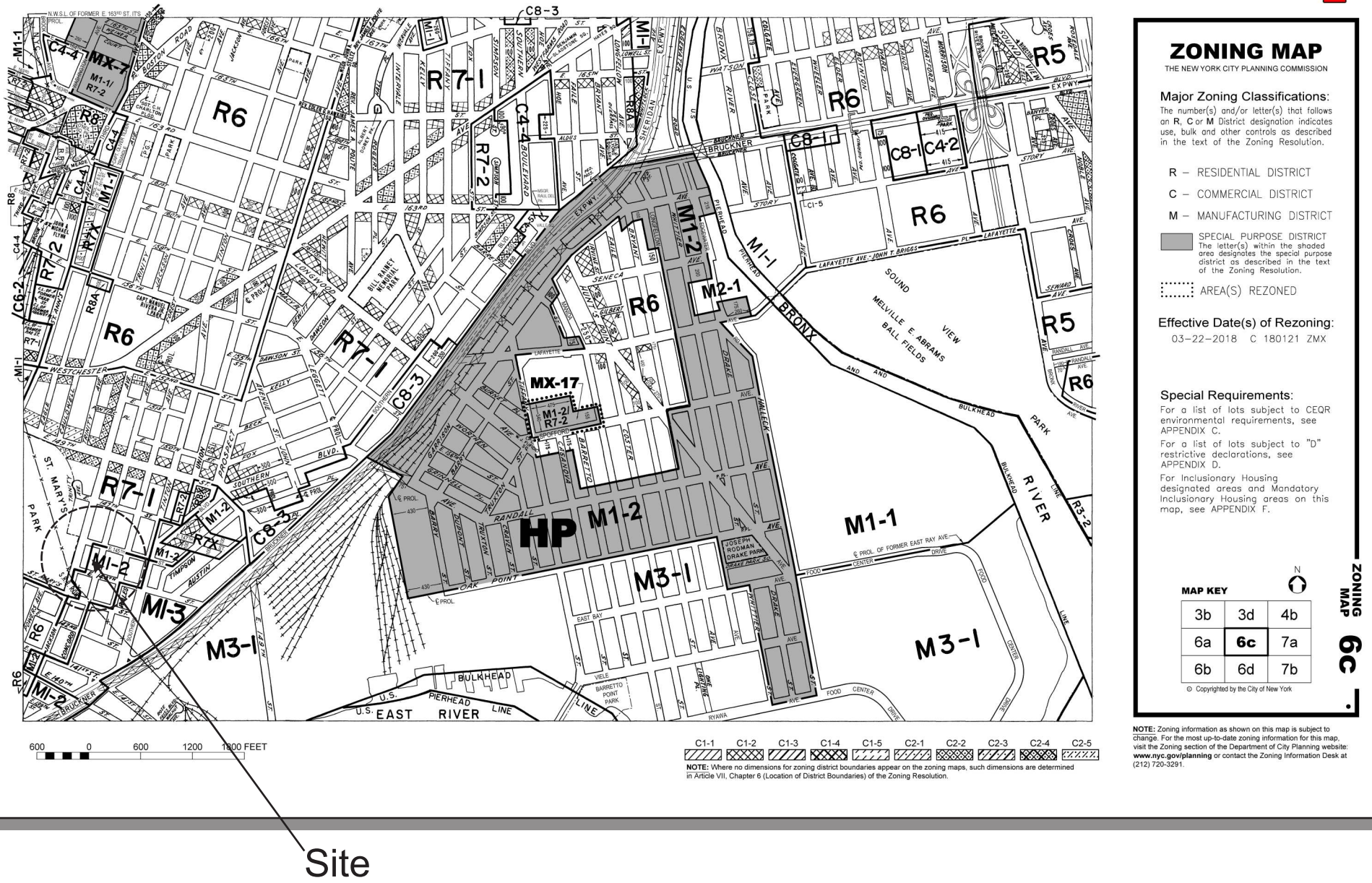
23. View of the sidewalk along the west side of Concord Avenue facing northeast toward East 145th Street (Projected Development Site 1 at left).




Legend
Proposed Rezoning Area
Projected Development Site
(Applicant-Owned)
Potential Development Site 1
(Non-Applicant Owned)
Streets
Miscellaneous Text
Possession Hooks
Boundary Lines
Lot Face Possession Hooks
Regular
Underwater
Tax Lot Polygon
Condo Number
Tax Block Polygon
Easement
2579
2580
2581
E 147 ST
27
2578
CONCORD AV
2577
WALES AV
2576
2557
JACKSON AV
12
6
2578
15
16
18
1
21
E 145 ST
Potential Development Site 1
Projected Development Site 1
2577
2576
SOUTHERN BLVD
E 144 ST
2573
0
50
100
150
200 Feet
N

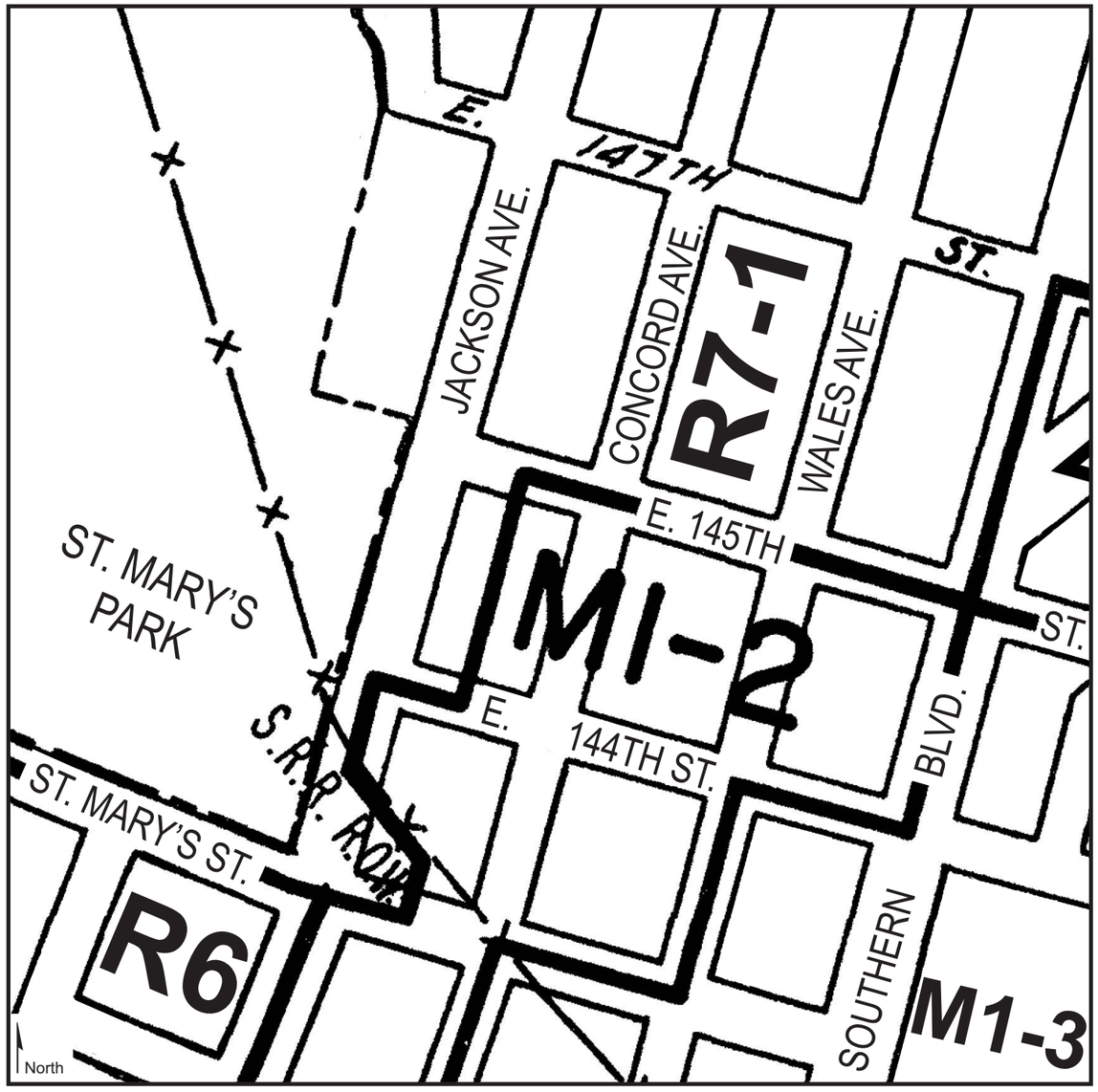

FINANCE
NEW • YORK
MARTHA E. STARK
COMMISSIONER
N
W
E
S
NYC Digital Tax Map
Effective Date : 12-09-2008 13:15:22
End Date : Current
Bronx Block: 2578 Inset: 1
2557
2578
2577
2576
2573
2577
2576
Legend
Streets
Miscellaneous Text
Possession Hooks
Boundary Lines
Lot Face Possession Hooks
Regular
Underwater
Tax Lot Polygon
Condo Number
Tax Block Polygon
Rezoning Area
E 145 ST
12
6
2578
15
100
90
NA
2.49
108.25
Feet
0
2
4
8
12
16


Legend
Proposed Rezoning Area
Projected Development Site 1 (Applicant-Owned)
Potential Development Site 1 (Non-Applicant Owned)
One & Two Family Residential
Multi-Family Residential (Walk-up)
Multi-Family Residential (Elevator)
Mixed Residential & Commercial
Commercial/Office Buildings
Industrial/Manufacturing
Transportation/Utility
Public Facilities & Institutions
Open Space & Recreation
Parking Facilities
Vacant Land
No Data/Other
400 Feet
Potential Development Site 1
Projected Development Site 1
I-Am-Park
St. Mary's Park
EAST 147 STREET
CONCORD AVENUE
TINTON AVENUE
EAST 145 STREET
JACKSON AVENUE
WALES AVENUE
SOUTHERN BOULEVARD
TIMPSON PLACE
AUSTIN PLACE
EAST 144 STREET
BEEKMAN AVENUE
ST MARYS STREET
CYPRESS AVENUE
POWERS AVENUE
EAST 142 STREET
BRUCKNER BOULEVARD
0
100
200
300
400 Feet
N

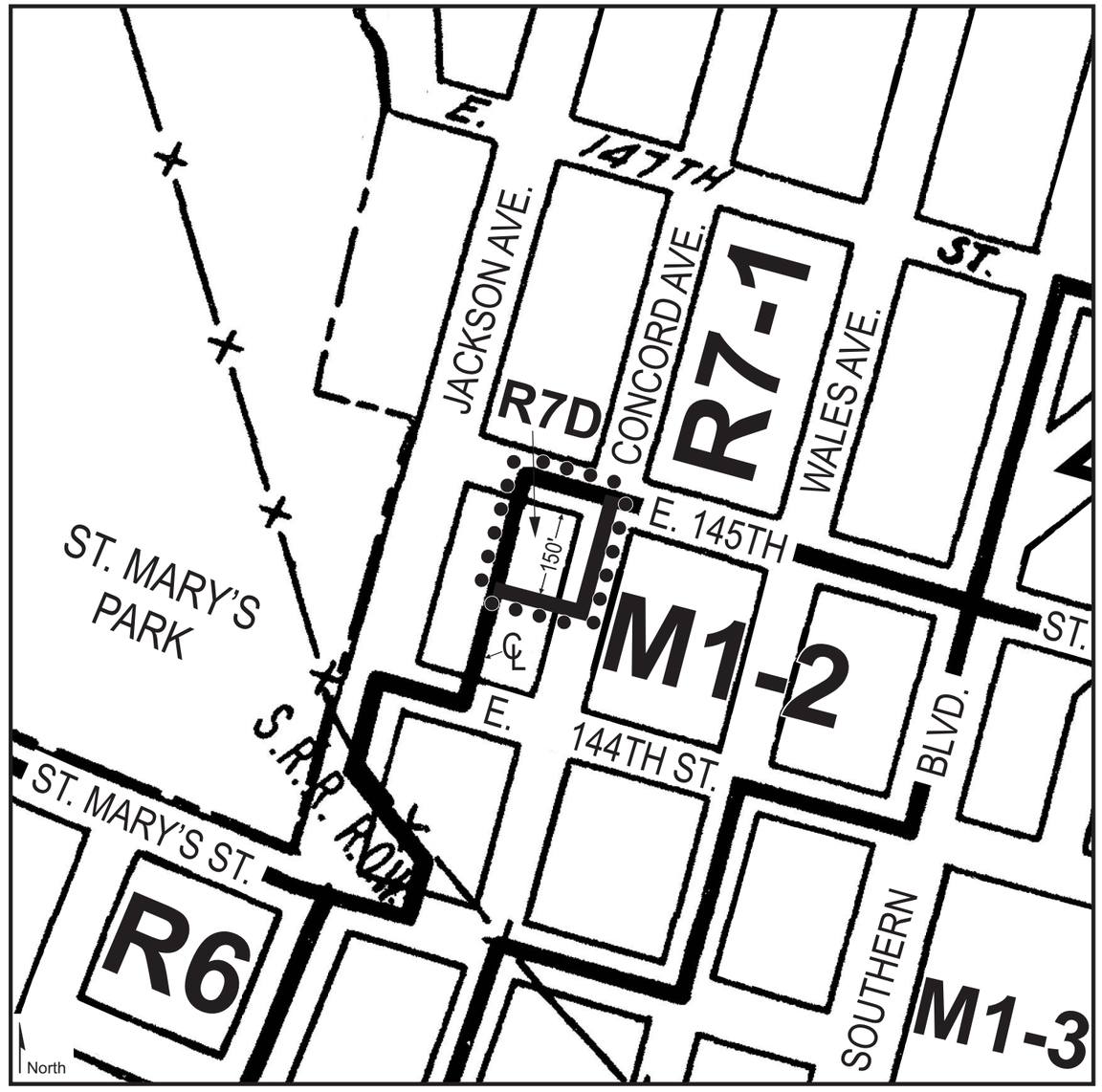

ZONING MAP
THE NEW YORK CITY PLANNING COMMISSION
Major Zoning Classifications:
The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.
R – RESIDENTIAL DISTRICT
C – COMMERCIAL DISTRICT
M – MANUFACTURING DISTRICT
SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.
AREA(S) REZONED
Effective Date(s) of Rezoning:
03-22-2018 C 180121 ZMX
Special Requirements:
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.
MAP KEY
3b 3d 4b
6a 6c 7a
6b 6d 7b
© Copyrighted by the City of New York
ZONING MAP 6c
NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.
600 0 600 1200 1800 FEET
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.
Site


Legend
Proposed Rezoning Area
Projected Development Site 1
(Applicant-Owned)
Potential Development Site 1
(Non-Applicant Owned)
400 Feet
Potential Development Site 1
Projected Development Site 1
↔ EAST 147 STREET
↔ CONCORD AVENUE
↔ TINTON AVENUE
← EAST 147 STREET
↔ EAST 145 STREET
↔ JACKSON AVENUE
↔ WALES AVENUE
↔ SOUTHERN BOULEVARD
→ TIMPSON PLACE
↔ EAST 144 STREET
← BEEKMAN AVENUE
← ST MARYS STREET
↔ CYPRESS AVENUE
← POWERS AVENUE
↔ EAST 142 STREET
← CONCORD AVENUE
↔ AUSTIN PLACE
← BRUCKNER BOULEVARD
0 100 200 300 400 Feet
N

Zoning Change Map



Current Zoning Map (6c)



Proposed Zoning Map (6c) - Area being rezoned is outlined with dotted lines

Rezoning from M1-2 to R7D

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.

431 Concord Avenue
Community District 1, Bronx
9/26/18
Zoning Map 6c

Matter <u>underlined</u> is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

The Bronx

* * *

The Bronx Community District 1

* * *



<u>Mandatory Inclusionary Housing Area</u> *<u>(see Section 23-154(d)(3))</u>*

<u>Area **6** — [date of adoption] — MIH Program Option 1 and Option 2</u>

Portion of Community District 1, Bronx

* * *

ENVIRONMENTAL ASSESSMENT STATEMENT

INTRODUCTION

Based on the analysis and the screens contained in the Environmental Assessment Statement Short Form, the analysis areas that require further explanation include land use, zoning, and public policy, open space, shadows, historic and cultural resources, urban design and visual resources, hazardous materials, air quality, and noise as further detailed below. The subject heading numbers below correlate with the relevant chapters of the *CEQR Technical Manual*.

4. LAND USE, ZONING AND PUBLIC POLICY

Under the *City Environmental Quality Review (CEQR) Technical Manual* guidelines, a land use analysis evaluates the use and development trends in the area that may be affected by a proposed action and determines whether the proposed action is compatible with those conditions or may affect them. Similarly, the analysis considers the proposed action's compliance with, and effect on, the area's zoning and other applicable public policies.

As discussed in the Project Description, the Proposed Development on Projected Development Site 1 is expected to be completed by 2022. The Proposed Actions would also result in the creation of a Potential Development Site that is not controlled by the Applicant. Potential sites are not considered to redeveloped in the foreseeable future. Therefore, they are not considered for the project build year. Absent the Proposed Actions (the No-Action condition) it is assumed that existing conditions would continue on Projected Development Site 1 and Potential Development Site 1.

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 project, as well as the location and context of the area that could be affected by the project. To assess the potential for project related impacts, the land use study area has been defined as the area located within a 400-foot radius of the proposed Affected Area. The 400-foot radius study area is generally bounded by an area between East 147th Street on the north, St. Mary's Street on the south, an area between Wales Avenue and Southern Boulevard on the east, and St. Mary's Park on the west. Various sources have been used to prepare a comprehensive analysis of land use, zoning, and public policy characteristics of the area, including field surveys, studies of the neighborhood, census data, and land use and zoning maps.

LAND USE

Existing Conditions

Affected Area

The Affected Area (the area subject to the Zoning Map and Zoning Text Amendments) is located in the Mott Haven neighborhood of the Bronx on a portion of one block bounded by Concord Avenue and East 145th Street. The Affected Area includes Block 2578, p/o Lots 15, 16, and 18. Block 2578, p/o Lots 16 and 18 constitute the Applicant's property which is proposed for development. Block 2578, p/o Lot 15, which is not controlled by the

Applicant, would be rezoned and is projected to be developed as a Potential Development Site under the Proposed Actions.

The 16,750 square foot Affected Area is developed with 3,664 gsf of total floor area including a 1,988 gsf church and a 1,676 gsf automobile repair garage. The Area also includes a vacant undeveloped lot as well as a vacant and heavily fire damaged building that was formerly occupied by a church and a residential unit.

The existing development on each of the Projected Development Sites is detailed below. See Land Use map.

Projected and Potential Development Sites

Projected Development Site 1 (Block 2578, p/o Lot 16 & 18) – The Applicant-owned property consists of 13,750 square feet of lot area located along Concord Avenue between East 144th and East 145th Streets. The property has approximately 125 feet of frontage along Concord Avenue and a depth of approximately 110 feet. The individual lots comprising Projected Development Site 1 are developed as follows:

- Lot 16 – This 5,500 square foot lot at 439 Concord Avenue is developed with a one-story approximately 1,988 gsf church (Movimiento de Iglesias Pentecostes) and a two-story vacant and heavily fire damaged building that was formerly occupied by a church (Dias de Culto) and a residential unit. The fire damaged structure is under full vacate order from the Fire Department of New York (FDNY).

- Lot 18 - This 8,250 square foot lot at 431 Concord Avenue consists of vacant undeveloped land.

Potential Development Site 1 (Block 2578, p/o Lot 15) – The 3,000 square foot corner lot at 441 Concord Avenue is improved with a one-story, approximately 1,676 gsf garage occupied by an auto-repair use.

400-Foot Radius Project Study Area

The 400-foot radius area surrounding the Affected Area is mixed-use in character and is comprised of one- and two-family residences, multi-family walk-up residential buildings, a variety of manufacturing buildings, four schools (Samuel Gompers Industrial High School, JM Rapport School for Career Development, Heketi Community Charter School, and a new private school at 390 Concord Avenue), and numerous parking lots and vacant parcels. Concord Avenue does not have significant commercial activity and the area is more residential in character north of East 145th Street. The closest retail corridors are located along East 149th Street and Southern Boulevard. A railroad cut extends through the southeastern portion of the project study area.

The Affected Area is located adjacent to the Port Morris Industrial Business Zone on the south. St. Mary's Park, west of the Affected Area, is a 35-acre park, the largest in the South Bronx, and includes several playgrounds, barbecue areas, baseball and basketball fields, an indoor pool, and a recreation center. The closest subway station, East 143rd Street on the 6

line, is located two blocks east of the site, less than 0.25 miles away. Bruckner Boulevard/Expressway is located approximately 1,300 feet south of the Affected Area.

Future No-Action Scenario

Affected Area

Under the No-Action Scenario for the project build year of 2022, it is assumed that both Development Sites would remain in their existing condition as detailed above.

400-Foot Radius Project Study Area

One new development project has been identified for the 400-foot radius project study area based on a review of the NYC Department of City Planning's (DCP) ZAP Search of Zoning and Land Use Applications and the NYC Active Major Construction website.

- 411 Wales Avenue – Convert existing 58,069 sf warehouse to charter school.

No other development plans are known to exist for the undeveloped parcels or other uses within the project study area as identified above by the project build year of 2022. Therefore, surrounding land uses within the immediate study area are expected to remain largely unchanged by the project build year of 2022.

Future With-Action Scenario

Affected Area

Under the With-Action Scenario for the project build year of 2022, Projected Development Site 1 would be developed with a new 11-story, 115-foot tall, 87,369 gsf Quality Housing residential building with approximately 93 residential dwelling units on floors 2 through 11. The development would also include 29 accessory parking spaces on the first floor of the building. While the Applicant is proposing 27 affordable units, for the purposes of a conservative analysis, the EAS assumes that 20% of the residential floor area would be reserved as affordable to households with incomes at or below 80% of the AMI resulting in 19 affordable units. The existing/Future No-Action 1,988 gsf church and the vacant fire damaged building on the site would be removed.

Potential Development Site 1 would be developed with an 8-story, 85-foot tall, 18,840 gsf residential building for 22 residential dwelling units. For the purposes of a conservative analysis, the EAS assumes that 20% of the residential floor area would be reserved as affordable to households with incomes at or below 80% of the AMI resulting in 4 affordable units. No accessory parking would be required or provided.

Table 4-1 below presents the No-Action and With-Action developments on the two Development Sites and shows the increment between these two scenarios.

Table 4-1

No-Action and With-Action Development Scenarios and Increment

Develop Site #	Block/ Lot	Applic/ Non-Applic Owned	Lot Size (SF)	No-Action Scenario	With-Action Scenario	Increment
Projected Site 1	2,578/ p/o 16, 18	Applicant	13,750	1,988 gsf church, 8,250 sf vacant lot	87,369 gsf residential-93 DUs (19 affordable), 29 parking spaces	Removed: 1,988 gsf chuch, 8,250 sf vacant lot Added: 87,369 gsf residential-93 DUs (19 affordable), 29 parking spaces
Potential Site 1	2578/ p/o 15	Non-Applicant	3,000	1,676 gsf automobile repair garage	18,840 gsf residential-22 DUs (4 affordable)	Removed: 1,676 gsf automobile repair garage Added: 18,840 gsf residential - 22 DUs (4 affordable)

400-Foot Radius Project Study Area

The Proposed Actions would not result in any changes in land use within the 400-foot radius project study area.

Conclusion

The Applicant seeks to develop his property to provide 92 dwelling units. For the purposes of the CEQR analysis, 93 units is being used as a conservative approach. One additional Site within the Affected Area could potentially be developed with one new building containing a total of 18,840 gsf of floor area including 22 dwelling units, 4 of which would be affordable units.

The projected development would primarily replace obsolete development with low economic viability and vacant land which would not be considered to be a significant land use impact. The projected and potential developments could alter existing development patterns in the surrounding project study area in the future, especially of the underutilized parking lots and vacant parcels, by encouraging the development of new residential uses. However, this would be in compliance with City policies to encourage the development of new housing, especially affordable housing, in underutilized areas of the City.

Based on the above analyses, it has been determined that no potentially significant adverse impacts related to land use are expected to occur as a result of the Proposed Actions. Therefore, further analysis of land use is not warranted.

ZONING

Existing Conditions

Affected Area

The Affected Area was initially mapped in 1961 with an M1-1 zoning district, but was changed to an M1-2 district in 1964 (CP-18356, effective March 28,1964). The M1-2 district allows for a variety of light manufacturing uses such as repair shops, wholesale service and storage facilities, as well as heavier industrial uses subject to stringent performance

standards. The bulk parameters of the district allow for buildings up to 2.0 FAR for manufacturing and commercial uses and 4.8 for community facility uses, built to the front and side lot lines, with a 20-foot rear yard. Building heights are regulated by a 1:1 sky exposure plane beginning at 30 feet (or two stories) above the street line. Off-street parking and loading facilities are required in M1-2 districts according to the type and size of the use on the property.

400-Foot Radius Project Study Area

The existing zoning of the surrounding 400-foot radius project study area consists of an M1-2 district located to the east and south of the Affected Area, and an R7-1 district to the west and north. The M1-2 district is discussed above and the R7-1 district is discussed below.

The R7-1 district allows residential as well as community facility uses. The R7-1 zoning district permits a residential FAR ranging between 0.87 and 3.44, generally designed under the height factor (building height controlled by sky exposure plane) or quality housing (75-foot maximum building height) rules, and a community facility floor area ratio of up to 4.8. While a 30-foot rear yard is required, front and side yards are not. Off-street parking is required in R7 districts for 60% of dwelling units under height factor regulations and 50% of dwelling units under Quality Housing regulations.

On May 31, 2012, the Crossroads Plaza Rezoning (C 120164 HAX) changed an R7-2 zoning district to R8X to facilitate the development of three mixed-use buildings with 428 units on a site located between East 149th Street, Southern Boulevard, East 147th Street, and Union Boulevard. Additionally, the East 147th Street Rezoning (C 160251 ZMK, effective October 27, 2016) changed M1-2 and M3-1 zoning districts to R7X and R7X/C1-4 on East 147th Street and Southern Boulevard and established an MIH Area to facilitate the development of a new 165-unit affordable housing building.

Future No-Action Scenario

Affected Area

In the future and absent the Actions, the Affected Area would continue to be zoned M1-2.

400-Foot Radius Project Study Area

No rezoning applications are proposed for the 400-foot radius project study area based on a review of DCP's ZAP Search of Zoning and Land Use Applications. No rezoning actions are presently being contemplated by DCP, as indicated on the DCP website, for the study area by the Project Build Year of 2022.

Future With-Action Scenario

Affected Area

The Proposed Actions consist of a Zoning Map Amendment and a Zoning Text Amendment. The Zoning Map Amendment would rezone a portion of Block 2578 (p/o Lots 15, 16, and 18) from the existing M1-2 district to an R7D district. The Proposed Actions also include a

Zoning Text Amendment to modify Zoning Resolution (ZR) Appendix F to designate the newly mapped R7D district as a Mandatory Inclusionary Housing (MIH) designated area.

The proposed R7D zoning district is a contextual zoning district that requires development to be in accordance with Quality Housing standards. For Inclusionary Housing, the district typically produces 11-story apartment buildings set at or near the street line. The maximum residential and community facility FAR in the R7D zone is 4.2. The residential FAR can be increased up to 5.6 with the Inclusionary Housing Program bonus. For Inclusionary Housing, above a base height of 60 to 95 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 115 feet with a qualifying ground floor. Lot coverage of 65% is permitted for an interior lot. A 30' rear yard is required. Parking is required for 50% of the market rate dwelling units but may be waived if 15 or fewer spaces are required. No parking is required for affordable units within a Transit Zone. Manufacturing uses and the existing auto related uses on Potential Development Site 1 are permitted under the existing M1-2 zoning. Under the proposed R7D zoning, the auto related uses on Potential Development Site 1 will not be permitted as-of-right and will be rendered non-conforming. See Zoning Comparison Table on the following page.

The R7D district is proposed for the Affected Area in order to develop residential uses on the Applicant's property which is not allowed under its current M1-2 zoning. It would also permit contextual medium-density residential development in the Affected Area as the adjacent western portion of Block 2578 is zoned R7-1 and the mapping of the contextual R7D district would therefore be appropriate.

The increase in permitted bulk is appropriate given the City's policy of promoting increased development in close proximity to transit stops. The change is also appropriate given the lack of demand for manufacturing facilities in this area, which is very underdeveloped. Although little new development has occurred recently in the immediately surrounding area, the proposed zoning change is appropriate given recent rezoning actions described under the Existing Conditions section above.

The MIH program requires that permanently affordable housing be provided within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped MIH Areas. Within the MIH Area, all housing developments, enlargements and conversions that meet the criteria set forth in the MIH program must comply with the requirements of either Option 1 or Option 2 described below.
- Option 1: 25 percent of the residential floor area shall be provided as housing affordable to households at an average of 60 percent of the Income Index (AMI), with no unit targeted at a level exceeding 130 percent of AMI.
- Option 2: 30 percent of the residential floor area shall be provided as housing affordable to households at an average of 80 percent of the Income Index (AMI), with no unit targeted at a level exceeding 130 percent of AMI.

431 Concord Avenue, Bronx

Zoning Comparison Table

	Existing Zoning (M1-2)		Existing Zoning (R7D)	
	ZR Section #	**M1-2**	**ZR Section #**	**R7D**
USE GROUPS	42-10	4 - 14, 16, 17	22-10	1, 2, 3, 4
MAXIMUM FAR				
Residential	n/a	n/a	23-154*	5.6
Affordable Independent Residences for Seniors	n/a	n/a	23-155	5.6
Community Facility	43-122	4.8	24-11	4.2
Commercial	43-12	2	n/a	n/a
Commercial and Community Facility	43-12	4.8	n/a	n/a
Manufacturing	43-12	2	n/a	n/a
YARDS				
Minimum Front Yard	n/a	n/a	n/a	n/a
Minimum Side Yard	43-25	None or 8'	23-462	None or 8'
Minimum Rear Yard	43-26	20'	23-47	30'
HEIGHT AND SETBACKS				
Minimum Base Height	43-43	n/a	23-662	60'
Maximum Base Height	43-43	60/'4-Stories	23-664	95'
Maximum Building Height	43-43	Sky Exposure Plane	23-664	115'**/11-Stories
Maximum Height of Front Wall	43-43	60/'4-Stories	23-664	95'
Sky Exposure Plane	43-43	2.7:1 (Narrow), 5.6:1 (Wide	n/a	n/a
Setbacks from Narrow Streets	43-43	20'	23-662	15'
Setbacks from Wide Streets	43-43	15'	23-662	10'
OPEN SPACE				
Minimum Open Space Ratio	n/a	m/a	n/a	n/a
LOT COVERAGE				
Interior/Through Lot	n/a	n/a	23-153	65%
Corner Lot	n/a	n/a	23-153	100%
DENSITY				
Maximum Number of Dwelling Units	n/a	n/a	23-22	680 sf/DU max
Affordable Independent Residences for Seniors	n/a	n/a	23-23	325 sf/DU max
PARKING				
Residential	n/a	n/a	25-23	50%
Commercial	44-20	By Use	n/a	n/a
Income-Restricted Housing Units	n/a	n/a	12-10/25-251	None (Transit Zone)
Affordable Independent Residences for Seniors	n/a	n/a	12-10/25-252	None (Transit Zone)
Government Assisted Dwelling Units	n/a	n/a	12-10/25-253	25%
LOADING				
Commercial	44-50	By Use	n/a	n/a
Bicycle Parking (Residential)	n/a	n/a	25-80	1 per 2 dwelling units (UG-2)
Bicycle Parking (AIRS)	n/a	n/a	25-80	1 per 10,000 sf
Bicycle Parking (Commercial/Manufacturing)	44-60	By Use	n/a	n/a

* When providing affordable housing pursuant to the Inclusionary Housing Program as set forth in ZR Section 23-90

**With with#qualifyinggroundfloors#

400-Foot Radius Project Study Area

The Proposed Actions would not result in any changes in zoning in the 400-foot radius project study area.

Conclusion

The proposed Zoning Map and Zoning Text Amendments would only apply to the Affected Area and would not affect lots within the surrounding area. The R7D district is proposed to facilitate development that is compatible with existing uses. Based on the analysis completed, the Proposed Actions would not result in any significant adverse impacts to land use and zoning patterns in the area and would result in development that would be compatible with the existing neighborhood context while also providing additional floor area to develop affordable dwelling units. Given the lack of demand for manufacturing facilities in this area, the current M1-2 zoning is no longer appropriate. The proposed project would also comply with the City's requirements related to MIH as explained above.

Based on the analysis, it has been determined that no potentially significant adverse impacts related to zoning are expected to occur as a result of the Proposed Actions. Therefore, further analysis of zoning is not warranted.

PUBLIC POLICY

Existing Conditions

According to the *CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. Public policies applicable to the Affected Area and 400-foot radius project study area are discussed below.

Affected Area and 400-Foot Radius Project Study Area

The Food Retail Expansion to Support Health (FRESH) program is mapped over the Affected Area as well as over the entire 400-foot radius project study area. The City has established the FRESH program in response to the issues raised in neighborhoods that are underserved by grocery stores. FRESH provides zoning and financial incentives to promote the establishment and retention of neighborhood grocery stores in underserved communities throughout the five boroughs. The FRESH program is open to grocery store operators renovating existing retail space or developers seeking to construct or renovate retail space that will be leased by a full-line grocery store operator. Stores that benefit from the FRESH program must provide a minimum of 6,000 square feet of retail space for a general line of food and nonfood grocery products intended for home preparation, consumption and utilization. The Affected Area is eligible for various tax incentives related to grocery store development and operation.

Most of the 400-foot radius project study area south of East 144th Street is located within the Port Morris Industrial Business Zone (IBZ). IBZs are areas where expanded business services are available for industrial and manufacturing businesses. This designation fosters

high performing business districts by creating competitive advantages over locating in areas outside of New York City.

A future City facility that will be located just beyond project study area is the Bronx detention facility that will be part of the NYC borough-based jail system (18DOC001Y). The approved facility will be located approximately 0.3 miles south of the project site at 745 East 141st Street (Block 2574, p/o Lot 1), and is not anticipated to complete construction until after the analysis year of 2022. Currently, most of the people held in NYC's jail system are held at Rikers Island, a 413-acre City-owned property located in the East River. Under the proposed borough-based jail system that the Bronx facility will be a part of, the system and facilities will be alternatively sited in each of the five boroughs, and provide approximately 5,748 beds to accommodate an average daily population of 5,000 people, while allowing space for population-specific housing requirements, such as those related to safety, security, physical, and mental health, among other factors, as well as fluctuations in the jail population.

OneNYC

In April 2015, Mayor Bill de Blasio released OneNYC, a comprehensive plan for a sustainable and resilient city for all New Yorkers that speaks to the profound social, economic, and environmental challenges faced. Growth, sustainability, and resiliency remain at the core of OneNYC, but with the poverty rate remaining high and income inequality continuing to grow, the de Blasio administration added equity as a guiding principle throughout the plan. In addition to the focuses of population growth; aging infrastructure; and global climate change, OneNYC brings new attention to ensuring the voices of all New Yorkers are heard and to cooperating and coordinating with regional counterparts. OneNYC includes updates on the progress towards prior 2011 sustainability initiatives and 2013 resiliency initiatives and also sets additional goals and outlines new initiatives under the organization of four visions: growth, equity, resiliency, and sustainability.

No other public policies would apply to the Proposed Actions as the Affected Area and the surrounding 400-foot radius study area are not located within the City's Coastal zone boundary, the boundaries of any 197-a Community Development Plans or Urban Renewal Area plans, and also are not within a critical environmental area, a significant coastal fish and wildlife habitat, a wildlife refuge, or a special natural waterfront area. No Historic Districts or individually designated historic resources are located within the Affected Area or the surrounding 400-foot radius study area.

Future No-Action Scenario

In the future, without the Proposed Actions, new development in the Affected Area and within the 400-foot radius project study area would remain subject to the provisions of the FRESH Program. Similarly, new development within affected portions of the 400-foot radius project study area located within the Port Morris IBZ would be subject to IBZ requirements. No other public policy initiatives would pertain to the Affected Area or to the 400-foot study area around the Area by the project build year of 2022. In addition, no changes are anticipated to any public policy documents relating to the Affected Area or the surrounding study area by the project build year.

Future With-Action Scenario

The Proposed Actions are consistent with the City's sustainability goals, including those outlined in OneNYC. Notably, the Proposed Actions would support OneNYC's land use goals of creating new housing for a range of incomes, including permanently affordable housing; redeveloping underutilized parcels with new active uses; and focusing development in areas that are served by mass transit. The Proposed Actions would not result in significant adverse impacts related to business displacement as the existing business to be displaced consists of an automotive repair shop which exists in abundance in the surrounding area. Overall, the Proposed Actions would be supportive of the applicable goals and objectives of OneNYC.

The FRESH program would not be relevant to the Proposed Actions as grocery stores are not currently located on any of the Projected Development Sites and are not proposed.

The Proposed Actions would not result in land use and zoning changes to areas within the Port Morris IBZ nor displace any uses that provide services to businesses within the IBZ.

Conclusion

No impact to public policies would occur as a result of the Proposed Actions.

Based on the above analyses, it has been determined that no potentially significant adverse impacts related to public policy are expected to occur as a result of the Proposed Actions. Therefore, further analysis of public policy is not warranted.

7. OPEN SPACE

Introduction

For the purpose of CEQR, open space is defined as publicly or privately owned land that is publicly accessible and has been designated for leisure, play, or sport; or land that is set aside for the protection and/or enhancement of the natural environment. Under CEQR, an open space analysis is conducted to determine whether or not a proposed action would have either a direct impact resulting from the elimination or alteration of open space or an indirect impact resulting from overtaxing the use of open space. The analyses focus only on officially designated existing or planned public open space. Open space may be public or private and may include active and/or passive areas. Active open space is the part of a facility used for active play such as sports or exercise and may include playground equipment, playing fields and courts, swimming pools, skating rinks, golf courses, lawns and paved areas for active recreation. Passive open space is used for sitting, strolling, and relaxation with benches, walkways, and picnicking areas. Certain spaces such as lawns, can be used for both active and passive recreation.

Open space analyses may be necessary when an action would potentially have a direct or indirect effect on open space. A direct impact would physically change, diminish or eliminate an open space or reduce its utilization or aesthetic value. An indirect impact could result from an action introducing a substantial new user population that would create or exacerbate an overutilization of open space resources.

Direct Effects

There are two open space facilities located within 400 feet of the Affected Area. St. Mary's Park, located approximately 150 feet to the west of the Affected Area, is a 35.31-acre community park bounded by St. Mary's Street to the south, St. Ann's Avenue to the west, Jackson Avenue to the east, and East 149th Street to the north. I-Am-Park located approximately 250 feet to the northwest of the Affected Area, is a 0.71-acre jointly operated playground (Department of Education and Department of Parks and Recreation) bounded by St. Mary's Park to the west and Jackson Avenue to the east between East 145th and East 147th Streets. Due to the closeness of these parks to the Affected Area, potential shadows impacts could result from new development within the Affected Area. However, as discussed in the Shadows section (Chapter 8), new shadows on these open space resources from projected and potential development within the Affected Area would not be considered significant.

Indirect Effects

Introduction

On the basis of *CEQR Technical Manual* criteria, the Proposed Actions could potentially result in indirect effects to open space resources within the project study area and must be further assessed to determine whether significant indirect effects would be expected to occur. For projects that are not located in "underserved" or "well-served" areas identified in the *CEQR Technical Manual,* an open space assessment is conducted if that project would generate more than 200 residents or 500 workers.

The With-Action RWCDS includes the development of 93 dwelling units of housing on Projected Development Site 1 in the Affected Area. No new residential development is anticipated to occur under the No-Action RWCDS. Therefore, the Proposed Actions would result in the development of a net increase of 93 dwelling units in the Affected Area. (Potential open space impacts from development on Potential Development Site 1 are not considered in the analysis as it is less likely that this site would be redeveloped by the project build year and potential sites are therefore not assessed for density effects per *CEQR Technical Manual* guidance.)

Based on 2010 Census Neighborhood Tabulation Area (NTA) data, the average household size is 3.02 persons per dwelling unit in the Census Tracts located within ¼-mile of the Affected Area (tracts 31, 33, 35, 37). Therefore, the development of 93 dwelling units would be expected to generate approximately 281 residents. The Proposed Actions would result in a development that would exceed the threshold number of 200 new residents and a preliminary quantitative analysis of indirect open space impacts is therefore required.

The Proposed Actions would generate approximately 4 workers in the Affected Area based on an estimate of 0.04 workers per dwelling unit for the 93 dwelling units noted above. New employees would therefore not exceed the threshold number of 500 new workers, and a quantitative analysis of indirect open space impacts for employees would not be required.

Preliminary Assessment

Based on the methodologies presented in the *CEQR Technical Manual*, an initial quantitative open space assessment involves a determination of an area's open space ratio based on the population of the study area and the acreage of all publicly accessible open space resources within this study area. If an area's open space ratio decreases significantly as a result of a proposed action or if an area has a very low open space ratio, a more detailed assessment may be required.

Based on the calculation of the ratio of publicly accessible open space acres to the study area population, a determination of the adequacy of open space resources in the study area was quantified. The resultant computation for the study area was then compared with the median ratio for New York City, which is 1.5 acres per 1,000 residents, and with the City's benchmarks of 2.5 acres per 1,000 population as identified in the *CEQR Technical Manual*.

The *CEQR Technical Manual* considers an action to result in significant impacts to open space resources if it would decrease the open space ratio substantially, thereby reducing the availability of open spaces for an area's population. A decrease in the open space ratio of 5 percent or more is generally considered to be a significant adverse impact on open space resources. However, if the existing open space ratio is low even an open space ratio change of less than 1 percent may result in potential significant open space impacts.

The project study area exhibits a below average open space ratio of 1.039 acres per 1,000 residents, (based on 42.53 acres of existing open space within a ½-mile radius divided by the 2014-2018 American Community Survey study area population of 40,951 persons).

Existing Conditions

Study Area Population

The study area population was estimated using data from the 2014-2018 American Community Survey (ACS) for the accessible census tracts located fully or at least 50 percent within the one-half mile study area. As shown in Table 7-1, the estimated population under existing conditions in the study area is 40,951 residents within the ten relevant census tracts.

Table 7-1

Study Area Population

Census Tract	Total Population[1]
27.01	2,868
27.02	4,702
31	1,703
33	3,524
35	3,900
37	269
43	6,088
73	4,314
79	7,054
83	6,519
Study Area Total	**40,951**

Study Area Open Space

The one-half mile open space study area is generally bounded by East 155th Street on the north, East 135th Street on the south, the East River on the east, and an area between Brook and Willis Avenue on the west. Within the census tracts that are fully or at least 50 percent within this area, there are nine publicly owned and accessible facilities (See Figure 7-1, Open Space Facilities and Census Tracts and Table 7-2, Inventory of Open Space Resources), providing a total of approximately 42.53 acres of open space resources including 22.532 acres of active open space and 19.998 acres of passive open space. There are also several community gardens there which are not consistently open to the public. The acreage of these resources is not included in the total acreage within the study area.

[1] Source: 2014-2018 ACS data

Table 7-2
Inventory of Open Space Resources

Map Key	Open Space Name and Location	Total Size (acres)	Active (acres)	Passive (acres)
1	St. Mary's Park between St. Mary's St., St. Ann's Ave., Jackson Ave., & E. 149 St.	35.31	17.66 (50%)	17.65 (50%)
2	I-Am-Park Jackson Ave. between E. 145 & E. 147 Sts.	0.71	0.284 (40%)	0.426 (60%)
3	Pontiac Playground Jackson Ave. bet. Pontiac Place & E. 150 St.	0.91	0.546 (60%)	0.364 (40%)
4	Fountain of Youth Playground Tinton & Union Aves. between E. 150 & E.151 Sts.	1.38	1.104 (80%)	0.276 (20%)
5	MLK Triangle Austin Place at E. 149 St.	0.16	0 (0%)	0.16 (100%)
6	Playground 52 LII St John Ave. between Kelly & Beck Sts.	1.79	1.253 (70%)	0.537 (30%)
7	Millbrook Playground E. 135 St. between Cypress Ave. & St Ann's Ave.	1.05	0.84 (80%)	0.21 (20%)
8	Abigail Playground E. 156 St. between Tinton Ave. & Union Ave.	0.53	0.371 (70%)	0.159 (30%)
9	Clark Playground 3 Ave. between E. 145 St. & E. 144 St.	0.72	0.504 (70%)	0.216 (30%)
Total		**42.53**	**22.532 (53%)**	**19.998 (47%)**

The following changes are currently in process or have recently occurred to several of the facilities listed in the table above.

1. St. Mary's playground, ball fields, and dog run are currently being reconstructed.

2. Playground 52 is currently being reconstructed.

3. The Millbrook Playground basketball and handball courts are currently being reconstructed.

Assessment of Open Space Adequacy

The open space ratio was calculated based on the 2014-2018 ACS study area population of 40,951 persons shown in Table 7-1 and the total open space acreage of 42.53 acres shown in Table 7-2. The resultant ratio is 1.039 acres per 1,000 residents comprised of 0.550 acres of active open space and 0.489 acres of passive open space. This ratio falls below the citywide average of 1.5 acres as well as the benchmark of 2.5 acres per 1,000 population, indicating that the area has a below average amount of public open space resources. The area's residential active open space ratio is below DCP's planning guideline of 2.0 acres per 1,000 residents. The study area's residential passive open space ratio is also slightly below DCP's goal of 0.5 acres per 1,000 residents.

Future No-Action Condition

Study Area Population

The following projects are noted in the active major construction database for the ½-mile project study area.

- 600 Oak Terrace – new 5,471 sf residential development; assume 6 DUs at 850 sf/DU.

- 602 Oak Terrace – new 5,663 sf residential development; assume 7 DUs at 850 sf/DU.

- 582 East 138 Street – new 7,437 sf building containing 5,200 sf residential use and 2,237 sf of commercial use; assume 6 DUs at 850 sf/DU.

- 570 East 137 Street – new 733,065 sf building containing 701,764 sf residential use and 31,301 sf of community facility use use; assume 826 DUs at 850 sf/DU.

- 163 Bruckner Boulevard – new 212 sf commercial structure.

- 411 Wales Avenue – Convert existing 58,069 sf warehouse to charter school.

- 810 East 147 Street – New 3,120 sf retail building.

- 880 East 147 Street – New 57,569 sf residential building; assume 68 DUs at 850 sf/DU.

- 494 Jackson Avenue – New 10,666 sf, 16 unit residential building.

- 536 Wales Avenue – New 45,458 sf building containing 2,342 sf of commercial space and 43,116 sf community facility space.

- 531 Tinton Avenue – New 25,568 sf residential building; assume 30 DUs at 850 sf/DU.

- 569 Prospect Avenue - New 47,737 sf building containing 39,946 sf of residential space, 6,774 sf of commercial space, and 1,017 sf community facility space; assume 46 DUs at 850 sf/DU..

- 671 Prospect Avenue – Conversion of existing commercial building to include 1,914 sf of commercial space and 31,829 sf of community facility space.

- 573 Jackson Avenue – New 4,618 sf building containing 4,150 sf of residential space and 469 sf of commercial space; assume 5 DUs at 850 sf/DU.

- 603 Jackson Avenue – New 25,564 sf building containing 19,779 sf of residential space for 25 DUs, 1,824 sf of commercial space, and 4,961 sf of manufacturing space.

- 444 East 149 Street – New 20,226 sf building containing 19,466 sf of hotel space and 760 sf of community facility space.

- 521 Bergen Avenue – Convert existing 44,669 sf building to office and retail use.

- 518 East 147 Street – New 6,035 sf building containing 5,306 sf of residential space for 7 DUs and 729 sf of community facility space.

Based on a review of applications since the year 2000 shown on the Zoning Application Portal, the following developments are anticipated to be developed within the ½ mile project study area by the Project Build Year of 2022. This list only includes projects with a residential component that are currently in construction. It does not include projected and potential developments that have not started construction as it is assumed that such projects would not be completed by the Project Build Year of 2022. It also does not include projects that have already been completed as it is assumed that these projects are already accounted for in the baseline analysis. It does not include projects listed above as shown in the active major construction database.

- Park Haven Residence, St. Ann's Avenue & East 142 Street – New mixed-use building containing 170 dwelling units, 14,297 gsf of commercial space, and 9,496 gsf of community facility space.

Based on the projects listed in the active major construction database above, 1,042 new dwelling units would be constructed within the ½ mile radius project study area. 170 additional dwelling units are projected as shown on the Zoning Application Portal. Therefore, 1,212 new residential dwelling units are anticipated to be constructed by the Project Build Year of 2022 within the ½-mile project study area.

Assuming an average household size of 3.02 persons per dwelling unit, the 1,212 new units projected to be completed by the Project Build Year of 2022 would be anticipated to include 3,660 new residents. No new residential development would occur in the Affected Area under the future No-Action scenario. Adding this population to the existing population of

40,951 persons results in a total population in the 2022 No-Action condition of 44,611 persons.

Study Area Open Space

There would be no increase or decrease in the 42.53 acres of existing open space area including 22.532 acres of active open space and 19.998 acres of passive open space within the project study area by the project build year of 2022.

Assessment of Open Space Adequacy

The future no-action open space ratio within a ½ mile radius of the Affected Area would be approximately 0.953 based on the area population of 44,611 persons in 2022 and the 42.53 acres of open space area. Based on 22.532 acres of active open space, the future no-action active open space ratio would be 0.505. Based on 19.998 acres of passive open space, the future no-action passive open space ratio would be 0.448.

Future With-Action Scenario

Study Area Population

As discussed above, the Proposed Actions are expected to generate approximately 281 new residents based on existing census data (average household size) in the Census Tracts located within 1/4-mile of the Affected Area (tracts 31, 33, 35, 37). Adding this population to the future no-action population of 44,611 persons would result in a total study area population of approximately 44,892 persons.

The Proposed Actions would generate approximately 4 new workers in the Affected Area. New employees would therefore not exceed the threshold number of 500 new workers and a quantitative analysis of indirect open space impacts for employees would not be required. The addition of 4 new workers to the Affected Area relative to existing and Future No-Action conditions would not affect the conclusions of this analysis in a substantive manner.

Study Area Open Space

No new publicly accessible open space and recreational resources are planned to be added to the study area by 2022 with the Proposed Actions. Therefore, in 2022 with the Proposed Actions, the project study area would contain approximately 42.53 acres of open space resources including 22.532 acres of active open space and 19.998 acres of passive open space, the same as under currently existing and future no-action conditions.

Assessment of Open Space Adequacy

Based on a population of 44,892 persons and 42.53 acres of open space resources, including 22.532 acres of active open space and 19.998 acres of passive open space, the projected open space ratio in 2022 with the Proposed Actions would be 0.947 acres per 1,000 residents including 0.502 acres of active open space and 0.445 acres of passive open space. This is compared to 0.953 acres of open space per 1,000 residents including 0.505 acres of active open space and 0.448 acres of passive open space in the future no-action condition. This represents a decrease of approximately 0.6 percent in the open space ratio. The decrease in active open space would be 0.59 percent and the decrease in passive open space would also be 0.67

percent. Therefore, the community would continue to have a below average amount of open space compared to the City as a whole and relative to DCP's open space planning goal.

Table 7-3 shows the calculation of open space ratios for the existing, Future No-Action, and Future With-Action Scenarios.

Table 7-3

Existing, Future No-Action, and Future With-Action Open Space Ratios

	Existing Conditions	Future No-Action	Future With-Action	% Change
Publicly Accessible Open Space (Acreage)	42.53 (22.532 active, 19.998 passive)	42.53 (22.532 active, 19.998 passive)	42.53 (22.532 active, 19.998 passive)	
Study Area Population	40,951	44,611	44,892	
Open Space Ratio (Acres/1,000 Residents)	1.039 (0.550 active, 0.489 passive)	0.953 (0.505 active, 0.448 passive)	0.947 (0.502 active, 0.445 passive)	0.6% decrease (active -0.59% decrease, passive 0.67% decrease)

Impact Significance

Quantitative Impact

The *CEQR Technical Manual* considers an action to result in significant impacts to open space resources if it would directly displace or alter an existing resource to the detriment of its users. The project development associated with the proposed rezoning would not result in the direct displacement of any parklands or recreational facilities. The Proposed Actions would, however, reduce the open space ratio as further discussed below.

At 0.947 acres per 1,000 population, the amount of publicly accessible open space with the Proposed Actions would remain below the average of 1.5 acres per 1,000 population in community districts in the City. The amount of publicly accessible open space would also remain below the benchmark of 2.5 acres per 1,000 population.

The *CEQR Technical Manual* considers an action to result in significant impacts to open space resources if it would directly displace or alter an existing resource to the detriment of its users or generate a substantial enough population to noticeably diminish the capacity of available open spaces to serve the affected neighborhood. A decrease in the open space ratio of between 1 and 5 percent is generally considered to be a significant adverse impact on open space resources. A project may result in a significant adverse open space impact if the project would reduce the open space ratio by more than 5 percent in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents. In

areas that are extremely lacking in open space, a reduction as small as 1 percent may be considered significant, depending on the area of the City.

Relative to indirect impacts on open space resources, the proposed development would result in a decrease of 0.6 percent in the open space ratio in the project study area, which would be below the 5 percent and 1 percent thresholds of concern noted in the *CEQR Technical Manual*. Although at an open space ratio of 0.947 the ratio in the project study area would be below the community district median of 1.5 acres per 1,000 population, it would not be considered to be an extremely low ratio. Therefore, based on *CEQR Technical Manual* criteria, the proposed project would not result in a significant adverse impact on open space resources.

A detailed open space assessment is not required as it has been determined that the project would not decrease the open space ratio by more than 5 percent or even 1 percent in an area with a community district median of 1.5 acres or less per 1,000 population.

Qualitative Impact

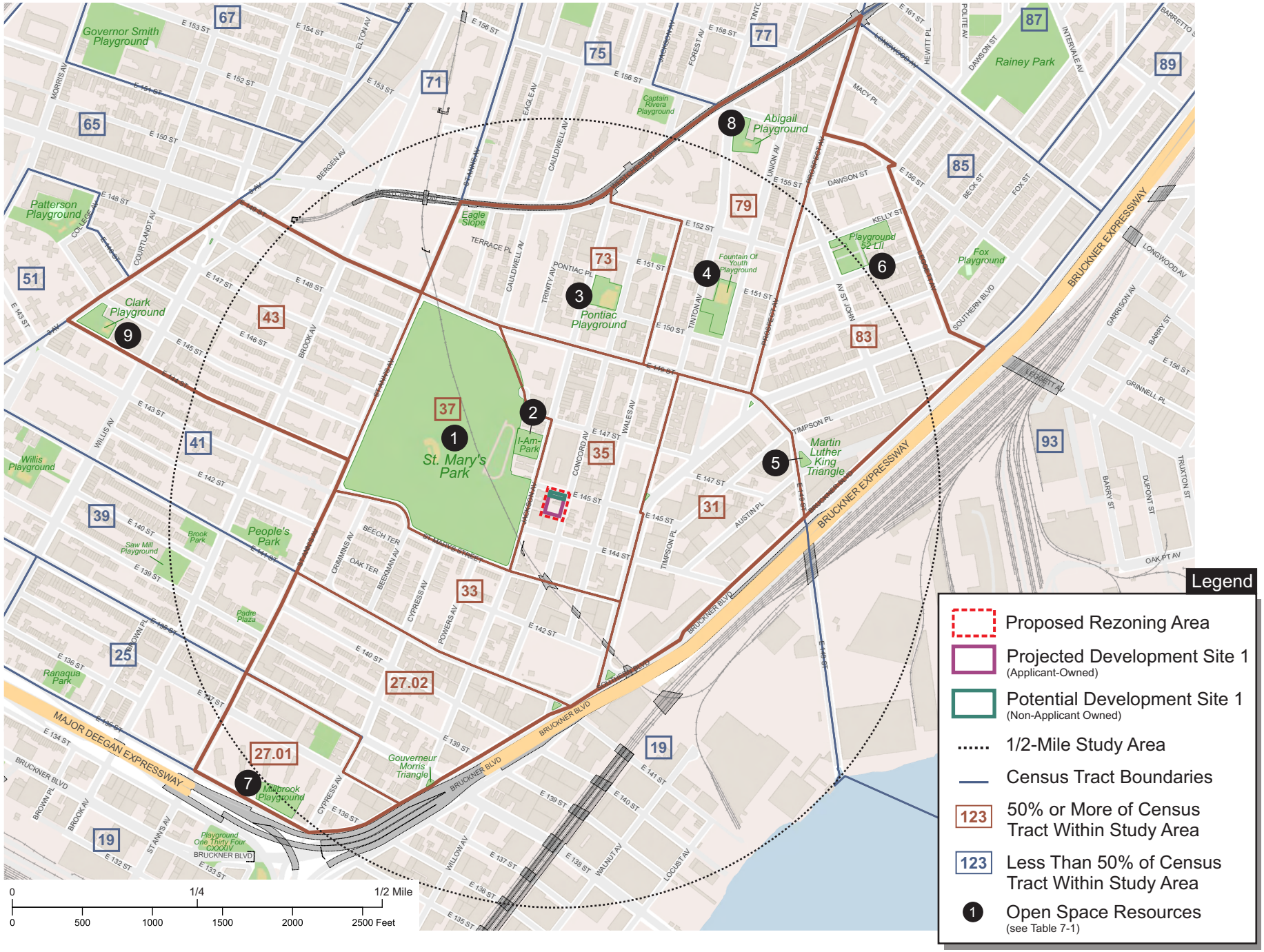
The *CEQR Technical Manual* considers an action to result in significant impacts to open space resources if it would significantly increase shadows, noise, air pollutant emissions, or odors on existing public open spaces resources compared to the future without the action conditions. The project development associated with the proposed rezoning would not increase such impacts on existing public open spaces resources as further explained below.

Based on *CEQR Technical Manual* criteria and as explained further in the Shadows section below, buildings on Projected Development Site 1 and Potential Development Site 1 would not cast any significant adverse new shadows on any open space resources.

Conclusion

Due to the absence of direct impacts on any open space resource and the negligible decrease in the future with the action open space ratio relative to the amount of available open space, it is concluded that the project would not have any potentially significant adverse open space impacts and further assessment is not warranted.

Figure 7-1: Open Space Facilities and Census Tracts



8. SHADOWS

Introduction

Under CEQR, a shadow is defined as the circumstance in which a building or other built structure blocks the sun from the land. An adverse shadow impact is considered to occur when the shadow from a proposed project falls upon a publicly accessible open space, a historic landscape, or other historic resource if the features that make the resource significant depend on sunlight, or if the shadow falls on an important natural feature and adversely affects its uses or threatens the survival of important vegetation. An adverse impact would occur only if the shadow would fall on a location that would otherwise be in sunlight; the assessment therefore distinguishes between existing shadows and new shadows resulting from a proposed project. Finally, the determination of whether the impact of new shadows on an open space or a natural or historic resource would be significant is dependent on their extent and duration. In general, shadows on City streets and sidewalks or on other buildings are not considered significant under CEQR. In addition, shadows occurring within an hour and a half of sunrise or sunset generally are not considered significant under CEQR.

The building rooftop and mechanical bulkhead heights on the Development Sites would be as follows:

- Projected Development Site 1: rooftop: 115'-0"; mechanical bulkhead: 135'-0".

- Potential Development Site 1: rooftop: 85'-0"; mechanical bulkhead: 110'-0".

According to the *CEQR Technical Manual*, a shadows assessment is not required unless the project would include a structure or an addition to a structure at least 50 feet in height or if it would contain shorter structures that might cast substantial new shadows on an adjacent park, historic resource, or an important natural resource. A shadows analysis is required for this project since the buildings on Projected Development Site 1 and Potential Development Site 1 would exceed 50 feet in height and are located in close proximity to two open space resources.

Preliminary Screening Assessment

Tier 1 Screening Assessment

There are two shadow sensitive open space resources in the vicinity of the Development Sites as shown on the attached Tier 1 Screening Assessment diagram. The shadow sensitive open space resources include the following:

- St. Mary's Park located between St. Mary's Street, St. Ann's Avenue, Jackson Avenue, and East 149th Street west of the Affected Area. This park is labeled "1" on the attached Figure 8-1, Tier 1 Screening Assessment diagram.

- I-Am-Park located along Jackson Ave. between East 145th and East 147th Streets west of the Affected Area. This park is labeled "2" on the attached Figure 8-1, Tier 1 Screening Assessment diagram.

There is one historic resource in the vicinity of the Projected Development Sites but it is not shadows sensitive as further discussed in the Historic and Cultural Resources Chapter 9.

- P.S. 754 at 470 Jackson Avenue (Block 2578, Lot 27). This school occupies the entire block bounded by Jackson and Concord Avenues between East 145th and East 147th Streets. The NYS Office of Parks, Recreation and Historic Preservation (SHPO) Resource Evaluation Report states that the property meets eligibility criteria for inclusion in the National Register. This facility is labeled "3" on the attached Figure 8-1, Tier 1 Screening Assessment diagram.

The longest shadows radius is calculated as 4.3 times the maximum proposed building height including rooftop bulkheads. The longest shadow cast by the buildings on the two Development Sites are as follows:

- Projected Development Site 1: mechanical bulkhead roof: 135'-0" x 4.3 = 580.5'

- Potential Development Site 1: mechanical bulkhead roof: 110'-0" x 4.3 = 473.0'

The longest shadow of 580.5 feet on the Tier 1 shadow assessment figure was calculated as 4.3 times the maximum proposed building height of 135.0 feet including mechanical bulkheads on the roof of the proposed 11-story building on Projected Development Site 1. As Projected Development Site 1 and Potential Development Site 1 are both located in approximately the same proximity to open space resources, the maximum shadow of 580.5 feet that would be cast by the 135.0-foot tall building on Projected Development Site 1 would be of greater relevance to the shadows analysis.

Due to the proximity of the Development Sites to the open space resources noted above, potential shadow impacts could occur from the Proposed Actions.

Tier 2 Screening Assessment

Based on the Tier 1 assessment, which showed the potential for the longest shadow to reach a sunlight sensitive open space resource, a Tier 2 assessment was generated. A Tier 2 assessment locates the area south of a building that cannot be cast in shadow. This area in New York City lies between -108 and +108 degrees from true north.

The attached Figure 8-2, Tier 2 Screening Assessment diagram shows the area south of the Development Sites that cannot be shaded by the proposed project. As illustrated on the figure, the southeast corner of St. Mary's Park is located within the area that cannot be shaded by the project. The remainder of St. Mary's Park, the entirety of I-Am-Park, and P.S. 754 could experience new shadows from the project and further assessment is therefore required.

Tier 3 Screening Assessment

The Tier 3 screening assessment is used to determine if shadows resulting from the proposed project can reach a sunlight-sensitive resource. The screening assessment uses three-dimensional computer modeling software with the capacity to accurately calculate shadow patterns.

A Tier 3 screening assessment was performed for the four representative days of the year set forth in the *CEQR Technical Manual*: December 21, the winter solstice and shortest day of the year; March 21/September 21, the equinoxes; May 6, the midpoint between the summer solstice and the equinox (and equivalent to August 6); and June 21, the summer solstice and the longest day of the year. The *CEQR Technical Manual* defines the temporal limits of a shadow analysis period to fall from an hour and a half after sunrise to an hour and a half before sunset. In accordance with the *CEQR Technical Manual*, surrounding buildings are not included in the Tier 3 shadow assessment model.

A Tier 3 screening assessment has been performed as most of St. Mary's Park, the entirety of I-Am-Park, and P.S. 754 lie within the area that could be shaded by the proposed project.

As shown on the attached Figures 8-3 through 8-6, Tier 3 Screening Assessment diagrams, shadows from the developments could reach St. Mary's Park on all the analysis days. As shown on the attached Figures 8-7 through 8-10, Tier 3 Incremental Impact diagrams, new shadows from the developments would reach St. Mary's Park on all the analysis days. These new shadows would primarily affect a children's playground along the edge of the park known as St. Mary's Playground East.

As shown on the attached Figures 8-3 through 8-6, Tier 3 Screening Assessment diagrams, shadows could reach I-Am-Park on the December 21st analysis day. As shown on the attached Figures 8-7 through 8-10, Tier 3 Incremental Impact diagrams, new shadows would reach a very small area of I-Am-Park on the December 21st analysis day.

As shown on the attached Figures 8-3 through 8-6, Tier 3 Screening Assessment diagrams, shadows could reach P.S. 754 on the December 21st and March 21st/September 21st analysis days. As shown on the attached Figures 8-7 through 8-10, Tier 3 Incremental Impact diagrams, new shadows would reach the entire East 145th Street façade as well as approximately 40% of the Jackson and Concord Avenue facades of P.S. 754 on the December 21st analysis day and approximately one-half of the Jackson Avenue façade of P.S. 754 on the March 21st/September 21st analysis days.

Table 8-1 below presents the incremental shadows that would affect the two open space resources on each of the four analysis days.

Table 8-1

Incremental Shadows

Analysis Day	December 21	March 21/ September 21	May 6 / August 6	June 21
Timeframe Window				
1				
Shadow enter - exit times	8:51-9:16 AM	7:36-9:08 AM	6:27-7:58 AM	5:57-7:35 AM
Incremental shadow duration	25 minutes	1 hour, 32 minutes	1 hour, 31 minutes	1 hour, 38 minutes
2				
Shadow enter - exit times	9:16-10:28 AM	--	--	--
Incremental shadow duration	1 hour, 12 minutes	--	--	--
3				
Shadow enter - exit times	8:51 AM–2:53 PM	10:16 AM–2:36 PM	--	--
Incremental shadow duration	6 hours, 2 minutes	4 hours, 20 minutes	--	--
Note: Daylight savings time not used.				

The incremental shadow coverage on resource 1 would not be considered significant since they would only occur during the early morning hours before 9:16 AM and for a duration of not more than 1 hour, 38 minutes. Although these new shadows would primarily affect St Mary's Playground East, the shadows would occur before the primary hours of utilization in the early morning hours and for a relatively short duration.

The incremental shadow coverage on resource 2 would not be considered significant since they would only occur during the morning hours on the December 21st analysis day and for a duration of only one hour and 12 minutes.

The incremental shadow coverage on resource 3 would not be considered significant since resource 3 is not considered to be a shadows sensitive resource as further discussed in the Historic and Cultural Resources Chapter 9.

Conclusion

Buildings on Projected Development Site 1 and Potential Development Site 1 would not cast any significant adverse new shadows on shadow sensitive open space or historic resources. Therefore, the Proposed Actions would not result in any significant adverse shadows impacts, and no further assessment is needed for the project.

Figure 8-1: Tier 1 Screening Assessment

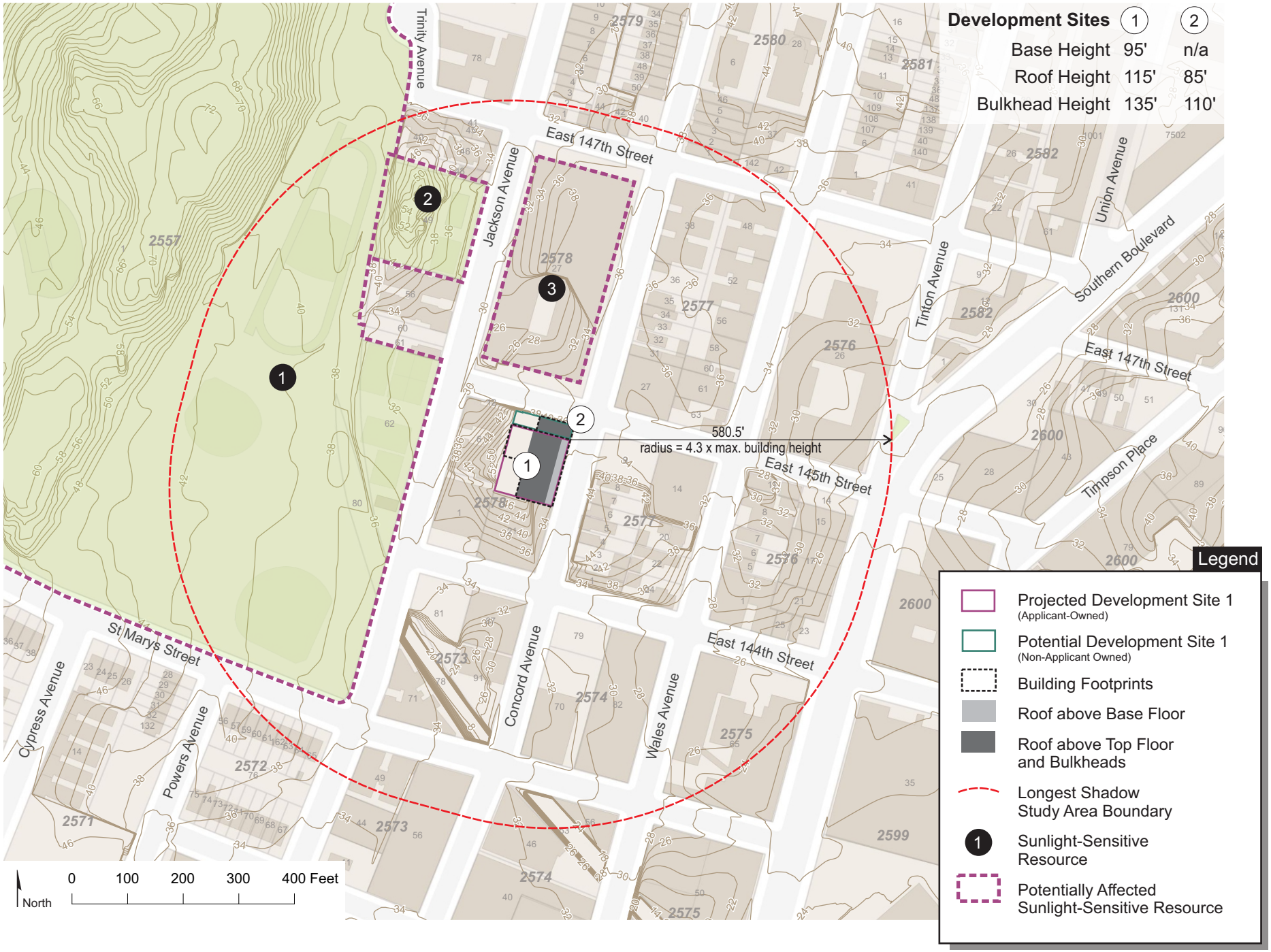


Figure 8-2: Tier 2 Screening Assessment

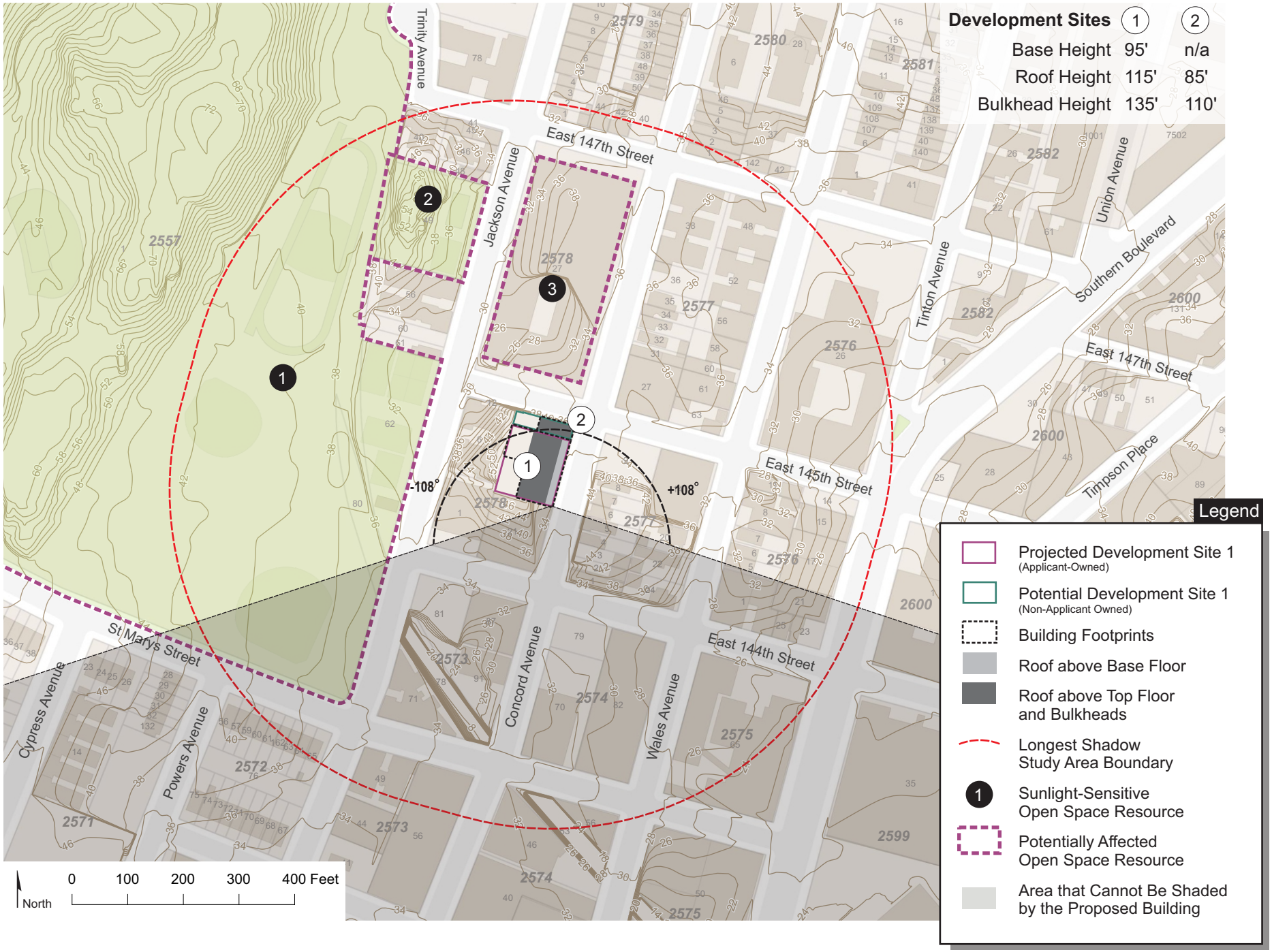


Figure 8-3: Tier 3 Screening Assessment for the December 21 Analysis Day



Figure 8-4: Tier 3 Screening Assessment for the March 21 Analysis Day



Figure 8-5: Tier 3 Screening Assessment for the May 6 Analysis Day



Figure 8-6: Tier 3 Screening Assessment for the June 21 Analysis Day



Figure 8-7: Tier 3 Incremental Impact for the December 21 Analysis Day

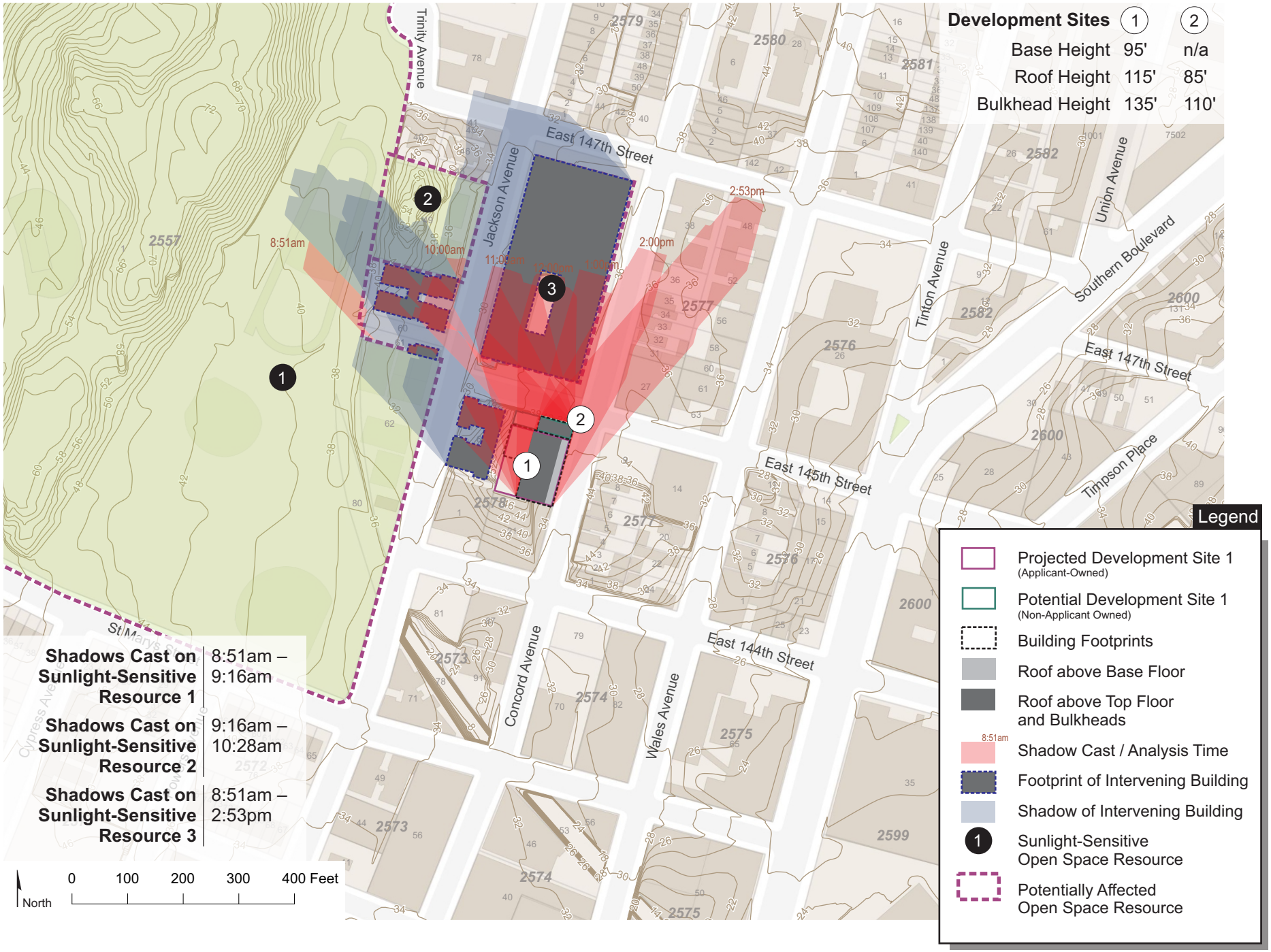


Figure 8-8: Tier 3 Incremental Impact for the March 21 Analysis Day

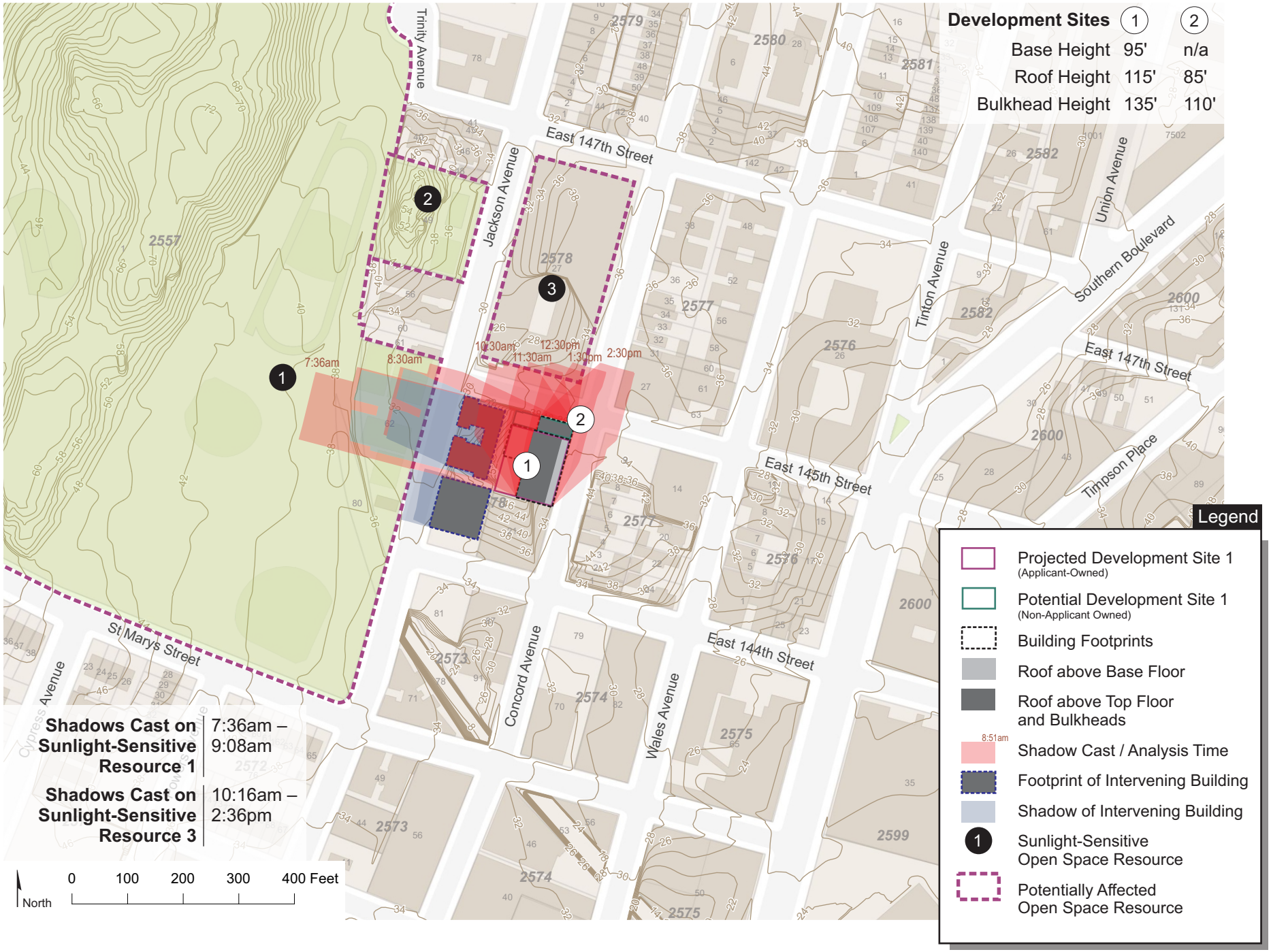


Figure 8-9: Tier 3 Incremental Impact for the May 6 Analysis Day

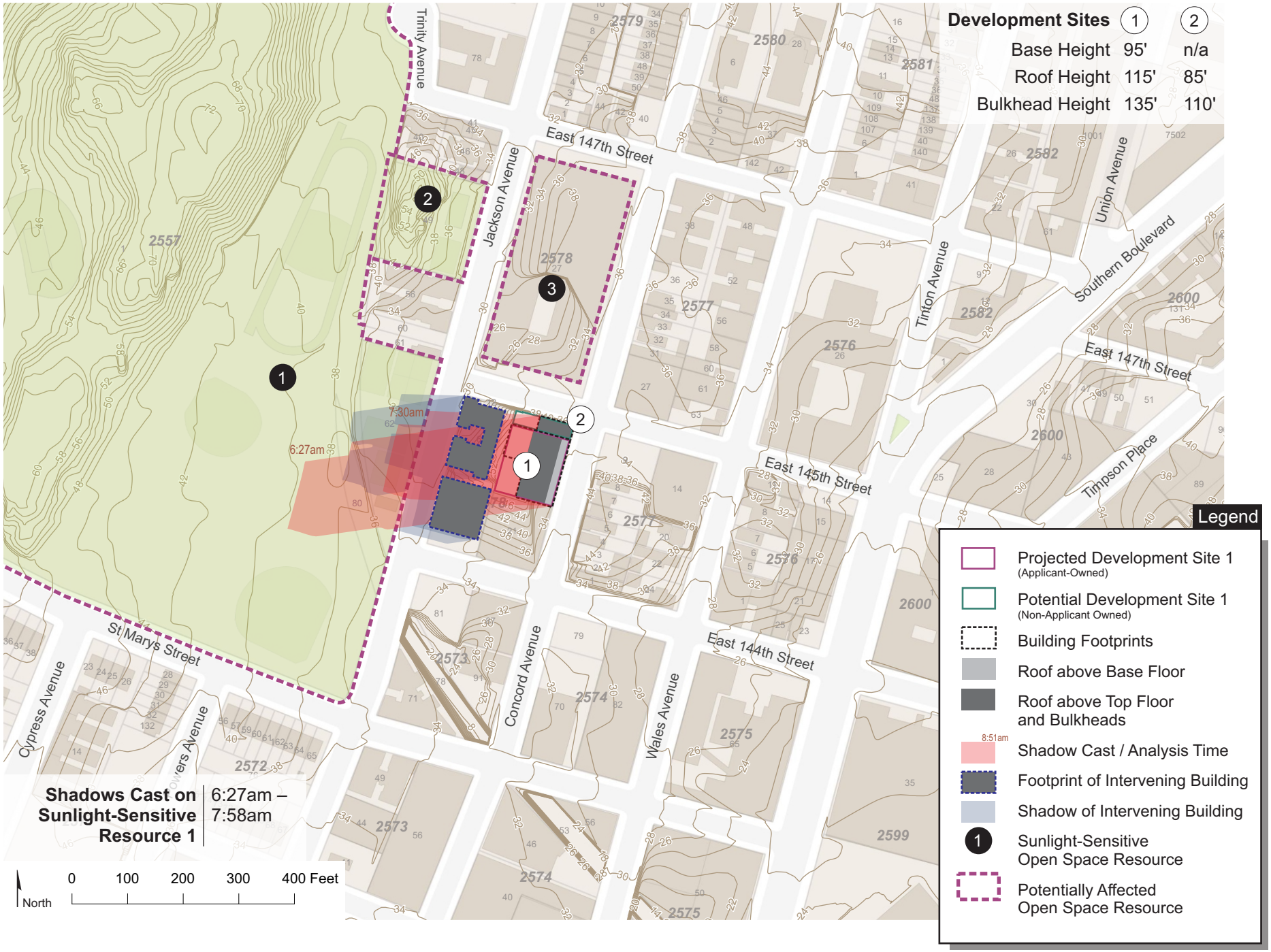
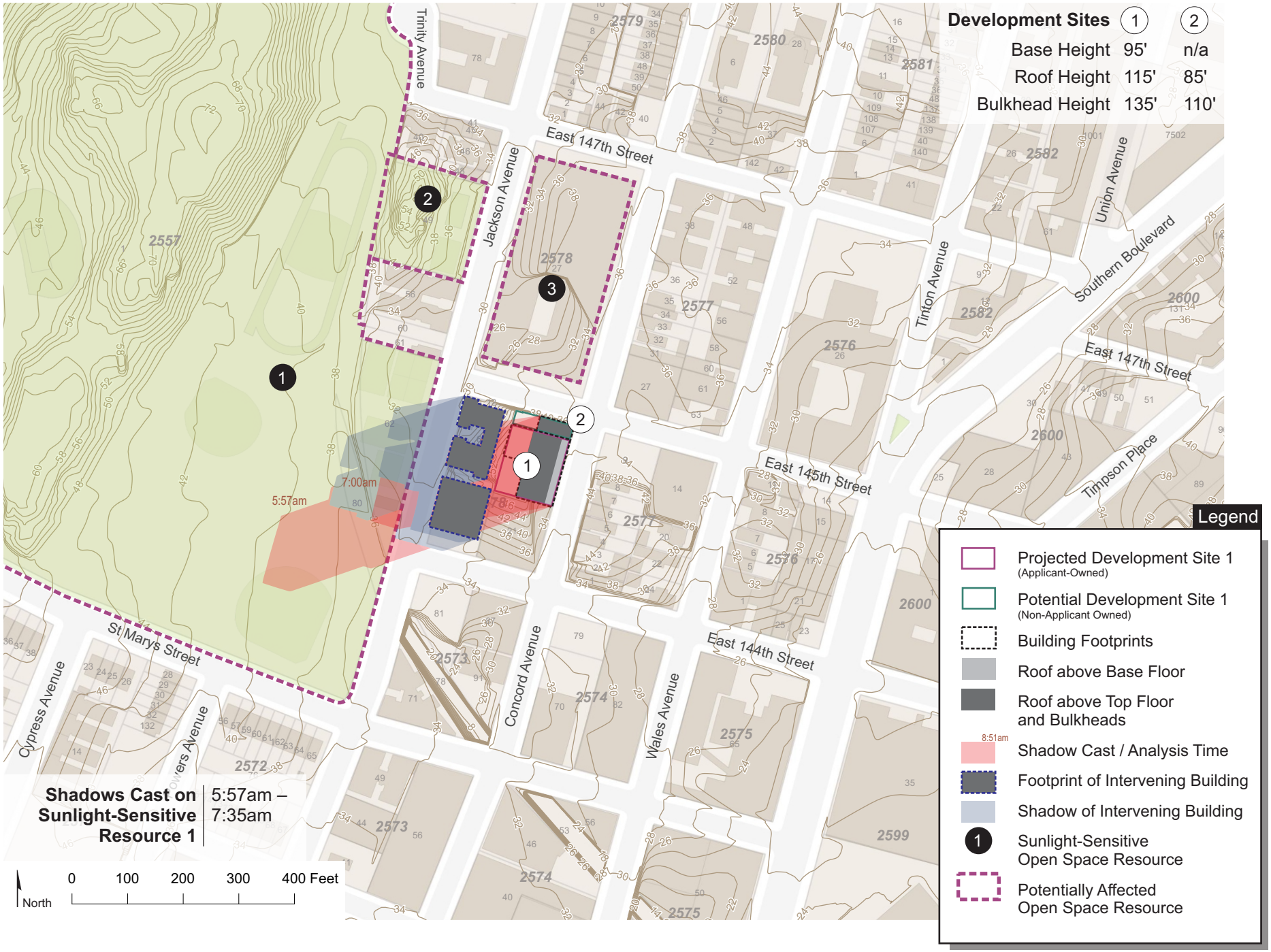


Figure 8-10: Tier 3 Incremental Impact for the June 21 Analysis Day



9. HISTORIC AND CULTURAL RESOURCES

The 2014 *City Environmental Quality Review* (CEQR) *Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed in the State/National Registers of Historic Places (S/NR) or contained within a district listed in or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHL); and properties not identified by one of the programs listed above, but that meet their eligibility requirements. An assessment of historic/archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures or within historic districts, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated.

The New York City Landmarks Preservation Commission (LPC) has determined that the Applicant's Projected Development Site 1 and the non-Applicant Potential Development Site 1 do not have any historic or archaeological significance. The LPC also indicated that properties with architectural significance in the radius include Mott Haven Community High School and the Jim Rapaport School for Career Development. (See 7/18/18 LPC letter in Historic and Archaeological Resources Appendix to this document.)

Mott Haven Community High School at 455 Southern Boulevard is located approximately 325 feet from the Affected Area while the Jim Rapaport School for Career Development at 470 Jackson Avenue is located approximately 50 feet north of the Affected Area. The Proposed Actions would permit contextual medium-density residential development in the Affected Area which would be more compatible with the historic character of the two school buildings than are the existing automobile repair garage, abandoned building, and vacant lot comprising the Affected Area. Relative to construction impacts, the Proposed Actions would screen out because they would occur beyond the 90-foot threshold distance cited in TPPN #10/88.

The NYS Office of Parks, Recreation and Historic Preservation (SHPO) has identified P.S. 754 at 470 Jackson Avenue (Block 2578, Lot 27) as a property that meets eligibility criteria for inclusion in the National Register. This school occupies the entire block bounded by Jackson and Concord Avenues between East 145th and East 147th Streets and is located 50 feet north of the Affected Area. The SHPO Resource Evaluation Report states that the property meets eligibility criteria for inclusion in the National Register under Criteria A: Associated with events that have made a significant contribution to the broad patterns of our history and Criteria C: Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possess high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.

The SHPO Statement of Significance states the following:

> The three-story school is significant in the area of architecture under Criterion C as a reflection of postwar changes in architectural design, building materials and technology, and educational philosophy. It was built in 1967 to the design of architect Arthur G. Paletta, then NYC Department of Education Director of Architecture. The school also meets Criterion A for its association with the history and development of education in New York City during the post war years.
>
> Occupying an entire block, the buff-colored brick school is rectangular in plan with an interior courtyard. The classrooms are located in the three-story U-shaped block with the lower gymnasium and auditorium block located east of the inner courtyard. The facades have vertical bays of aluminum windows and blue-green spandrel panels. The blue-green color scheme continues in the bays of glazed brick at the first story of the building. P.S. 754 possesses the character-defining features of schools of its period including flat roofs, modern application of materials, vertical bays of windows, the use of contrasting color, and an overall horizontality.
>
> Architect Arthur G. Paletta (1909-1984) was appointed New York City Department of Education Director of Architecture in 1963. Prior to working for the Department of Education he worked for private architectural firms and the New York City Parks Department and the Triborough Bridge Authority.
>
> P.S. 754 is an intact representation of post war school design that is influenced by the International Style. It retains its massing, roof form, horizontal emphasis, building materials, pattern of window and door openings, detailing, and basic interior configuration.

Based on the above SHPO Resource Evaluation Report, the physical characteristics that make the building architecturally significant would not be considered sunlight sensitive based on the *CEQR Technical Manual* shadows criteria as further discussed below.

- The P.S. 754 building does not contain design elements that are part of a recognized architectural style that depends on the contrast between light and dark design elements.

- The P.S. 754 building is not distinguished by elaborate, highly carved ornamentation.

- The P.S. 754 building does not have stained glass windows.

- The P.S. 754 building does not contain exterior materials and color that depend on direct sunlight for visual character.

- The P.S. 754 building does not include a historic landscape, such as scenic landmarks including vegetation recognized as an historic feature of the landscape.

- The P.S. 754 building does not include features where the effect of direct sunlight is described as playing a significant role in the structure's significance as an historic landmark.

Based on the above, the Proposed Actions would not result in any significant adverse impacts to historic or archaeological resources in the Affected Area. The Proposed Actions also would not have any impacts on other historic resources within the project study area radius.

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.

The Proposed Actions would permit the modification of the existing yard, height, and setback requirements of the lots within the Affected Area and introduce new buildings with greater height. The project would also result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the proposed project. See Zoning Comparison Table in the Zoning Section of Chapter 4. A preliminary urban design assessment is therefore required.

Preliminary Assessment

Existing Conditions

Affected Area

The Affected Area consists of a part of the eastern portion of Block 2578, including three contiguous tax lots, p/o Lots 15, 16 and 18. It is bounded by East 145th Street to the north; Lot 21 to the south; Concord Avenue to the east; and a line midway between East 144th and East 145th Streets to the west. Concord Avenue is a 60-foot wide narrow street with two-way traffic running north and south. Lot 16 and 18 are the Applicant-owned development site and Lot 15 is non-Applicant owned and are further described below. The Affected Area consists of approximately 16,750 square feet of land area.

The Affected Area is developed with a 1,988 gsf church, a 1,676 gsf garage, a heavily fire damaged structure, and vacant land. The existing development on the two Development Sites is detailed below.

Projected Development Site

Projected Development Site 1 (Block 2578, p/o Lot 16 & 18) consists of 13,750 square feet of lot area located along Concord Avenue between East 144th and East 145th Streets. The property has approximately 125 feet of frontage along Concord Avenue and a depth of approximately 110 feet. The individual lots comprising Projected Development Site 1 are developed as follows:

Lot 16 – This 5,500 square foot lot at 439 Concord Avenue is developed with a one-story approximately 1,988 gsf church (Movimiento de Iglesias Pentecostes) and a two-story vacant and heavily fire damaged building that was formerly occupied by a church (Dias de

Culto) and a residential unit. The fire damaged structure is under full vacate order from the Fire Department of New York (FDNY).

Lot 18 - This 8,250 square foot lot at 431 Concord Avenue consists of vacant undeveloped land.

Potential Development Site

- Potential Development Site 1 (Block 2578, p/o Lot 15) consists of a 3,000 square foot corner lot at 441 Concord Avenue improved with a one-story, approximately 1,676 gsf garage occupied by an auto-repair use.

The Affected Area does not contain any visual resources such as open space facilities, historic resources, or natural resources.

400-Foot Radius Project Study Area

The Affected Area is located in the Mott Haven neighborhood of Community District 1 of the Bronx. Mott Haven is predominantly developed with industrial buildings (mainly warehouses) on the south, and with residential housing complexes of various types on the north (primarily tenement style apartment buildings and 1-2 family homes in addition to one NYCHA development, the Moore Houses). The area surrounding the Affected Area is mixed-use in character and is comprised of multi-family walk-up residential buildings, a variety of manufacturing buildings, three schools (Samuel Gompers Industrial High School, JM Rapport School for Career Development, and Heketi Community Charter School), and numerous parking lots and vacant parcels. Concord Avenue does not have significant commercially activity and the area is more residential in character north of 145th Street. The closest retail corridors are located along East 149th Street and Southern Boulevard.

The Affected Area is located adjacent to the Port Morris Industrial Business Zone on the south. St. Mary's Park, west of the Affected Area, is a 35-acre park, the largest in the South Bronx, and includes several playgrounds, barbecue areas, baseball and basketball fields, an indoor pool, and a recreation center. The closest subway station, East 143rd Street on the 6 line, is located two blocks east of the site, less than 0.25 miles away.

Open space visual resources within the 400-foot radius project study area include St. Mary's Park noted above, and the adjacent 0.71-acre I-Am-Park. No other visual resources including historic resources or natural resources exist within the 400-foot radius project study area.

An aerial photograph of the project study area and a set of ground level photographs of the Affected Area and the immediate context are attached which show existing conditions on the Site and in the surrounding area. Zoning calculations of the existing conditions on the Development Sites, including floor area calculations, lot coverage, and building heights, are shown in Table 10-1 below.

No-Action Scenario

Affected Area

As stated above, in the Future Without the Action it is not anticipated that any new development would occur in the Affected Area.

The existing 1,988 gsf church, a 1,676 gsf garage, a heavily fire damaged structure, and vacant land on the Projected Development Site and the Potential Development Site would remain as they currently exist. Therefore, no changes would occur to the existing urban design and visual character of the Affected Area.

400-Foot Radius Project Study Area

No new development projects are identified for the 400-foot radius project study area based on a review of the NYC Department of City Planning's (DCP) ZAP Search of Zoning and Land Use Applications and the NYC Active Major Construction website. No development plans are known to exist for the undeveloped parcels or other uses within the project study area as identified above by the project build year of 2022.

Therefore, surrounding land uses within the immediate study area are expected to remain largely unchanged by the project build year of 2022.

Future With-Action Scenario

The future With-Action Development Scenario would result in a denser development on the property as compared to the Existing/No-Action Development Scenario. Under the With-Action Scenario for the project build year of 2022, Projected Development Site 1 would be developed with a new 115' tall, 87,369 gsf residential building containing 93 dwelling units (based on an average size of 850 gsf per dwelling unit as applied to the building's 79,027 gsf of occupiable residential floor area), 19 of which would be affordable units, and 29 accessory parking spaces. The existing 1,988 gsf church and a heavily fire damaged structure on the site would be demolished. At some time further in the future Potential Development Site 1 could be developed with an 85' tall, 18,840 gsf residential building containing 22 dwelling units, 4 of which would be affordable units. The existing 1,676 gsf garage on this site would be removed.

The difference between the No-Action and With-Action Scenarios on the Projected Development Site and the Potential Development Site would be the removal of all existing development and the development under the With-Action Scenario of two new buildings resulting in an increase of up to 102,545 gsf of total floor area including the addition of up to 115 dwelling units, 23 of which would be affordable units, and 29 accessory parking spaces.

The proposed With-Action development would likely change the character of the Affected Area, which is currently characterized by vacant land as well as auto-related and low-density residential uses. In addition to a significantly greater amount of floor area, the building heights would be significantly greater under the With-Action Scenario with the development of new 11- and 8-story buildings. The existing buildings in the Affected Area on the Applicant and non-Applicant Owned Sites are one- to two-stories in height.

Zoning calculations of future With-Action conditions on the Site, including floor area calculations, lot coverage, and building heights, are shown in Table 10-1 below. A three-dimensional representation of the future With-Action condition streetscape is also attached.

Table 10-1
Zoning Calculations Relevant to Urban Design Analysis
Projected and Potential Development Sites

Item	Existing Conditions	No-Action Conditions	With-Action Conditions
Development Scenario	1,988 gsf church, 1,676 gsf automobile repair, one fire damaged structure, vacant land.	1,988 gsf church, 1,676 gsf automobile repair, one fire damaged structure, vacant land.	102,545 residential floor area for 115 dwelling units including 23 affordable units, 29 accessory parking spaces
Building Floor Area	3,664 gsf	3,664 gsf	102,545 sf
Lot Coverage	No requirement	No requirement	65% interior/through lot; 100% corner lot
Setback	20′ from Concord Ave, 15′ from E 145 St	20′ from Concord Ave, 15′ from E 145 St	15′ from Concord Ave, 10′ from E 145 St
Building Heights	One-story, two-story	One-story, two-story	One 11-story (115′), one 8-story (85′)

Conclusion

The Proposed Actions would result in the development of residential uses and accessory parking on one Projected Development Site and one Potential Development Site located in an area characterized by a mixture of residential, manufacturing, community facility, and automotive related uses, parking, and vacant land.

The R7D district is proposed for the Affected Area in order to develop residential uses on the Applicant's property which is not allowed under its current M1-2 zoning. It is also required to allow the proposed bulk of the new building to be increased from the current permitted FAR of 2.0 for manufacturing and commercial uses and 4.8 for community facility uses to 4.2 for all permitted residential and community facility uses (manufacturing uses would not be allowed), and 5.6 as a bonus for inclusionary housing. The increase in permitted bulk is appropriate given the City's policy of promoting increased development in close proximity to transit stops. The change is also appropriate given the lack of new active manufacturing uses in this area, which is underdeveloped. The establishment of a Mandatory Inclusionary Housing area for this application was developed in order to facilitate the development of affordable housing at a higher FAR in the area to be rezoned.

The proposed R7D zoning district is a contextual zoning district that requires development to be in accordance with Quality Housing standards. For Inclusionary Housing, the district typically produces 11-story apartment buildings set at or near the street line. The proposed R7D rezoning reinforces existing land use patterns in the surrounding area, including the adjacent R7-1 district, and would bring into conformance residential uses within the M1-2 district.

The With-Action Development Scenario would not result in any significant adverse impacts to the two open space resources (St. Mary's Park and I-Am-Park) located within 400 feet of the Affected Area. These open space areas are separated from the Development Sites by Jackson Avenue and intervening development. The Proposed Actions would not partially or totally block a view corridor or a natural or built visual resource that is rare in the area or considered a defining feature of the neighborhood. The development that would be facilitated by the Proposed Actions would result in new development on the underdeveloped Projected Development Site that would be consistent with the development pattern in adjacent residential areas further to the west. A detailed urban design analysis would not be required.


Legend
Proposed Rezoning Area
Projected Development Site 1
(Applicant-Owned)
Potential Development Site 1
(Non-Applicant Owned)
400 Feet
Potential Development Site 1
Projected Development Site 1
↔ EAST 147 STREET
↔ CONCORD AVENUE
↔ TINTON AVENUE
← EAST 147 STREET
↔ EAST 145 STREET
↔ JACKSON AVENUE
↔ WALES AVENUE
↔ SOUTHERN BOULEVARD
→ TIMPSON PLACE
↔ EAST 144 STREET
← BEEKMAN AVENUE
← ST MARYS STREET
↔ CYPRESS AVENUE
← POWERS AVENUE
↔ EAST 142 STREET
← CONCORD AVENUE
↔ AUSTIN PLACE
← BRUCKNER BOULEVARD
0 100 200 300 400 Feet
N



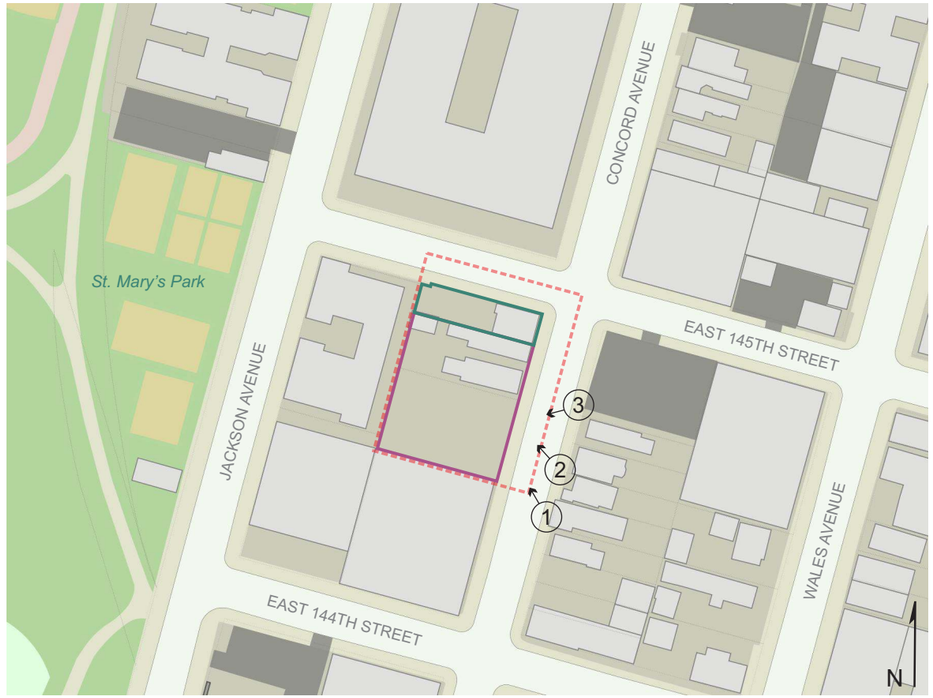
1. View of Projected Development Site 1 facing northwest from Concord Avenue.



2. View of Projected Development Site 1 facing northwest from Concord Avenue.



3. View of Projected Development Site 1 facing southwest from Concord Avenue.





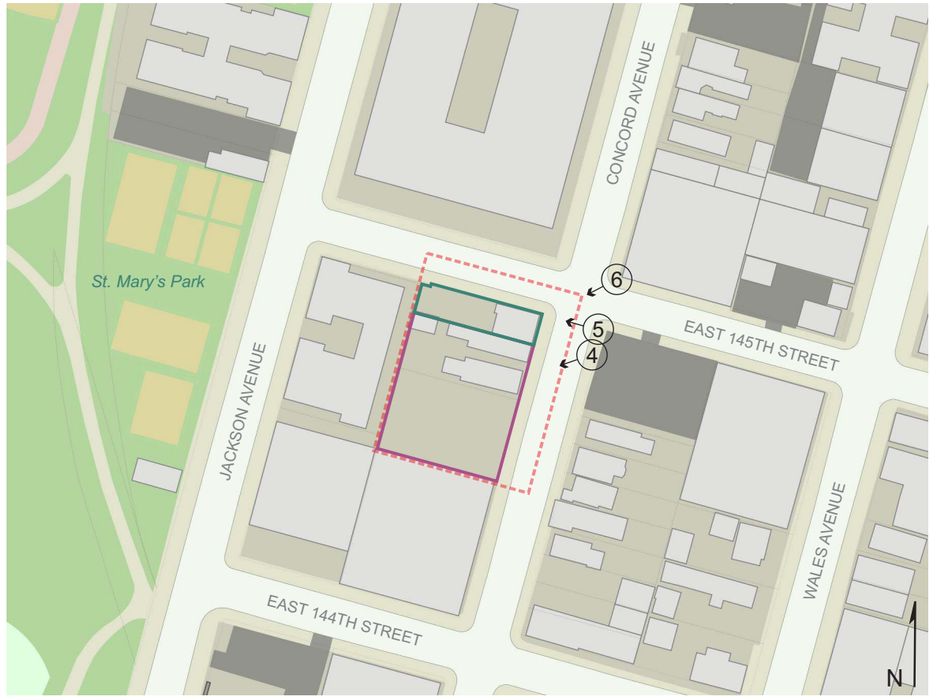
4. View of Projected Development Site 1 facing southwest from Concord Avenue.



5. View of Potential Development Site 1 facing northwest from Concord Avenue.



6. View of the Potential Development Site 1 facing southwest from the intersection of Concord Avenue and East 145th Street.





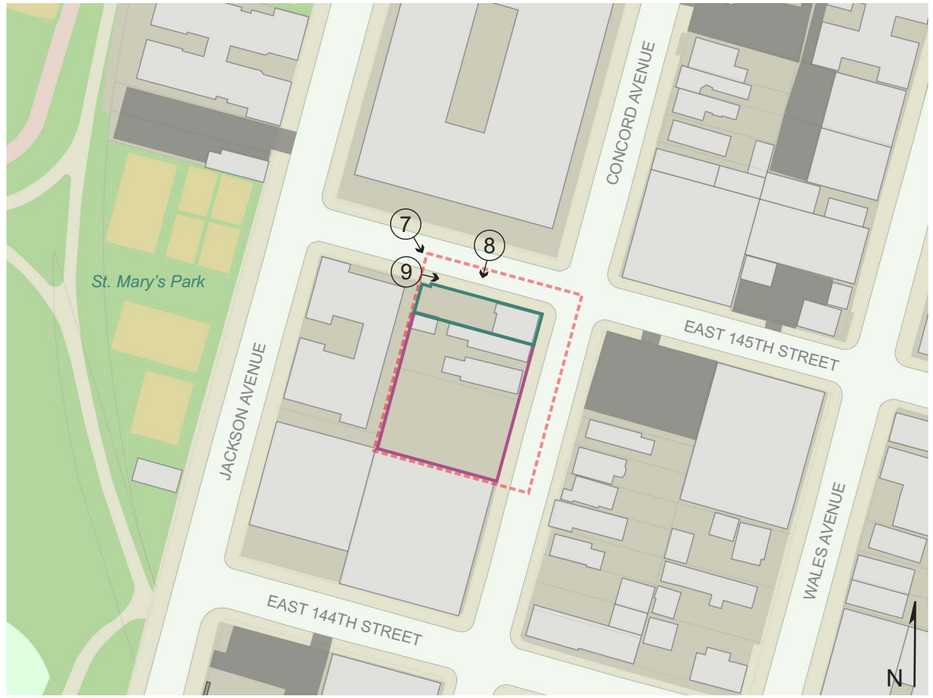
7. View of Potential Development Site 1 facing southeast from East 145th Street.



8. View of Potential Development Site 1 facing south from East 145th Street.



9. View of the sidewalk along the south side of East 145th Street facing southeast (Potential Development Site 1 at right).





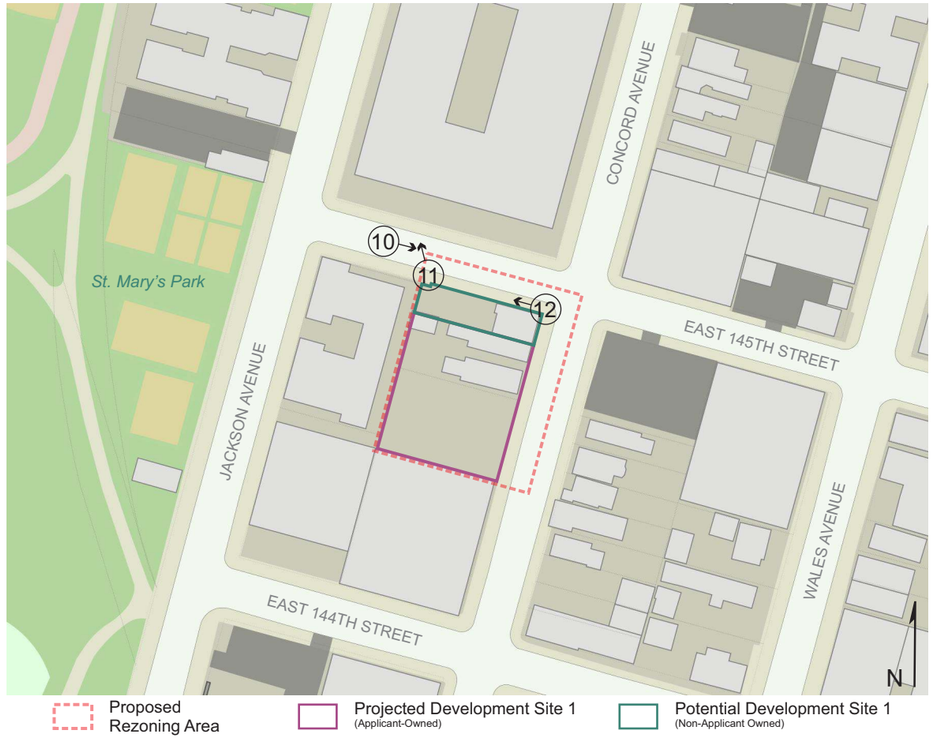
10. View of East 145th Street facing southeast toward Concord Avenue (Potential Development Site 1 at right).



11. View of J.H.S. 155 on the north side of East 145th Street facing northwest from Potential Development Site 1.



12. View of the sidewalk along the south side of East 145th Street facing northwest from Concord Avenue (Potential Development Site 1 at left).





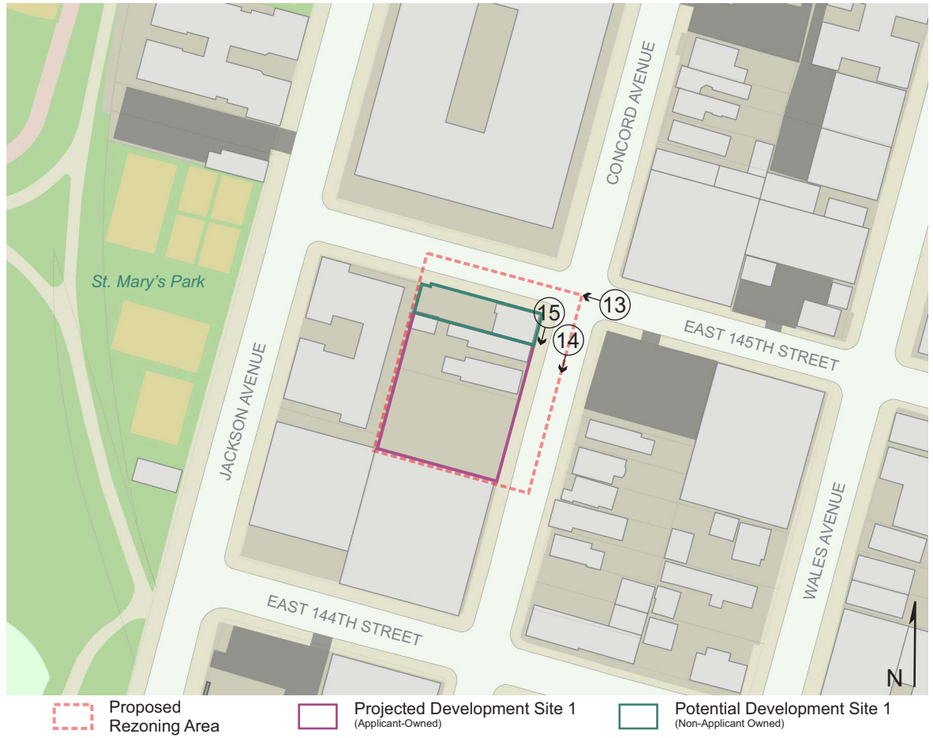
13. View of East 145th Street facing northwest from Concord Avenue (Potential Development Site 1 at left).



14. View of Concord Avenue facing southwest toward East 144th Street (Projected Development Site 1 at right).



15. View of the sidewalk along the west side of Concord Avenue facing southwest from East 145th Street (Potential Development Site 1 at right).





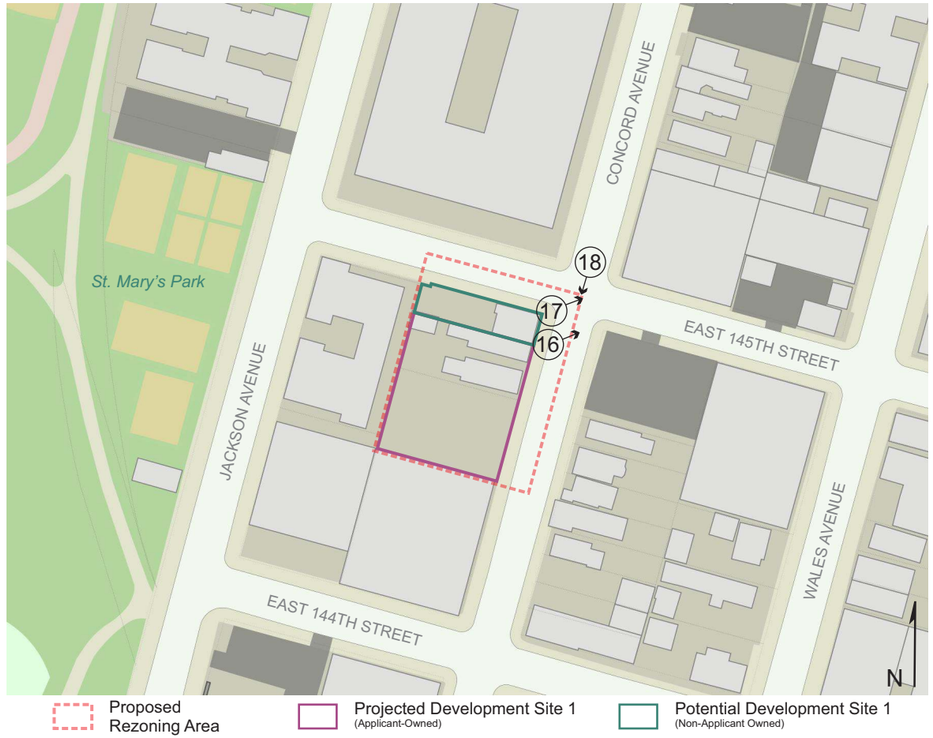
16. View of the east side of Concord Avenue facing northeast from Projected Development Site 1.



17. View of the intersection of Concord Avenue and East 145th Street facing northeast from Potential Development Site 1.



18. View of Concord Avenue facing southwest from East 145th Street (Potential Development Site 1 at right).





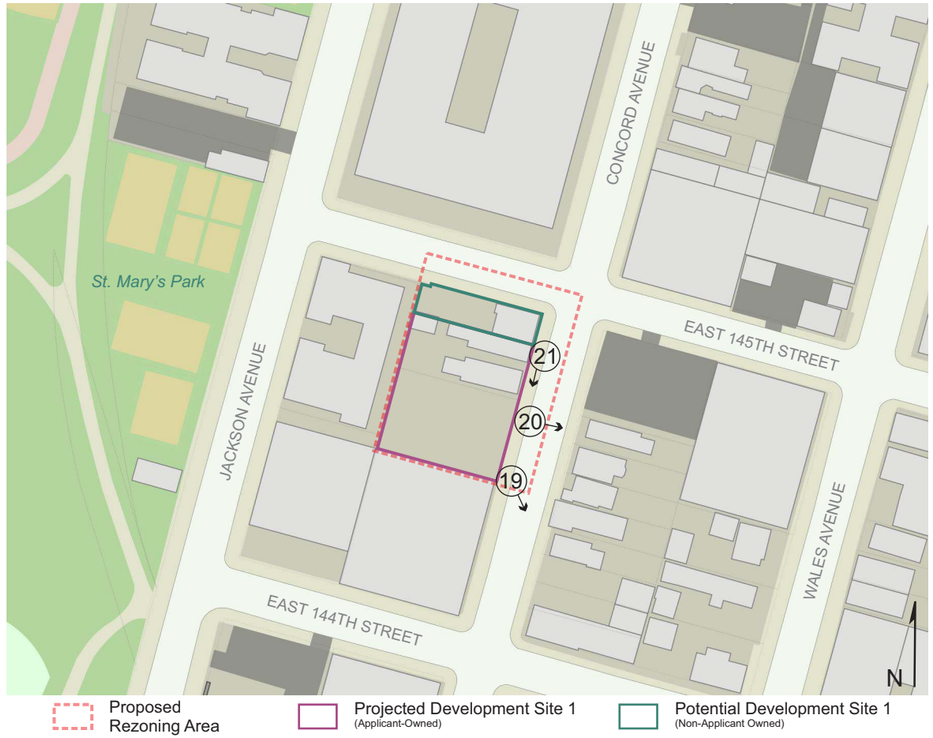
19. View of the east side of Concord Avenue facing southeast from Projected Development Site 1.



20. View of the east side of Concord Avenue facing east from Potential Development Site 1.



21. View of the sidewalk along the west side of Concord Avenue facing southwest toward East 144th Street (Potential Development Site 1 at right).

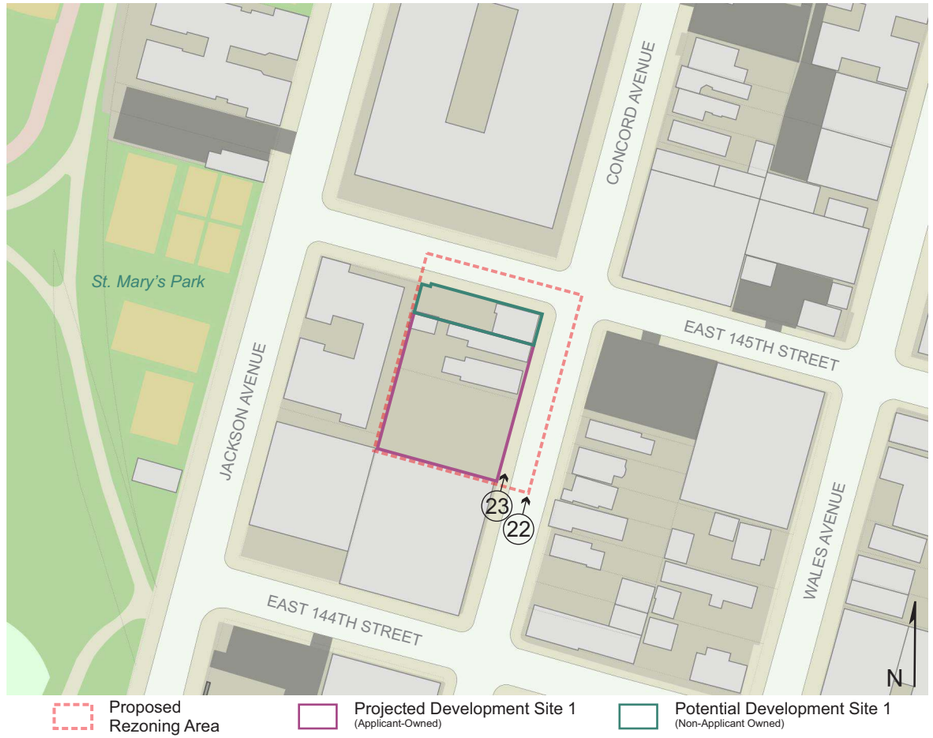




22. View of Concord Avenue facing northeast toward East 145th Street (Projected Development Site 1 at left).



23. View of the sidewalk along the west side of Concord Avenue facing northeast toward East 145th Street (Projected Development Site 1 at left).



431 Concord Avenue, Bronx

Urban Design Diagram

No-Action Scenario

Concord Avenue facing north (Site at left)



With-Action Scenario

Concord Avenue facing north (Site at left)



Maximum Permitted Base Height (95') Maximum Permitted Building Height (115')

431 Concord Avenue, Bronx
Urban Design Diagram

No-Action Scenario
Concord Avenue facing south (Site at right)



With-Action Scenario
Concord Avenue facing south (Site at right)



Maximum Permitted Base Height (95') Maximum Permitted Building Height (115')

12. HAZARDOUS MATERIALS

Phase I Environmental Site Assessment

Environmental Studies Corp. has performed a Phase I Environmental Site Assessment (ESA) dated February 2019 of the subject property located at 431-439 Concord Avenue (Block 2578, Lots 16 and 18) in the Borough of the Bronx, New York City, New York. This Phase I ESA was prepared in accordance with the latest ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation E 1527-13).

The Standard Practice E 1527-13 defines good commercial and customary practice for conducting an environmental site assessment (ESA) of a parcel of commercial real estate with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and petroleum products. As such, the Practice is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability (referred to as landowner liability protections or LLPs); that is, the practice that constitutes all appropriate inquiries into the previous ownership and uses of the property consistent with good commercial and customary practice.

The goal of an ESA is to identify, to the extent feasible in accordance with ASTM E 1527-13, *recognized environmental conditions (RECs)* in connection with the property. The term *recognized environmental condition* means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not *recognized environmental conditions*. The term *de minimis* condition means a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. The presence or likely presence of hazardous substances or petroleum products at the site includes any form, such as solid or liquid at the surface or subsurface, and vapor in the subsurface.

The Practice also defines two additional *RECs*; *controlled recognized environmental conditions* and *historical recognized environmental conditions*. The term *controlled recognized environmental conditions* means a *recognized environmental condition* resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

The term *historical recognized environmental condition* means a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been address to the satisfaction of the applicable regulatory authority or meeting

unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

Recognized environmental conditions are identified through a review of pertinent records for the project site and nearby properties, a site reconnaissance and interviews. The records review includes a review of *Standard Historical Sources* of information to determine the history of the property. Such sources include historical aerial photographs, fire insurance maps such as those published by the Sanborn Map Company, reverse telephone directories, building department records such as Certificates of Occupancy, building and demolition permits, etc., property tax records, recorded land title records, previous environmental reports and others. The records review also includes regulatory agency lists and databases of documented hazardous waste sites, spill incidents, registered storage tanks and others.

The non-invasive site reconnaissance is performed to identify potential sources of contamination at the project site and in the immediate vicinity of the site. Such potential sources of contamination include operations involving the storage or use of hazardous substances or petroleum products, the presence of petroleum storage tanks, drainage structures, chemical/oil staining, dead or dying vegetation and others.

Interviews are conducted, whenever possible, with site owners, operators, tenants, local government officials, and others with knowledge of the site and information regarding potential RECs at a property. Finally, several ASTM "Non-Scope" items including asbestos-containing materials, lead-based paints, and radon are also discussed.

The following summarizes the findings, conclusions, and recommendations of the Phase I ESA.

Existing Conditions

Site Description

The subject property at 431-439 Concord Avenue, Bronx, N.Y. consists of two adjoining lots with a total combined area of approximately 13,750 square feet. Lot 16 is a 5,500+/- square foot, rectangular parcel. There is a 2-story, mixed use building on the south side of the lot (437 Concord Avenue). At the time of the site visit, this building was vacant and fire damaged. The building was last occupied by a church on the 1st floor (Dias de Culto), and residential uses on the 2nd floor. The north side of the lot contains a 1-story commercial building (439 Concord Avenue). This building was also occupied by a church (Movimiento de Iglesias Pentecostes). Exterior portions of Lot 16 consist of a narrow yard between the two buildings, and an open yard to the rear of 437 Concord Avenue. The western portion of this lot is approximately 20 feet higher in elevation than the eastern side. Most of the yard was covered by weeds and other vegetation, with several mature trees. Exposed bedrock was present on the surface of the rear yard at several locations.

Lot 18 is an 8,250+/- square foot rectangular parcel of undeveloped land. The east side of the lot is generally level and contains an empty steel shipping container. The rest of this part of the lot is covered by low vegetation such as weeds and grass. The western portion of Lot

18 is approximately 20 feet higher in elevation than the east side and is mostly wooded land. There is exposed bedrock located at several locations on the west side of Lot 18.

Current Operations/Hazardous Substances

There were not any operations involving the storage or use of hazardous substances or petroleum products observed on accessible portions of the subject property during the site visit. In addition, there were not any indications of the past storage or use of hazardous substances or petroleum products noted, such as chemical/oil-stained surfaces, discarded drums or chemical containers, dead or dying vegetation, etc.

Site History

Research into the history of the property reveals that the existing 2-story building on Lot 16 was constructed sometime before 1908, as a residential dwelling. Identified former uses in this building include residential uses, a coffee shop and a church. Prior to the construction of this building, this part of Lot 16 was occupied by a dwelling that was constructed sometime prior to 1891. The 1-story commercial building on the north side of Lot 16 was constructed sometime between 1935 and 1944. The identified former uses in this building include retail stores, a pickle company, unspecified manufacturing, an iron works, and auto repair garages. Manufacturing operations, iron works and auto repair garages are types of operations that typically involve the storage or use of hazardous substance and/or petroleum products. Any past spills, leaks or discharges of such materials would be a potential source of contamination to the project site. Prior to the construction of the existing commercial building, this part of Lot 16 was occupied by a small stable.

Lot 18 contained a 2-story dwelling on the west side of the lot from at least 1891 to 1946, at which time the building was demolished and another 2-story dwelling was constructed on the west side of the lot. This dwelling was demolished in 1990 and the site has remained undeveloped since that time. In 1954 a Certificate of Occupancy was issued to Lot 18 for automobile parking. There were not any uses or operations identified on Lot 18 that typically involve the storage or use of hazardous substances.

Environmental Liens and Activity and Use Limitations

There were not any indications of Environmental Liens or Activity and Use Limitations found on file for the project site in the New York City Department of Finance records reviewed. A search of land title records did not identify any Environmental Liens or Activity and Use Limitations at the site. There are any Environmental Liens or Activity and Use Limitations identified at the project site in the EDR database report.

Drainage Structures

No drainage structures were observed on accessible portion of the project site. The buildings located on Lot 16 are likely connected to the municipal sewer system, and septic wastes from these building are discharged to this system.

Petroleum Storage Tanks

No tank fillports, vent lines or other visible indications of the presence of petroleum storage tanks were observed on accessible portions of the subject property. According to New York City Department of Buildings (NYCDOB) records, approval was granted to convert the heating system in the subject building at 437 Concord Avenue from oil to gas in 1995. It is not known if the fuel oil tank for the oil-fired heating system was removed at the time of the conversion, or if the tank was located aboveground or belowground. Therefore, it is possible that one or more fuel oil tanks are located on Lot 16.

It is not known how the buildings formerly located on Lot 18 were heated (e.g., gas, oil, coal, etc.). Any fuel oil tanks which were not removed prior to the demolition of the former buildings may remain at the project site.

Asbestos/Lead-Based Paints/PCBs

Given the age of the subject buildings, it is possible that they contain asbestos building materials and lead-based paints. No electrical equipment suspected of containing PCBs were observed at the subject property during the site visit.

Surrounding Land Uses

The project site is adjoined to the north by an auto repair garage (Diallo Auto Repair). Adjacent to the south of the site is a 1-story industrial/warehouse building at 415 Concord Avenue. There are three underground motor fuel tank vent lines protruding from the roof of this building. The 1935, 1944, and 1946 Sanborn maps show two buried gasoline tanks below this building. The 1947 and 1951 maps show one buried gasoline tank located below this building. Adjacent to the east of the site is Concord Avenue, beyond which are residential dwellings and a parking lot. The property is adjoined to the west by a 6-story apartment building and a 1-story warehouse building. Land uses in the immediate vicinity of the project site (i.e., within approximately 500 feet) are a mix of residential uses, commercial/retail uses, auto repair garages, a public school, warehouses, and industrial uses.

A review of Sanborn maps shows that historical land uses in the immediate vicinity of the subject property have been a mix of residential and commercial/retail uses, auto-repair garages (some with buried gasoline tanks), warehouses, public schools and industrial uses since at least the 1930s. Industrial uses identified in the immediate vicinity of the project site on historical Sanborn maps include commercial laundries, bottling companies, spring manufacturing, furniture manufacturing, fire door manufacturing, contractor's yards, machine shops, metal stamping, auto wrecking, rainwear manufacturing, a chemical warehouse, and others.

Given the number of potential off-site sources of contamination identified in the immediate vicinity of the project site, the potential exists for impacts to project site from these off-site sources of contamination.

Regulatory Agency Records Review

The subject property is not identified in any of the Federal or State environmental databases reviewed, including the United States Environmental Protection Agency (USEPA) Superfund, CORRACTS, CERCLIS or ERNS databases, the RCRA Hazardous Waste Generators list or hazardous waste Treatment/Storage/Disposal Facilities list, or the NYSDEC's Spill Logs database, Petroleum Bulk Storage database, Solid Waste Facilities database, Voluntary Cleanup Program, Brownfield Cleanup Program, or the Registry of Inactive Hazardous Waste Disposal Sites.

Phase I ESA Findings

Environmental Studies Corp. has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of 431-439 Concord Avenue, Bronx, N.Y., the property. This assessment has revealed no evidence of *Controlled Recognized Environmental Conditions* or *Historical Recognized Environmental Conditions* in connection with the property. This assessment has revealed no evidence of *Recognized Environmental Conditions* in connection with the property, with the following exceptions:

- The potential for site contamination from past spills, leaks or discharges of hazardous substance and/or petroleum products from past, iron works, manufacturing and automotive repair operations in the subject building at 439 Concord Avenue, including the potential for the encroachment of vapors to current or future buildings at the project site.
- The potential for impacts to the project site from off-site sources of contamination located in the immediate vicinity of the project site, including the potential for the encroachment of vapors to current or future buildings at the project site.
- The possible presence of one or more fuel oil tanks at the project site.
- The possible presence of asbestos-containing building materials and lead-based paints in the subject buildings.

Conclusions

Based on the Phase I ESA findings related to Projected Development Site 1 (Block 2578, Lots 16 and 18) discussed above, a Phase II ESA has been prepared and is further discussed below.

An "E" designation for hazardous materials will be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for Potential Development Site 1 which is not controlled by the Applicant. The "E" designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance on this property. The Applicant for Potential Development Site 1 will be directed to coordinate further hazardous materials assessments through the Mayor's Office of Environmental Remediation.

Therefore, in order to avoid any potential impacts associated with hazardous materials, an (E) designation (E-?) will be assigned for hazardous materials on the following properties:

Block 2578, Lot 15

The text for the (E) designations related to hazardous materials is 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.

With this (E) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted. Therefore, there is no potential for the Proposed Actions to result in significant adverse impacts related to hazardous materials on Potential Development Site 1.

Phase II Environmental Site Assessment

Environmental Studies Corp. has performed a Phase II Environmental Site Assessment (ESA) dated February 2020 for the property located at 431-439 Concord Avenue (Block

2578, Lots 16 and 18). The purpose of the Phase II investigation was to establish existing soil, soil vapor and ground water quality conditions and a comparison to relevant regulatory agency and standard practice guidelines and standards. A Phase 2 Environmental Investigation Work Plan and Health and Safety Plan (HASP) were prepared which outlined the means and methods of the subsurface investigation. All work was completed in accordance with ASTM E1903-97 Standard Guide for Environmental Site Assessments: Phase 2 Environmental Site Assessment Process.

A subsurface investigation work plan was developed. The scope of work was implemented to determine the subsurface soil, water and soil vapor quality conditions at the subject property. The scope of work included the following elements:

- Completed a geophysical investigation which included an electromagnetic survey and ground penetrating radar (GPR) survey.
- Performed five (5) soil test borings (B-1, B-2, B-3, B-4 and B-5) and collected two soil samples from each soil boring location a surface (0 - 2ft) and a deeper sample from (10 - 12ft) or to the depth top of bedrock to match the excavation depth of the proposed buildings.
- Installed one (1) temporary groundwater monitoring well (GW-1).
- Collected three soil vapor samples (SV-1, SV-2 and SV-3) at the proposed building foundation depth.
- Prepared a written comprehensive report of findings.

Conclusions

An Electromagnetic (EM) Magnetometer survey was conducted in an attempt to identify any possible unknown magnetic anomalies such as underground storage tanks (USTs) on the site. ESC used a Fisher TW-6 magnetometer in the inductive phase mode over the property's accessible areas in an overlapping grid pattern. The results of the survey indicated no evidence of any magnetic anomalies indicative of USTs.

The results of this subsurface investigation have found urban fill soil with semi-volatile organic PAH compounds and total metals above restricted use cleanup objectives. No volatile organic compounds, pesticides or PCBs were found above unrestricted soil cleanup levels. The PAH and metals presence is not a result of historical spills, commercial or industrial process releases related to the prior site occupancy or uses. It's from historical fill placement and is limited in vertical extent to only the fill soils found on site. Below the fill soils is native weathered and consolidated bedrock which meets NYSDEC Part 375 unrestricted soil cleanup standards.

No groundwater was sampled on the property. No groundwater is anticipated to be encountered during the proposed development therefore no de-watering activity is anticipated during foundation excavation.

Results of the soil vapor investigation identified low concentrations of volatile organic compounds (VOCs) related to petroleum compounds above laboratory method detection limits. These VOC's are likely resulting from the urban fill materials and

interchange with the ambient air surrounding the project site and adjacent neighborhood. The soil vapor conditions found are common of what is usually measured in shallow soils in the metropolitan New York neighborhoods. The concentration of chlorinated volatile organic compounds (CVOCs) are below the New York State Department of Health (NYSDOH) soil vapor Matrix concentrations (May 2017) and require no further action.

Recommendations

There are no recommendations for additional testing or remedial action being made at this time. Urban fill and native soil or excavated bedrock exported off site should be disposed in accordance with New York State Department of Environmental Conservation (NYSDEC) Part 365 regulations.

The new building construction should have an engineered polyethylene vapor barrier under occupied areas of the building. The vapor barrier should be a minimum thickness of 20 mils under the foundation slab and foundation sidewalls in order to prevent any potential vapor migration into the building structure.

A Remedial Action Plan (RAP) detailing the installation of a vapor barrier and a Construction Health and Safety Plan (CHASP) dated March 2020 have been prepared describing the means and methods for the vapor barrier installation and excavation and disposal of impacted soils.

NYC Department of Environmental Protection (DEP) Review

The DEP issued a letter to DCP-EARD dated June 24, 2020 stating that they have reviewed the Phase I and Phase II reports and the RAP and CHASP discussed above.

In reference to Projected Development Site 1 (Block 2578, Lots 16 & 18), DEP finds the March 2020 RAP and CHASP, which addresses worker and community health and safety during construction acceptable, provided that DCP informs the applicant that suspected ACM and LBP may be present in the on-site structures. The RAP should state that these materials should be properly removed and/or managed prior to the start of the construction activities and disposed of in accordance with all federal, state, and local regulations. DEP also states that DCP should instruct the applicant that at the completion of the project, a Professional Engineer (P.E.) certified Remedial Closure Report should be submitted for DEP review and approval for the proposed project. The P.E. certified Remedial Closure Report should indicate that all remedial requirements have been properly implemented (i.e., proper transportation/disposal manifests and certificates from impacted soils removed and properly disposed of in accordance with all NYSDEC regulations; proof of installation of engineering control system; and two feet of DEP approved certified clean fill/top soil capping requirement in any landscaped/grass covered areas not capped with concrete/asphalt, etc.).

In reference to Potential Development Site 1 (Block 2578, Lot 15), DEP states that based on prior on-site and/or surrounding area land uses which could result in environmental contamination, DEP concurs with the EAS recommendation that an (E) designation for

hazardous materials should be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for subject property. The (E) designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation. (See letter in Hazardous Materials Appendix.)

Conclusions

With the implementation of the recommendations described above, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted. Therefore, there is no potential for the Proposed Actions to result in significant adverse impacts related to hazardous materials on Projected Development Site 1 and Potential Development Site 1.

17. AIR QUALITY

INTRODUCTION

Analysis Framework

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 CEQR, an air quality assessment determines both a proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project. The analysis framework, as mandated by the State Environmental Review Act, has followed the *New York City Environmental Quality Review 2014 Technical Manual*.

Project Description

The Affected Area

The Affected Area is located on the southwest corner of Concord Avenue and 145th Street (Block 2578, Lots 15, 16, and 18) in the Mott Haven neighborhood of the Bronx, Community District 1. The project's build year is 2022.

The Applicant-controlled Project Site (Projected Development Site 1) consists of Block 2578, Lots 16 and 18. One soft site (Potential Development Site 1, Block 2578, Lots 15) is also included in the Reasonable Worst Case Development Scenario (RWCDS).

Projected Development Site 1 (Block 2578, Lots 16 and 18)

Projected Development Site 1, the Applicant owned property, located at 431 Concord Avenue would facilitate an eleven-story residential building. The Applicant's proposed project is the same as the With-Action RWCDS. The RWCDS of the Projected Development Site 1 is a 115-foot high building, containing 87,369 gross square feet (gsf) of floor area. The building would contain 29 accessory parking spaces.

Potential Development Site 1 (Block 2578, Lot 15)

Potential Development Site 1 located at 441 Concord Avenue would facilitate a nine-story residential building. The building would not be built to the maximum permitted height of 115 feet as the maximum floor area is achieved at 85 feet based on a standard floor plate. Therefore, the RWCDS of the Potential Development Site 1 is an 85-foot high building, containing 18,840 gsf of floor area. No accessory parking would be required or provided.

Air Pollutants and Applicable Standards and Guidelines

Criteria Pollutants - National Air Quality Standards

The U.S. Environmental Protection Agency (EPA) has identified six pollutants, known as criteria pollutants, which are of concern nationwide. As required by the Clean Air Act, National Ambient Air Quality Standards (NAAQS) have been established for the criteria pollutants by EPA, and New York State has adopted the NAAQS as the State ambient air quality standards. The pollutants for which detailed analyses were conducted, together with their averaging time periods, are presented in **Table 17-1.**

NYC Guidelines

In addition to the NAAQS, the *CEQR Technical Manual* requires that projects subject to CEQR apply $PM_{2.5}$ and CO significant impact (*de minimis* threshold), which are based on concentration increments.

Background Concentrations

Background concentrations, at the nearest New York State Department of Environmental Conservation (NYSDEC) monitoring station(s), of the criteria pollutants for which detailed analyses were conducted were obtained from the NYSDEC's annual report for 2018. **Table 17-1** shows the background concentrations and the NAAQS.

Table 17-1: Background Concentration at the NYSDEC IS 52 Monitoring Station

Pollutant	Averaging Period	National and State Standards	Background Concentration
NO_2	1-Hour	188 µg/m³	112.0 µg/m³
	Annual	100 µg/m³	32.9 µg/m³
$PM_{2.5}$	24-Hour	35 µg/m³	17.3 µg/m³
	Average	12 µg/m³	7.6 µg/m³
PM_{10}	24-Hour	150 µg/m³	41 µg/m³

Per the *CEQR Technical Manual*, $PM_{2.5}$ significant impact concentrations for stationary sources are evaluated as follows[2]:

- Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour background concentration and the 24-hour standard; or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 µg/m³ at any receptor location for stationary sources.

The *de minimis* impact criterions for stationary sources $PM_{2.5}$ are:

- 24-hour $PM_{2.5}$ 8.85 µg/m³
- Annual $PM_{2.5}$ 0.3 µg/m³ (for stationary source)

NO2 NAAQS

Nitrogen oxides (NOx) emissions from combustion consist predominantly of nitric oxide (NO) at the source. In the atmosphere, and in the presence of sunlight, NO reacts with radicals and ozone (O_3) to form mainly NO_2. For determining compliance with the 1-hour standard, the EPA has developed a three-tiered modeling approach: Tier 1, the most conservative approach, assumes a full (100%) conversion of NOx to NO_2; Tier 2 applies a

[2] Detailed mobile source analysis was not required, and carbon monoxide is not a pollutant of concern for the other emission sources.

conservative ambient NOx/NO_2 ratio of 80% to the NOx estimated concentrations; and Tier 3, which is the most precise approach, employs AERMOD's Plume Volume Molar Ratio Method for the conversion of NOx to NO_2 (PVMRM) module. The PVMRM accounts for the chemical transformation of NO emitted from the stack to NO_2 within the source plume using hourly ozone background concentrations. When Tier 3 is utilized, AERMOD generates the 8th highest daily maximum 1-hour NO_2 concentrations or total 1-hour NO_2 concentrations if hourly NO_2 background concentrations are added within the model. Per the *CEQR Technical Manual*, a Tier 1 approach is initially applied, followed by a Tier 2 application. A less conservative Tier 3 approach is then applied if exceedances of the 1-hour NO_2 NAAQS were predicted.

Non-Criteria Pollutants

In addition, the NYSDEC has established guidelines for maximum allowable concentrations of "noncriteria pollutants," which are potentially toxic or carcinogenic pollutants. The maximum allowable guidelines set a maximum 1-hour and annual averaging time concentrations and are published in the DAR-1 AGC/SGC Table, where AGC/SGC refers to Annual and Short-term Guideline Concentrations. The most recent DAR-1 guidelines were created on August 10, 2016. NYSDEC also regulates pollutants that produce discomfort due to odors, where significant discomfort is evaluated on quantity, characteristic, or duration.

MOBILE SOURCE

Introduction

Projects may result in significant mobile source impacts when they create mobile sources of pollutants, change traffic patterns, or add new uses near mobile sources of pollutants. Per CEQR guidelines, a detailed analysis is required to predict whether the Proposed Actions could potentially have a significant adverse air quality impact if certain threshold criteria are met or exceeded, while Proposed Actions that do not meet or exceed the threshold criterions (screen out) are not expected to have a mobile source impact. Projects that require a detailed analysis, model the ambient air CO and PM concentrations, the mobile source pollutants of concern.

Mobile Source Screen

Introduction

Projects may result in significant mobile source impacts when they create mobile sources of pollutants, change traffic pattern, or add new uses near mobile sources of pollutants. Per CEQR guidelines, a detailed analysis is conducted to predict whether the proposed action could potentially have a significant adverse air quality impact if certain threshold criteria are met or exceeded, while proposed projects that do not meet or exceed the threshold criteria (screen out) are not expected to have a mobile source impact. Projects that require a detailed analysis model the CO and PM concentrations, which are the mobile source pollutants of concern.

Mobile Source Screen

Project-Generated Traffic

Per the *CEQR Technical Manual*, localized increases in CO and $PM_{2.5}$ levels may result from increased vehicular traffic volumes and changed to traffic patterns in the study area as a consequence of the proposed project. For this area of the City the threshold volume requiring a detailed analysis of CO concentration, using MOVES2014 and CAL3QHC or AERMOD, is an increment of 170 vehicles. $PM_{2.5}$ threshold criterion is an increment of applies heavy-duty diesel vehicles (HDDVs) screen.

According to the transportation screening analysis for this project, the proposed action would not exceed the *CEQR Technical Manual Table 16-1* thresholds criterions. As such, the maximum trip generation would not exceed the 170 net vehicles trips at any given hour at any intersection during any peak hour.

The project-generate peak hour HDDVs traffic or its equivalent in vehicular emission that would require a detailed $PM_{2.5}$ analysis depends on the type of road. The thresholds incremental traffic per road type ranges from 12 to 23 HDDVs. Per the NYS Department of Transportation (NYSDOT) Functional Class Viewer map application[3], Concord Avenue is classified as a local street (Functional Class 19), which is paved road with 5,000 vehicles. The thresholds incremental traffic of paved roadways is 12 HDDVs.

The New York City Department of City Planning (DCP) online CEQR App was used to predict the project-generated traffic, where the CEQR App output is based on the *CEQR Technical Manual* planning factors. The proposed project increment between the No-Action and With-Action development scenarios would be 93 additional dwelling units (19 of which would be affordable), a decrease of 1,988 gsf of community facility space, a decrease of 1,676 gsf of light industrial use space, and 29 additional accessory parking spaces. This resulted, using the CEQR App, in a maximum peak hour increment of 22 autos and no (0) trucks during the PM peak hour period (see Figure 1 - CEQR App – Project-generated traffic in the Air Quality Appendix).

The HDDVs screen does not apply to passenger cars; however, the HDDVs screen assumed that all autos (passenger cars and passenger trucks combined) are LDGT1 class vehicles. The worst-case HDDVs or its equivalent in vehicular emissions would result in a maximum of 11 equivalent trucks (see Figure 2 - *CEQR Technical Manual* Equivalent Truck Calculation in the Air Quality Appendix). As such, the Proposed Actions pass the $PM_{2.5}$ HDDVs screening analysis and no detailed analysis was required.

Parking Garage

Based on CEQR guidelines, the maximum capacity of a parking facility is evaluated with a threshold capacity to determine whether a detailed analysis is required. The threshold

[3] https://gis3.dot.ny.gov/html5viewer/?viewer=FC

capacity, per CEQR guidelines, is 85 new off-street parking spaces (Zone 2 threshold). If the threshold is met or exceeded, a detailed analysis is warranted.

The proposed project would result in 29 additional accessory parking spaces. Therefore, no detailed air quality analysis is required, and no significant adverse mobile source air quality impacts are expected from vehicular emission generated at the proposed project's off-street parking space.

Existing Mobile Source of Pollutants

According to *CEQR Technical Manual*, projects that would result in new sensitive uses within 200 feet of an atypical roadways or large parking facilities may result in significant adverse mobile source air quality impacts. The proposed project is located approximately 1,250 feet west of the Bruckner Expressway and no large parking facility is located near the Affected Area. Therefore, no detailed analysis was required, and no significant adverse mobile source air quality impacts are expected from existing mobile source of pollutants.

HVAC SYSTEMS ANALYSIS

Introduction

Per the *CEQR Technical Manual*, the HVAC analysis considers the potential for emissions from the HVAC system of the proposed project to significantly impact existing land uses (project-on-existing), and the potential of the proposed project to significantly impact each other (project-on-project). Based on CEQR guidelines, a preliminary screening analysis is to be conducted as a first step to predict whether the potential impacts of the heat and hot water system 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 Analysis

The potential for stationary source emissions from heat and hot water systems to have a significant adverse impact on nearby receptors depends on the type of fuel that would be used, the height of the stack venting the emissions, the distance to the nearest building, the building's residential or non-residential use, and the square footage of the development that would be served by the system. The *CEQR Technical Manual* provides a screening analysis based on these factors, which was utilized to determine the potential for significant impacts from the proposed buildings' HVAC systems.

If the actual distance between a stack and the affected building is greater than the threshold distance for a building size, then that building passes the screening analysis (and no significant impact is predicted). However, if the actual distance is less than the threshold distance for a building, then there is a potential for a significant impact and a detailed analysis would be required.

The developments within the Affected Area, Projected Development Site 1 and Potential Development Site 1, would consist of two residential buildings. The Projected Development

Site 1 building (both the proposed and the RWCDS building) would rise to a height of 115 feet. The Potential Development Site 1 RWCDS scenario is an 85-foot high building.

The screening analysis is only applicable to a single smokestack. However, for purposes of a cumulative analysis, emissions from multiple stacks could be combined in a single stack situated as close as possible to the receiving building. This methodology was used for the project-on-existing analysis. The following scenarios were considered for the screening analysis:

- Project-on-project: Potential Development Site 1 screen on Projected Development Site 1.
- Project-on-existing: The cumulative screen impact of Projected Development Site 1 and Potential Development Site 1 as a 106,209 gsf (Projected Development Site 1 and Potential Development Site 1 combined gsf) residential building on existing land uses that are at least 85 feet high. Fuel oil #2 would be the type of fuel used in the HVAC system.

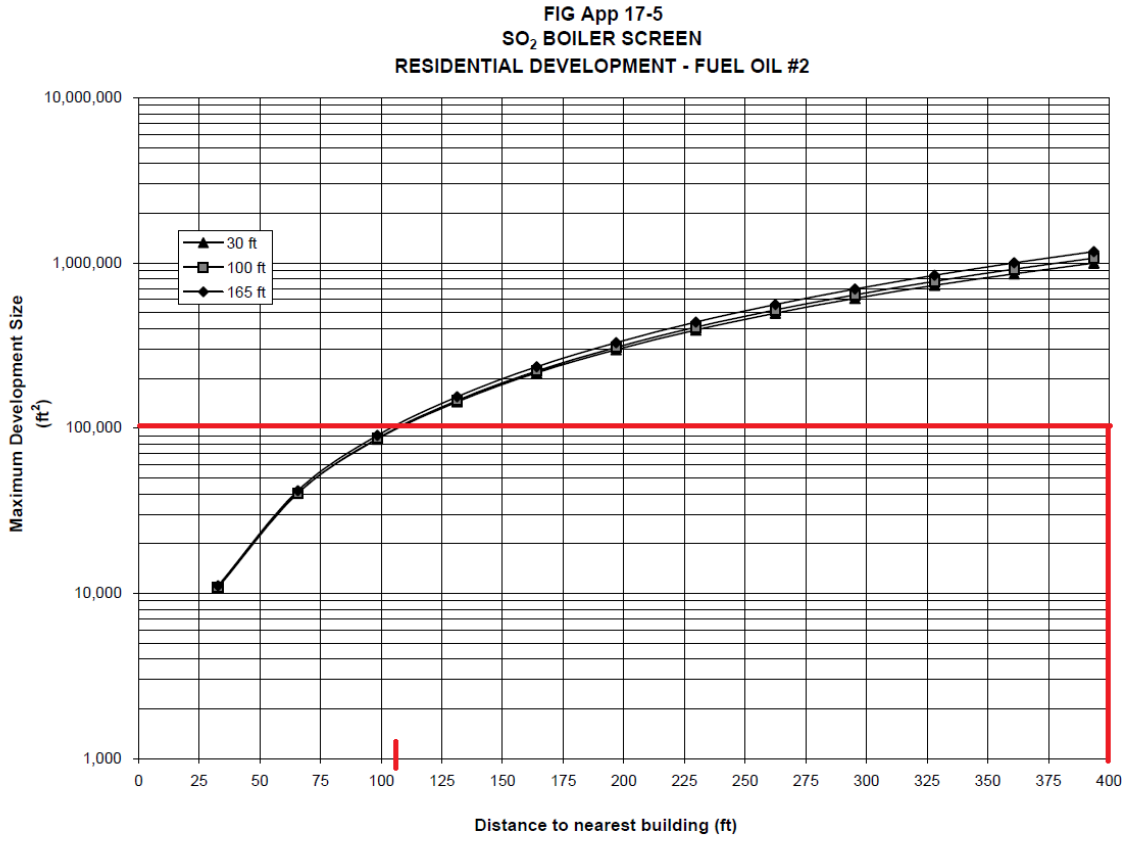
Project-on-Project

As previously mentioned, the screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. Projected Development Site 1 abuts Potential Development Site 1. Therefore, the project-on-project screening analysis is not applicable, and a detailed analysis was required for the Potential Development Site 1 impact on the Projected Development Site 1.

Project-on-Existing

Per the *CEQR Technical Manual*, the CEQR nomograph depicted in Figure 17-5 of the *CEQR Technical Manual Appendices* for a 30-foot stack height was applied. 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. This nomograph depicts the size of the development versus distance below which the potential impact can occur and provides a conservative estimate of the threshold distance. In addition, and per the *CEQR Technical Manual*, the distance to the nearest building of similar or greater height was assumed to be 400 feet if the actual distance is greater. Figure 17-1 below (using Figure 17-5 of the *CEQR Technical Manual Appendices)* shows the screening analysis.

Figure 17-1: The Proposed Project Cumulative Screening Analysis - HVAC Screen



The screening analysis nomograph shows that a detailed analysis would be required for any existing land uses that is 85 feet or higher and at a distance of less than 105 feet from the Affected Area. Building footprint geo metadata, obtained from the NYC Open Data Building Footprints shapefile[4], and satellite imagery shows that there is no building 85 feet or taller within 105 feet from the Affected Area. The nearest building of similar or greater height is the industrial manufacturing building located at 430 Buckner Boulevard (Block 2600, Lot 1), and 620 feet from the Affected Area. Therefore, the proposed project passes the CEQR screening analysis on existing land uses. Table 17-2 shows the heights and floor areas of the development sites and the results of the screening analyses.

[4] https://data.cityofnewyork.us/Housing-Development/Building-Footprints/nqwf-w8eh/data.

Table 17-2: Screening Analysis Results

Projected Development Site ID	Lot	Building Height (ft.)	Floor Area (sq. ft.)	Screen Distance (ft.)	Receptor Building (Site ID or Block/Lot)	Receiving Building Distance (ft.)	Pass/ Fail
Project-on-Project							
Potential	15	85	18,840	N.A.	Projected Site 1	< 30	Fail
Project-on-Existing							
Cumulative	15, 16, 18	85	106,209	105	2600/1	620	Pass

As seen in Table 17-2, the proposed project passes the CEQR screening analysis on existing land uses. However, the project-on-project scenario required a detailed analysis.

Detailed AERMOD Analysis

Methodology

An air dispersion modeling analysis was required to predict the impact concentration from the Potential Development Site 1's boiler stack emissions on the Projected Development Site 1. Dispersion modeling analysis was conducted using the latest version of EPA's AERMOD dispersion model version 19191. In accordance with CEQR guidance, this analysis was conducted assuming stack tip downwash, urban dispersion surface roughness, and elimination of calms. The models specified population of 2,000,000 and flat terrain. The Building Profile Input Program (BPIP) was run with the downwash effect enabled.

All analyses were conducted using the latest five consecutive years of meteorological data (2014-2018). Surface data was obtained from LGA Airport and upper air data was obtained from Brookhaven station, New York. The meteorology data, processed by Lakes Environmental Software, was processed using AERMET version 18081, AERMINUTE version 15272, and AERSURFACE version 13016. No data filling was conducted as the raw data quality was more than sufficient for the modeling purposes (99.47 percent of raw data). These meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period. Meteorological data were combined to develop a 5-year set of meteorological conditions, which was used for the AERMOD modeling runs, and Anemometer height of 9.4 meters was specified per Lakes Environmental Software.

The Potential Development Site 1 RWCDS is an 85-foot high building. The stack would be located 3 feet above the roof line at a height of 88 feet above ground. Block 2578, Lot 15, the location of Potential Development Site 1, is a 27.5 feet wide lot. Therefore, a stack set back distance of 17.5 feet is the greatest possible set back distance.

The Potential Development Site 1 boiler was modeled as a 30 ppm Low NOx, natural gas fueled boiler. The NOx emission rate was based on 3 percent oxygen. This translates to approximately 37 pounds per million cubic feet of natural gas, which is similar to the

emission factor obtained from the NYC DCP for a similar project. All other emission factors were obtained from the EPA's AP-42 manual for external combustion sources.

Potential Development Site 1's stack diameter and exhaust's exit velocity were assumed to be 0.0 feet and 0.001 meter per second, respectively, based on values obtained from the *CEQR Technical Manual*. The stacks exit temperatures were assumed to be 300°F (423°K), which is appropriate for boilers.

The Development Sites RWCDS buildings were modeled as buildings that cover their entire lot areas (the wall façade located on the outer lot lines) and rise to their RWCDS heights. Buildings in the surrounding area were accounted for the downwash effect on plums dispersions (BPIP). Sensitive receptors on the receiving building were placed all around the receiving building's envelope, at 10-foot horizontal increments and on all floor levels. Ground floor receptors were placed at a height of 6 feet above grade. Second-floor receptors were placed at a height of 21 feet above grade, assuming a 15-foot tall ground floor. Receptors on the third to top floors were placed 6 feet above each floor level, assuming 10-foot high floor levels.

Results of HVAC Air Dispersion Analysis

The AERMOD dispersion model was run twice—with building wake effect enabled/disabled. The predicted concentrations (1-hour, 24-hour, and annual averaging times) are the highest concentrations of these two building's wake effect options. The results were evaluated with the 24-hour/annual $PM_{2.5}$ significant impact criteria, and the 1-hour/annual NO_2 NAAQS. Results of the HVAC dispersion analysis are shown in Table 17-3.

Table 17-3: Potential Development Site 1 Impact Concentrations on Projected Development Site 1 - AERMOD Detailed HVAC Analysis Results

Pollutant and Averaging Time	Modeled Concentration ($\mu g/m^3$)	Background Concentration ($\mu g/m^3$)	Evaluated Concentration ($\mu g/m^3$)	Threshold Concentration ($\mu g/m^3$)	Threshold Standard
1-hour NO_2	57.2	112.0	**169**	**188**	NAAQS
Annual NO_2	0.7	32.9	**34**	**100**	NAAQS
24-hour $PM_{2.5}$	3.09	N.A.	**3.09**	**8.85**	*de minimis*
Annual $PM_{2.5}$	0.13	N.A.	**0.13**	**0.3**	*de minimis*

As seen in Table 17-3, the $PM_{2.5}$ impacts do not exceed the *de minimis* significant impact criteria, and the NO_2 predicted concentrations do not exceed the NAAQS. However, these impact concentrations were predicted with natural gas fueled, 30 ppm low NOx, boiler and stack set back distance of 17.5 feet. An (E) Designation was written to that effect.

(E) Designation

Block 2578, Lots 16 and 18 (Projected Development Site 1): ***Any new residential or commercial development on the above-referenced property must ensure that the stack is***

located at the building's highest level and at least 118 feet above grade to avoid any potential significant adverse air quality impacts.

Block 2578, Lot 15 (Potential Development Site 1): ***Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for the HVAC and hot water system(s) and must be fitted with low NOx (30 ppm) burner(s), ensure that the stack is located at the building's highest level at a minimum of 88 feet above the grade, and that the stack is located at least 17.5 feet from the southern lot line facing East 144th Street to avoid any potential significant adverse air quality impacts.***

INDUSTRIAL SOURCE

Introduction

Per the *CEQR Technical Manual*, projects that would introduce new uses near manufacturing processing sources may result in potentially significant adverse air quality impacts. The study area considers industrial sources within 400 feet of the Affected Area. Industrial sources are identified as commercial, industrial, or processing facilities that are likely to have New York City Department of Environmental Protection (DEP) processing permits. Typical types of industrial sources are auto body facilities, woodworking facilities, offset printing facilities, metal processing facilities, and generators or cogeneration equipment (emergency generators are exempt). The analysis first determines if there are any existing industrial sources located in the study area. An air dispersion analysis is then performed for any existing industrial source that is in the study area, otherwise no analysis is required.

A fieldwork observation took place on Jan. 9, 2019 and the DEP online Clean Air Tracking System (CATS) was consulted, to identify manufacturing processing facilities in the 400 feet study area. Four facilities were identified as possible emissions sources.

First-Class Auto Collision Center, located at 436 Wales Avenue (Block 2576, Lot 8), was an auto body repair facility. The facility has a DEP certificate PB012208 which expired in Sep. 15, 2017. The facility is unoccupied presently. The NYC Department of Finance database shows that the property was sold in March 2016. As the facility is unoccupied, no analysis was required.

Chik Chok Woodworking and AJO Home & Lumber Depot, located at 785 E. 144th Street (Block 2576, Lot 1), operates as one facility. The AJO Home & Lumber Depot is a building supply warehouse, and Chik Chok Woodworking is a carpentry operation. Chik Chok Woodworking is a cabinet manufacturer, fabricating custom-made cabinets. No painting (spray painting or painting with handheld tools) takes place at the facility (fabricated items are sold unpainted). The carpentry processing operation and the exhaust stack is located at the eastern side of the facility. That section of the facility is located more than 400 feet from the Affected Area. Therefore, no analysis was required.

R&O Collision, located at 435 Wales Avenue (Block 2577, Lot 14), is an auto body and auto mechanic facility. The facility operates a spray booth. The Department of Buildings (DOB) database shows that the facility filed to obtain a new certificate of occupancy from factory to new use as auto repair and body shop, car sales, and parking for cars in 2012. The facility

does not have a NYSDEC or DEP permit. However, based on the fieldwork observation and site investigation (including the R&O Collision webpage), it was determined that pollutants emissions are expected. As such, the potential for the facility manufacturing processing to cause a significant adverse air quality impact was analyzed.

Valentin Auto Repair Corp, located at 458 Concord Avenue (Block 2577, Lot 31), is an auto body and auto mechanic facility. The facility operates a spray booth, which is evident from the stack. The facility does not have a NYSDEC or DEP permit. However, based on the fieldwork observation and site investigation, it was determined that pollutants emissions are expected. As such, the potential for the facility manufacturing processing to pose a significant adverse air quality impact was analyzed.

Toxics Air Emissions

Two auto body repair facilities, R&O Collision and Valentin Auto Repair, were identified as toxic air emitters from spray painting activities. The contaminants associated with auto body spray booth operations are solids and solvents. Conventional coatings—paints, varnishes, lacquers, sealers, stains, and water thinned paints—comprised of compounds grouped into solids and volatile organic compounds (VOCs), which are mostly solvents. The coatings contain 30 to 85 percent solvents by volume and this amount is regulated by the EPA and the New York State Department of Environmental Conservation (NYSDEC). Per DEP guidance and as outlined in the EPA AP-42 manual, the analysis assumed that all VOCs are emitted (unless the permit specify otherwise). Each VOC contaminant is analyzed with the SGC/AGC guideline concentration. Particulates are fluid or solids particles grouped together. Per NYSDEC DAR-1, particulates are collectively analyzed with the more stringent concentration guideline. In accordance with DEP guidance, emissions of solids are analyzed as PM_{10} and $PM_{2.5}$. The particle size distribution was obtained from the EPA AP-42, *Appendix B1, Page B.1-12, Particle Size Distribution Data and Sized Emission Factors for Selected Sources, Table 4.2.2.8 Automobile and Light-Duty Track Surface Coating Operations, Automobile Spray Booths*. The particulates short-term emission rate was adjusted to the 24-hour average emission rate by using the number of hours per day the spray booth is active.

A review of 19 DEP permits for auto body facilities shows that most operate 4-6 hours per day, 200-275 days per year. The analysis assumed that each facility operates 6 hours per day, 305 days per year. Per guidance from the NYC DCP on similar projects, conservative 1-hour emissions rates of particulates and VOC are 0.065 and 3.10 pounds per hour, respectively.

Table 17-4 shows the facilities PM_{10} and $PM_{2.5}$ emission rates.

Table 17-4: $PM_{10}/PM_{2.5}$ Emission Rates from R&O Collision and Valentin Auto Repair Spray Booths Activities

Contaminant	Emission Rate		Fraction of Particle Size	Emission Rate			
				Short-term		Annual	
	(lb/hr)	(lb/yr)	Percent	(lb/hr)	(g/s)	(lb/yr)	(g/s)
R&O Collision							
$PM_{2.5}$	0.065	119	28.6	4.65E-03	5.86E-04	3.40E+01	4.89E-04
PM_{10}			46.7	7.59E-03	9.56E-04	5.55E+01	7.99E-04
Valentin Auto Repair							
$PM_{2.5}$	0.065	119	28.6	4.65E-03	5.86E-04	3.40E+01	4.89E-04
PM_{10}			46.7	7.59E-03	9.56E-04	5.55E+01	7.99E-04

The VOC emission rates are 3.10 pounds per hour, 5,673 pounds per year. As the composition of the coating substance was not known, a representative composition by percent weight was obtained from the approved CEQR action *139-01, 135-05, and 135-09 Northern Boulevard 07DCP029Q, Table 3, Typical Composition of VOC Emissions from Auto Spray Paint Booths* (hereinafter "Solow Report Table 3"). The ingredients that make up the representative paint, along with their Chemical Abstract Service (CAS) number, by percent weight, and the hourly and annual emission rates are presented in Table 17-5.

Table 17-5: VOC Emission Rates from R&O Collision and Valentin Auto Repair Spray Booths Activities (Chemicals & their Percentage Weight from the Solow Report, Table 3)

Contaminant name	CAS No.	Percent Weight	1-Hour		Annual	
			(lb/hr)	(g/s)	(lb/yr)	(g/s)
R&O Collision						
Acetone	67-64-1	43%	1.33E+00	1.68E-01	2439.39	3.51E-02
Aromatic Petroleum Distillate	64742-94-5	10%	3.10E-01	3.91E-02	567.3	8.16E-03
Butane	106-97-8	11%	3.41E-01	4.30E-02	624.03	8.98E-03
Ethanol	64-17-5	2%	6.20E-02	7.81E-03	113.46	1.63E-03
Ethyl 3-Ethoxypropionate	763-69-9	9%	2.79E-01	3.52E-02	510.57	7.34E-03
Ethylbenzene	100-41-4	5%	1.55E-01	1.95E-02	283.65	4.08E-03
Methyl Ethyl Ketone	78-93-3	8%	2.48E-01	3.12E-02	453.84	6.53E-03
N-Butyl Acetate	123-86-4	5%	1.55E-01	1.95E-02	283.65	4.08E-03
Propane	74-98-6	11%	3.41E-01	4.30E-02	624.03	8.98E-03
Stoddard Solvent	8052-41-3	10%	3.10E-01	3.91E-02	567.3	8.16E-03
Toluene	108-88-3	10%	3.10E-01	3.91E-02	567.3	8.16E-03
Xylene	1330-20-7	10%	3.10E-01	3.91E-02	567.3	8.16E-03
Valentin Auto Repair						
Acetone	67-64-1	43%	1.33E+00	1.68E-01	2439.39	3.51E-02
Aromatic Petroleum Distillate	64742-94-5	10%	3.10E-01	3.91E-02	567.3	8.16E-03
Butane	106-97-8	11%	3.41E-01	4.30E-02	624.03	8.98E-03
Ethanol	64-17-5	2%	6.20E-02	7.81E-03	113.46	1.63E-03

Ethyl 3-Ethoxypropionate	763-69-9	9%	2.79E-01	3.52E-02	510.57	7.34E-03
Ethylbenzene	100-41-4	5%	1.55E-01	1.95E-02	283.65	4.08E-03
Methyl Ethyl Ketone	78-93-3	8%	2.48E-01	3.12E-02	453.84	6.53E-03
N-Butyl Acetate	123-86-4	5%	1.55E-01	1.95E-02	283.65	4.08E-03
Propane	74-98-6	11%	3.41E-01	4.30E-02	624.03	8.98E-03
Stoddard Solvent	8052-41-3	10%	3.10E-01	3.91E-02	567.3	8.16E-03
Toluene	108-88-3	10%	3.10E-01	3.91E-02	567.3	8.16E-03
Xylene	1330-20-7	10%	3.10E-01	3.91E-02	567.3	8.16E-03

AERMOD Detailed Analysis

Dispersion modeling analyses were conducted with the EPA's AERMOD dispersion model version 19191 and AERMET version 19191. The models specified flat terrain, urban roughness coefficient, and population of 2,000,000. The Building Profile Input Program (BPIP) was run with the downwash effect enabled. Meteorology data was obtained from Lakes Environmental Software. The meteorology data (processing and other parameters) was discussed in the HVAC analysis.

Both spray booth stacks were modeled as point sources. Buildings in the surrounding area that might affect the plumes dispersions were inputted into the models to account for the building downwash effect on plume dispersion. The surrounding buildings' footprint geo metadata were obtained from the NYC Open Data Building Footprints shapefile[5]. Two modeling analyses were performed:

1. Use of generic emission rates of 1 gram per second and impacts concentrations cumulatively added.

2. Ethyl 3-Ethoxypropionate (CAS 763-69-9) 1-hour impact with the calculated emission rates and cumulative output. The no downwash effect on plume dispersion specified emissions continuously throughout the 5-year of meteorology data. The with downwash effect on plume dispersion utilized the variable emissions rates, specifying emissions during the hours of 8:00-18:00 using the EMSIFACT table (a factor of 1 specified for activity and 0 for nonactive periods).

Receptors on the development sites were placed all around the Affected Area perimeter in 10-foot increments. Receptors were placed in 5-foot vertical increments from 6-21 feet above ground, and in 10-foot vertical increments from 31-111 feet above grade. The spray booths stacks heights above the roofs, stacks exit velocities, exit temperatures, and diameters utilized the *CEQR Technical Manual* default values.

[5] https://data.cityofnewyork.us/Housing-Development/Building-Footprints/nqwf-w8eh/data.

Dispersion Analysis Results

The $PM_{2.5}$ 24-hour and annual averaging times predicted concentrations were evaluated with the NYC *de minimis* guidelines. The 24-hour PM_{10} predicted concentration was evaluated with the NAAQS. The VOC predicted concentrations were evaluated with the SGC/AGC guidelines.

Table 17-6 shows the cumulative particulates matter results.

Table 17-6: $PM_{2.5}$ and PM_{10} Cumulative Dispersion Analysis Results from R&O Collision and Valentin Auto Repair Facilities

Criteria Pollutant	Threshold Standard	Predicted Concentration (µg/m³)	Background Concentration (µg/m³)	Total Concentration (µg/m³)	Threshold Criteria (µg/m³)
PM_{10} 24-Hour	NAAQS	1.9	41	**43**	**150**
$PM_{2.5}$ 24-Hour	*de minimis*	1.19	*de minimis*	**1.19**	**8.85**
$PM_{2.5}$ Annual	*de minimis*	0.102	*de minimis*	**0.1**	**0.3**

As seen in Table 17-6, the $PM_{2.5}$ concentrations do not exceed the *de minimis* threshold standards and the PM_{10} concentration is within the NAAQS.

Table 17-7 shows the VOC cumulative impact concentrations, where the 1-hour Ethyl 3-Ethoxypropionate was modeled separately applying emissions during work hours.

Table 17-7: VOC Cumulative Impact Concentrations from R&O Collision and Valentin Auto Repair Facilities

Contaminant name	CAS No.	1-Hour	SGC	Annual	AGC
		µg/m³	µg/m³	µg/m³	µg/m³
Acetone	67-64-1	1454.7	180000.0	7.3	30000.0
Aromatic Petroleum Distillate	64742-94-5	338.3	---	1.7	100.0
Butane	106-97-8	372.1	238000.0	1.9	---
Ethanol	64-17-5	67.7	---	0.3	45000.0
Ethyl 3-Ethoxypropionate	763-69-9	125.7	140.0	1.5	64.0
Ethylbenzene	100-41-4	169.1	---	0.9	1000.0
Methyl Ethyl Ketone	78-93-3	270.6	13000.0	1.4	5000.0
N-Butyl Acetate	123-86-4	169.1	95000.0	0.9	17000.0
Propane	74-98-6	372.1	---	1.9	43000.0
Stoddard Solvent	8052-41-3	338.3	---	1.7	900.0
Toluene	108-88-3	338.3	37000.0	1.7	5000.0
Xylene	1330-20-7	338.3	22000.0	1.7	100.0

As seen in Table 17-7, the VOC predicted 1-hour and annual concentrations are less than the SGC/AGC guideline criterions.

The results of the industrial source toxics air analysis are that emissions from the existing industrial sources currently operating in the study area would not exceed the SGC/AGC threshold concentrations and would not violate the NAAQS or the NYC Guidelines. Therefore, no significant adverse air quality impacts are predicted to the developments from manufacturing processing facilities.

MAJOR AND LARGE SOURCES

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 Affected Area. Major emission sources are identified as those sources located at Title V facilities that require Prevention of Significant Deterioration permits; large emission sources are identified as sources located at facilities which require a State facility permit. Solid waste or medical waste incinerators, asphalt and concrete plants, power generating plants, large boilers of large public facilities, and large industrial facilities are the typical types 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 sources, such as power plants, cogeneration facilities, etc. within 1,000 feet of the Affected Area were identified[6]. In addition, no odor producing facility was identified within 1,000 feet of the Affected Area. The nearest State Air Facility is Buckeye Terminals LLC - Bronx Terminal, a fuel terminal located at 1040 East 149th Street in the Bronx, and 2,500 feet from the Affected Area. As such, no analysis was warranted, and no significant adverse air quality impacts are predicted from these types of facilities.

CONCLUSION

Conditions associated with the Proposed Actions would not result in any violations of the ambient air quality standards. Therefore, the Proposed Actions would not result in any potentially significant adverse stationary or mobile source air quality impacts, and further assessment is not warranted.

[6] https://gisservices.dec.ny.gov/gis/dil/

19. NOISE

Introduction

Two types of potential noise impacts are considered under CEQR. These are potential mobile source and stationary source noise impacts. Mobile source impacts are those which could result from a proposed project adding a substantial amount of vehicular traffic to an area, or introducing new noise-sensitive land uses into an area where vehicular traffic creates high ambient noise levels. Potential stationary source noise impacts are considered when a proposed development would cause a stationary noise source to be operating within 1,500 feet of a sensitive land use (receptor), with a direct line of sight to that receptor, if the project would include unenclosed mechanical equipment for building ventilation purposes, or if the project would introduce a sensitive land use into an area with high ambient noise levels.

Noise Analysis

Subject Site

The development sites are bounded by 145th Street to the north and Concord Avenue to the east within Bronx Community District 1, as shown in Figure 19-1 below. Concord Avenue at the Development Sites is a two-way north-south bound street with two moving lanes and curbside parking. East 145th Avenue is a two-way east-west bound street with two moving lanes and curbside parking. The intersection of East 145th Street and Concord Avenue is controlled by stop signs against Concord Avenue. Signage and pavement painting identify East 145th Street as having a shared bike lane.

The Proposed Actions would permit new residential development within the Affected Area, where the existing M1-2 zoning limits development to commercial, industrial, and certain community facility developments. The Proposed Actions are projected to result in development of a 93-unit residential building on Projected Development Site 1. Additionally, the potential development of a 22-unit residential building on Potential Development Site 1 is considered. The proposed development would not create a significant stationary noise generator. Additionally, project-generated traffic would not double vehicular traffic on nearby roadways, and therefore would not result in a perceptible increase in vehicular noise. Therefore, this noise assessment is limited to an assessment of ambient noise that could adversely affect occupants of the development.

Framework of Noise Analysis

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

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

Table Noise-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: 2014 CEQR Technical Manual

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise measurements are often adjusted, or weighted, as a function of frequency to account for human perception and sensitivities. The most common weighting networks used are the A- and C-weighting networks. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighted

network is the most commonly used, and sound levels measured using this weighting are denoted as dBA. The letter "A" indicates that the sound has been filtered to reduce the strength of very low and very high frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high frequency bands are significantly affected by C-weighting.

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

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

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

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

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

Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Quality Review (CEQR) noise exposure guidelines for exterior noise levels. As shown in Table 19-2 below, noise standards classify noise exposure into four categories based on noise level limits and land use, for vehicular traffic, rail, and aircraft noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly

Unacceptable, Table 19-3 of the *CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA (L_{10} *or Ldn, depending on the source*) or below.

Table 19-2: Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1.Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA	Ldn < 60 dBA		Ldn < 60 dBA		Ldn < 60 dBA		Ldn < 75 dBA
2. Hospital, Nursing Home		$L_{10} \leq 55$ dBA		55<L_{10}≤65 dBA		65<L_{10}≤80 dBA		L_{10}>80dBA	
3. Residence, residential hotel or motel	7 am to 10 pm	$L_{10} \leq 65$dBA		65<L_{10}≤70 dBA		70<L_{10}≤80 dBA		L_{10}>80dBA	
	10 pm to 7 am	L10≤55dBA		55<L_{10}≤70 dBA		70<L_{10}≤80 dBA		L_{10}>80dBA	
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	

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

Notes:

(i) In addition, any new activity shall not increase the ambient noise level by 3 dBA or more;

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

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

3 One may use the FAA-approved L_{dn} contours supplied by the Port Authority, or the noise contours may be computed from the federally approved INM Computer Model using flight data supplied by the Port Authority of New York and New Jersey.

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

Table 19-3 CEQR TM: Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Noise Level with Proposed Project	70 < L_{10} ≤ 73	73 < L_{10} ≤ 76	76 < L_{10} ≤ 78	78 < L_{10} ≤ 80	80 < L_{10}

Attenuation[1]	(i) 28 dB(A)	(ii) 31 dB(A)	(iii) 33 dB(A)	(iv) 35 dB(A)	36 + (L_{10} - 80)[2] dB(A)

Source: New York City of Environmental Protection

Notes:

1 The above composite window-wall attenuation values are for residential dwellings. Commercial and office spaces/meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.

2 Required attenuation values increase by 1 dB(A) increments for L_{10} values greater than 80 dBA.

Measurement Location and Equipment

Because the predominant noise sources in the area of the proposed project consist of vehicular movements, noise monitoring was conducted during peak vehicular travel periods (AM, Midday, PM and Saturday). Pursuant to *CEQR Technical Manual* methodology, measurement periods of 20-minutes each AM, Midday, and PM peak hours were conducted at the street frontages of the Development Sites; Location One (1) was conducted for 20-minute periods on the sidewalk in front of Projected Development Site 1 on Concord Avenue; Location Two (2) was conducted for 20-minute periods on the sidewalk in front of Potential Development Site 1 on East 145th Avenue. The monitoring locations at 431 Concord Avenue are identified in Figure 19-1 and Photo 19-1 and 19-2 below.

Noise monitoring was conducted using a Type 1 Casella CEL-633C sound meter with wind screen. The monitors were placed on a tripod at a height of approximately three feet above the ground, away from any other noise-reflective surfaces. The monitors were calibrated prior to and following each monitoring session. Periods of peak vehicular traffic around the subject site constitute a worst-case condition for noise at the Development Sites. Noise meter calibration certification and back up data are provided in the Noise Appendix to this document.

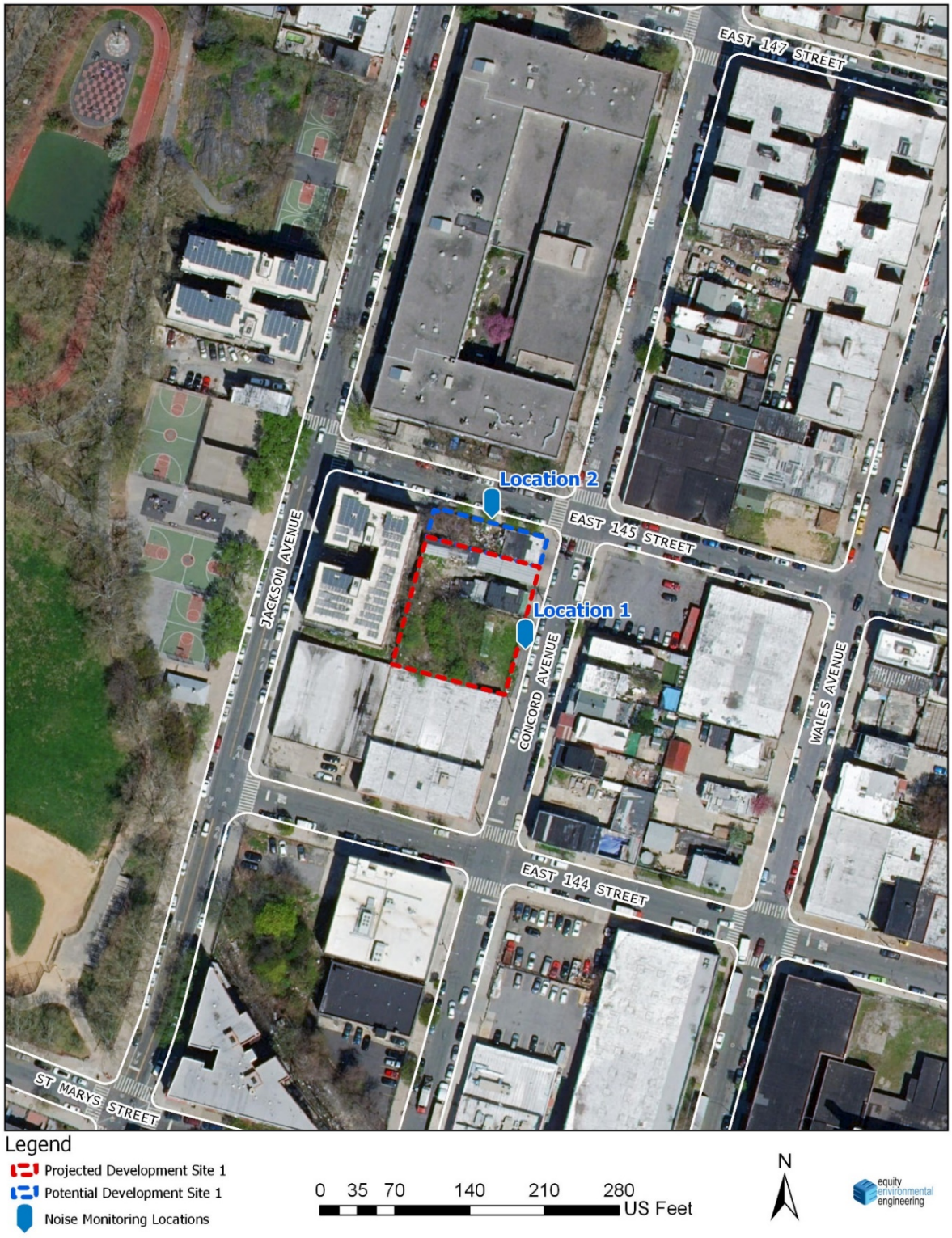
Photo 19-1: ***Noise Monitoring Location One (1) at Projected Development Site 1 on Concord Avenue***



Photo 19-2: ***Noise Monitoring Location Two (2) at Potential Development Site 1 on East 145th Street***



Figure 19-1: Noise Monitoring Locations



Measurement Conditions

Monitoring was conducted during typical midweek conditions, on Wednesday, February 6th, 2019. The weather was dry and wind speeds were moderate during all monitoring periods. The sound meters were calibrated before and after each monitoring session.

Existing Conditions

Based on the noise measurements taken at the Development Sites, the predominant source of noise is vehicular traffic. The level of traffic and its corresponding level of noise is moderate at Location One (1) and Location Two (2).

Table 19-4 and 19-5 *below contains the results for the measurements taken at the Development Sites:*

Table 19-4

Noise Levels (dB) at Location 1

Wednesday February 6th, 2019

Time	**7:57 am – 8:18 am**	**12:23 pm – 12:43 pm**	**4:52 pm – 5:12 pm**
L_{max}	71.5	91.2	92.1
L_{10}	59.5	65	60
L_{eq}	56.4	68.6	60.9
L_{50}	53.5	54	54
L_{90}	50.5	49.5	52.5
L_{min}	48.5	47.1	50.6

Note: **Bold** denotes L_{10} noise level exceedances, according to Table 19-2 of the *CEQR Technical Manual*

Table 19-5

Noise Levels (dB) at Location 2

Wednesday February 6th, 2019

Time	**7:31 am – 7:51 am**	**12:01 pm – 12:21 pm**	**4:30 pm – 4:50 pm**
L_{max}	81.5	81.7	83.5
L_{10}	62.5	60	61
L_{eq}	61.3	58.3	60
L_{50}	56.5	55.5	56.5
L_{90}	55.5	53.5	54
L_{min}	54.5	51.1	50.6

Note: **Bold** denotes L_{10} noise level exceedances, according to Table 19-2 of the *CEQR Technical Manual*

Table 19-6 and 19-7 *below contains the traffic counts and vehicle classifications taken at the Development Sites during each monitoring period:*

Table 19-6 ***Location 1:*** *Traffic volumes and vehicle classification at Location 1*			
	7:57 am – 8:18 am	**12:23 pm – 12:43 pm**	**4:52 pm – 5:12 pm**
Car/ Taxi	5	4	8
Van/Light Truck/SUV	2	4	9
Motorcycle	0	0	0
Heavy Truck	2	1	2
Bus	2	0	0
Train	0	0	0

Table 19-7 ***Location 1:*** *Traffic volumes and vehicle classification at Location 2*			
	7:31 am – 7:51 am	**12:01 pm – 12:21 pm**	**4:30 pm – 4:50 pm**
Car/ Taxi	10	6	10
Van/Light Truck/SUV	4	3	4
Motorcycle	0	0	0
Heavy Truck	1	2	3
Bus	0	0	0
Train	0	0	0

Conclusions

The 2014 *CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. For a residential use such as would occur under the Proposed Actions, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. An L_{10} of between

70 and 80 dB(A) is identified as marginally unacceptable general external exposure. The highest recorded L_{10} at Location One (1) of the subject property was 65 dB during the midday monitoring period. The highest recorded L_{10} at Location Two (2) of the subject property was 62.5 dB during the morning monitoring period.

Based on the results of the noise monitoring, no window-wall attenuation would be required for building facades to achieve an acceptable interior noise exposure level of 45 dB(A) for a residential use. There would be no potential for adverse impacts related to noise generated by mobile sources of noise.

Therefore, the Proposed Actions would not result in any potentially significant adverse stationary or mobile source noise impacts, and further assessment is not warranted.

APPENDIX

Architectural Plans

Zoning Analysis

Site Data		List of Required Actions
Block(s)	2578	1. Zoning Map Amendment to change the
Lot(s)	16 & 18	zoning district from M1-2 to R7D.
Street Address(es)	431 Concord Avenue	2. Zoning Text Amendment to designate the
Proposed Zoning	R7D & R7-1	site an MIH area.
Community District	201	
Zoning Section Map No.	6c	
Zoning Lot Area	13,750 sf	
L.A. in R7D	12,500 sf or 0.909	
L.A. in R7-1	1,250 sf or 0.0909	

Item	Zoning Section	Permitted/Required	Proposed	Compliance/Notes
Uses Permitted	22-00	2, 3 & 4	2	yes
Max. F.A.R.				
Community Facility	24-11	4.20	N.A.	N.A.
Residential (MIH) adjusted	23-154 & 77-22	0.909 x 5.6 = 5.09 0.0909 x 4.6 = 0.42 Total FAR = 5.51	5.51	yes
Total F.A.R.		5.51	5.51	yes
Max. Floor Area				
Residential		75,762.5 sf	*75,736.54 sf	yes
Max. Lot Coverage				
Percentage	24- 11 & 23-154	65% - interior	60%	yes
Square feet		8,937.5 sf - interior	8,283.39 sf	yes
Yards				
Side	23-46	0 or 8'-0" min.	0	yes
Rear	23-47	30'-0"	41'-10"	yes
Density	23-22	680	832	yes
Max. No. of D.U's		111	92	yes
Max. Height & Setback				
Min. Base Height	23-664	60'-0"	N.A.	yes
Max. Base Height		95'-0"	95'-0"	yes
Max. Building Height		115'-0" or 11 stories	115'-0" or 11 stories	yes
Setback Narrow Street	23-662	15'-0"	15'-0"	yes
Setback Wide Street		10'-0"	10'-0"	yes
Req'd. Parking				
Affordable Units**	25-251	none in Transit Zone	29	yes
Req'd. Bicycle Parking				
Residential	25-80	1 per 2 D.U's = 39	46	yes

Notes

*Zoning Floor area after Quality Housing Deductions

** 100% affordable units

UNIT DISTRIBUTION

Floor	LOCATION	DESCRIPTION	NET AREA	Floor	LOCATION	DESCRIPTION	NET AREA
2nd - 9th Floor	UNIT A	3 BEDROOM	1014 SF	10th - 11th Floor	UNIT A	2 BEDROOM	793 SF
	UNIT B	0 BEDROOM	391 SF		UNIT B	2 BEDROOM	789 SF
	UNIT C	1 BEDROOM	598 SF		UNIT C	2 BEDROOM	784 SF
	UNIT D	0 BEDROOM	391 SF		UNIT D	1 BEDROOM	529 SF
	UNIT E	1 BEDROOM	610 SF		UNIT E	3 BEDROOM	926 SF
	UNIT F	2 BEDROOM	705 SF		UNIT F	2 BEDROOM	732 SF
	UNIT G	1 BEDROOM	617 SF				
	UNIT H	1 BEDROOM	604 SF				
	UNIT I	1 BEDROOM	597 SF				
	UNIT J	2 BEDROOM	844 SF				

TOTAL NUMBER OF APARTMENTS		
0 BEDROOM	16	17%
1 BEDROOM	42	46%
2 BEDROOM	24	37%
3 BEDROOM	10	
TOTAL	92	100%

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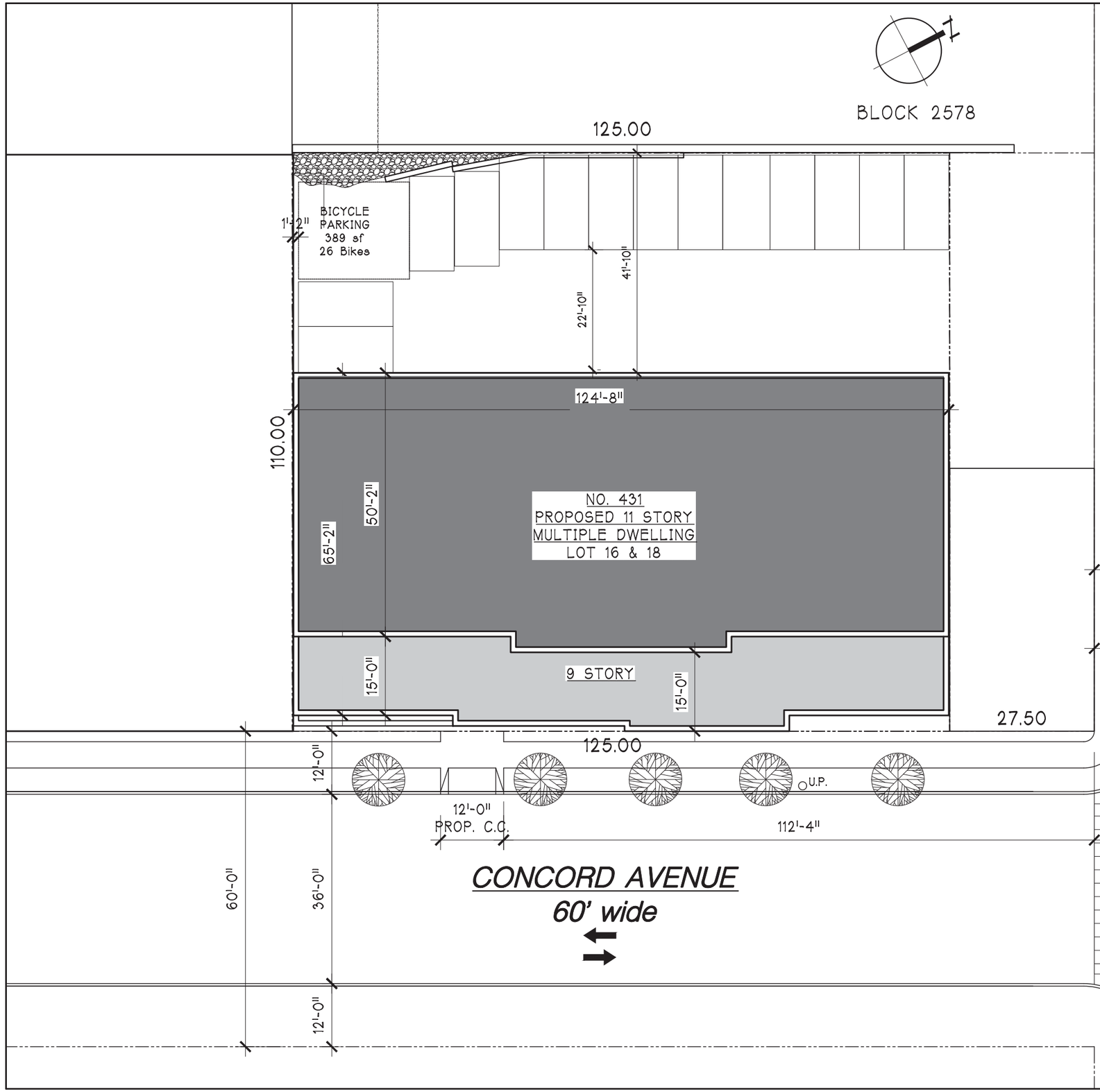

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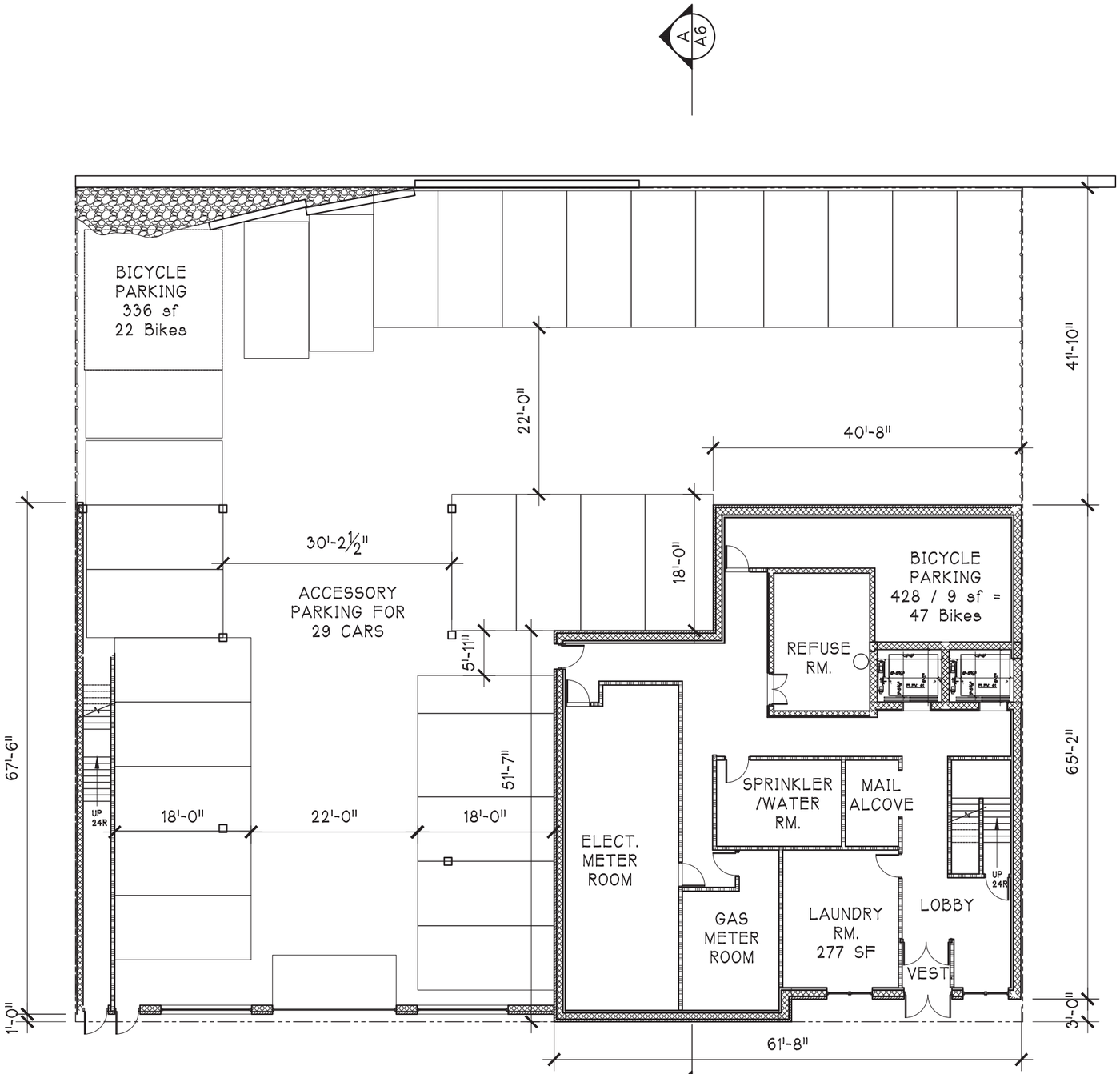

FIRST/GROUND FLOOR PLAN

SCALE: 1/16" = 1'-0"

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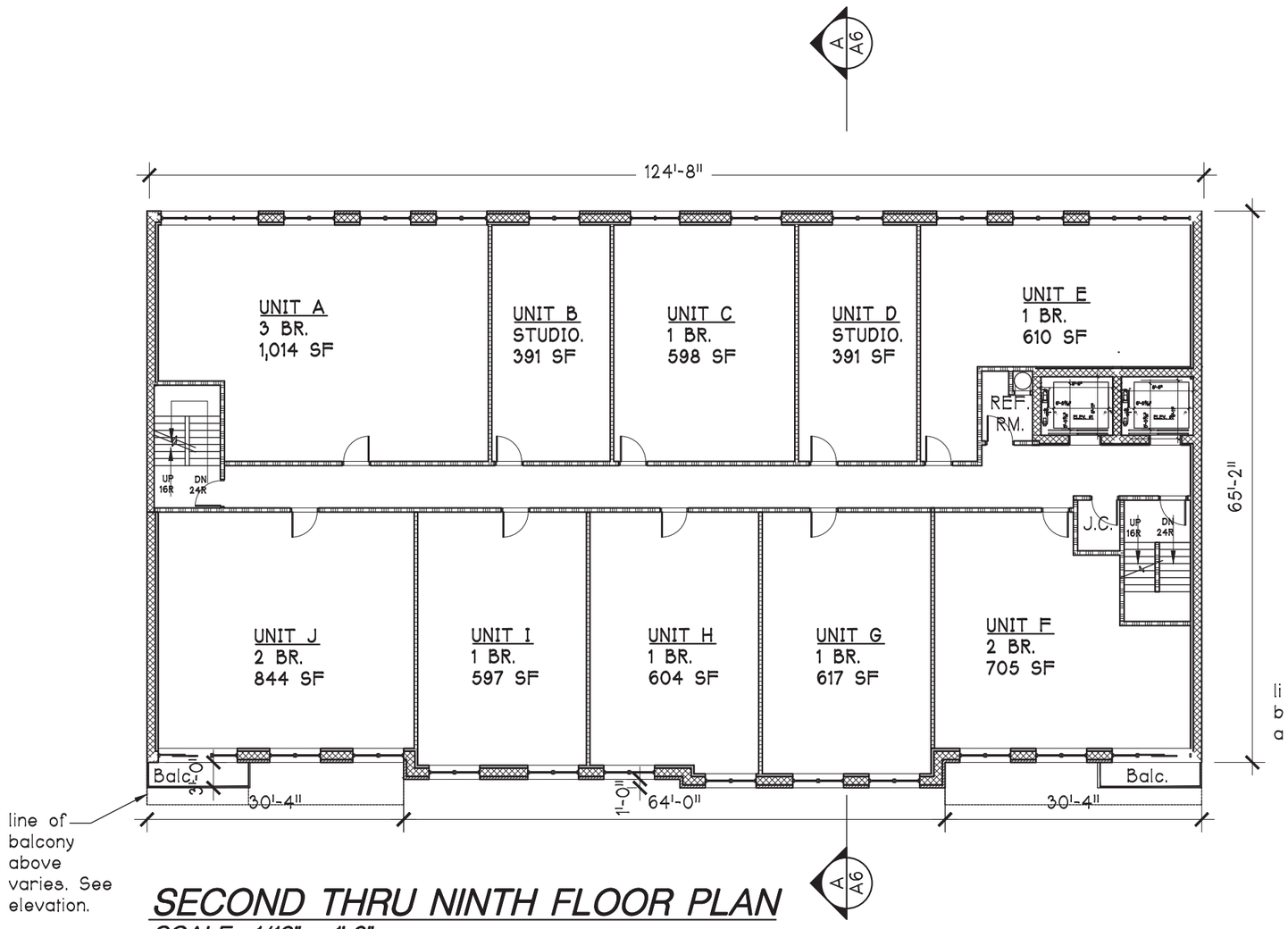

line of balcony above varies. See elevation.

SECOND THRU NINTH FLOOR PLAN

SCALE: 1/16" = 1'-0"

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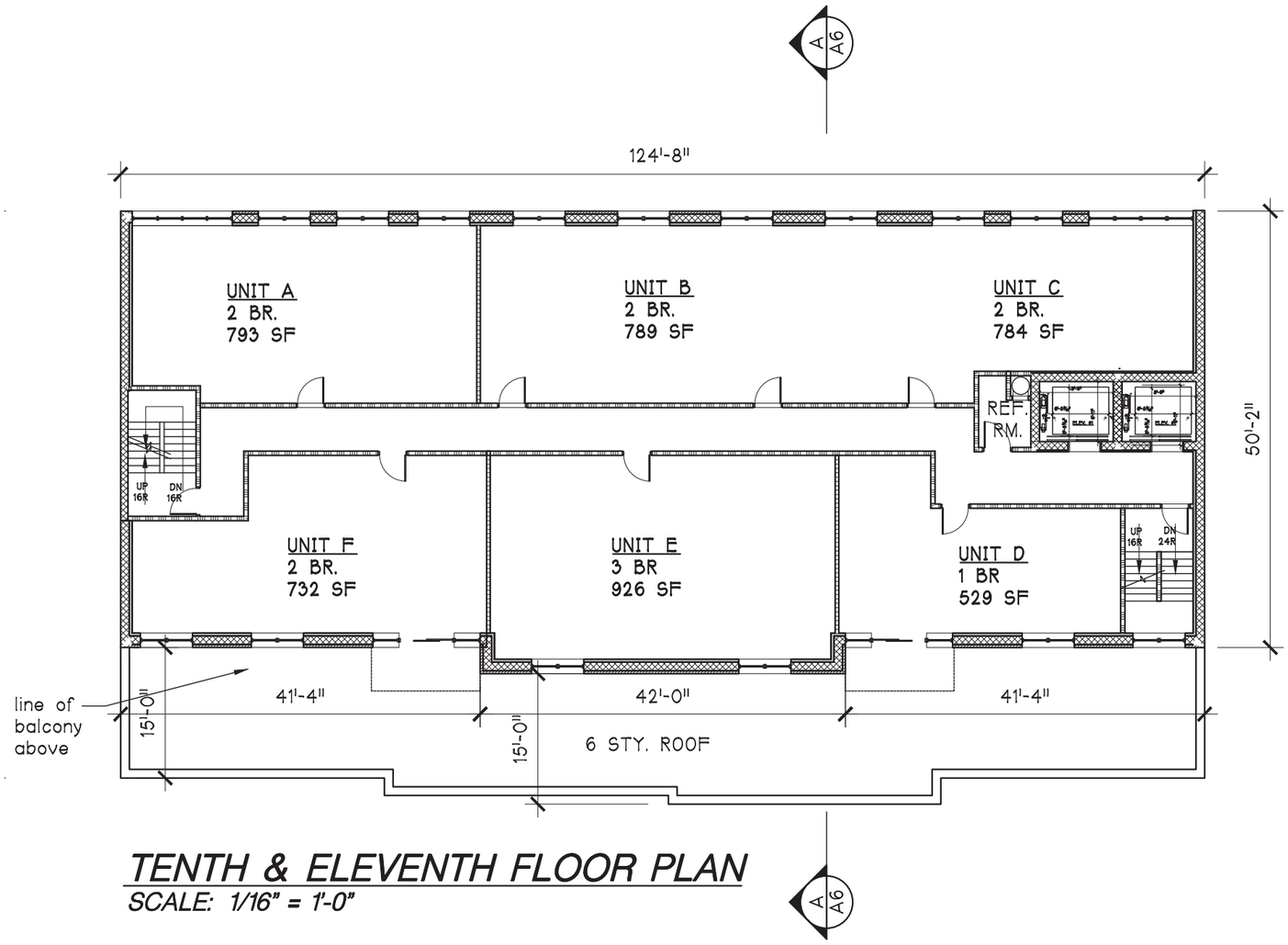

TENTH & ELEVENTH FLOOR PLAN

SCALE: 1/16" = 1'-0"

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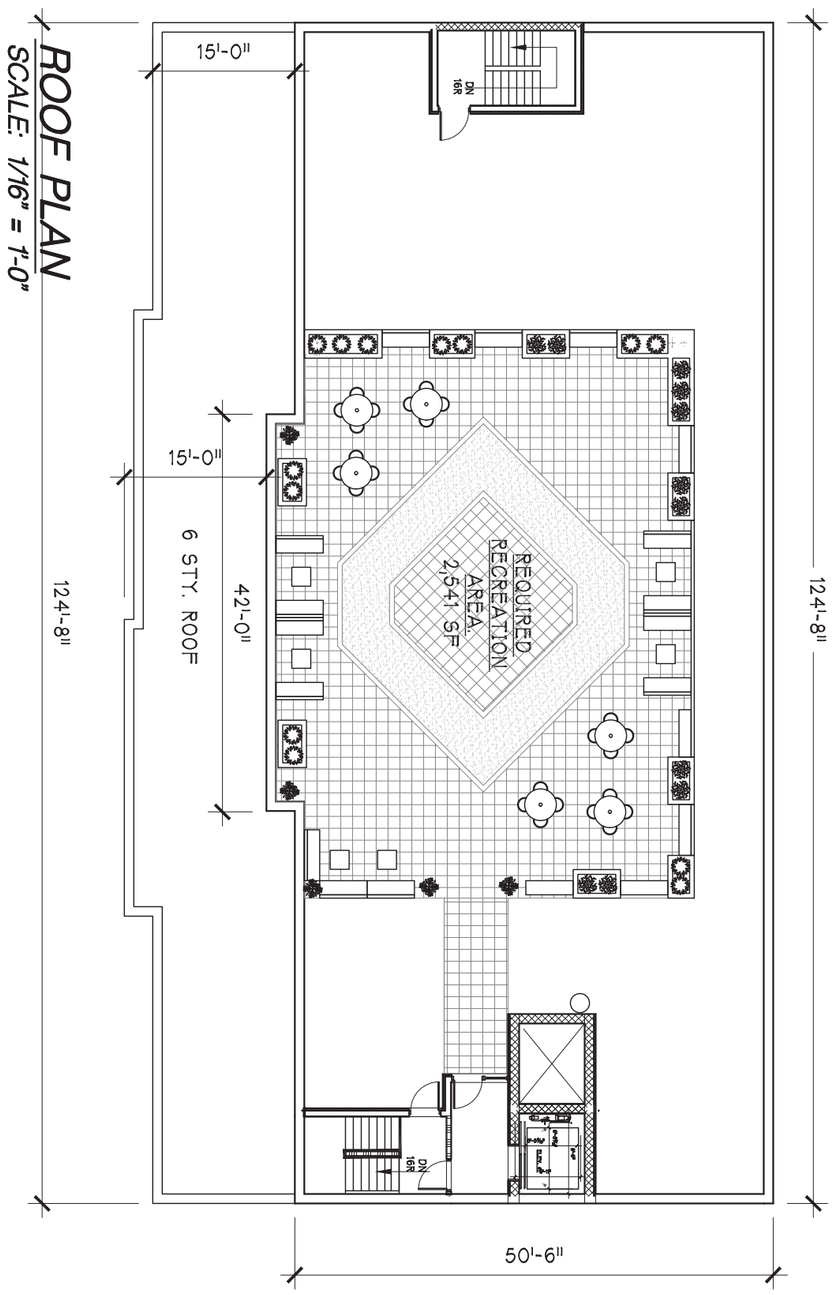
ROOF PLAN

SCALE: 1/16" = 1'-0"



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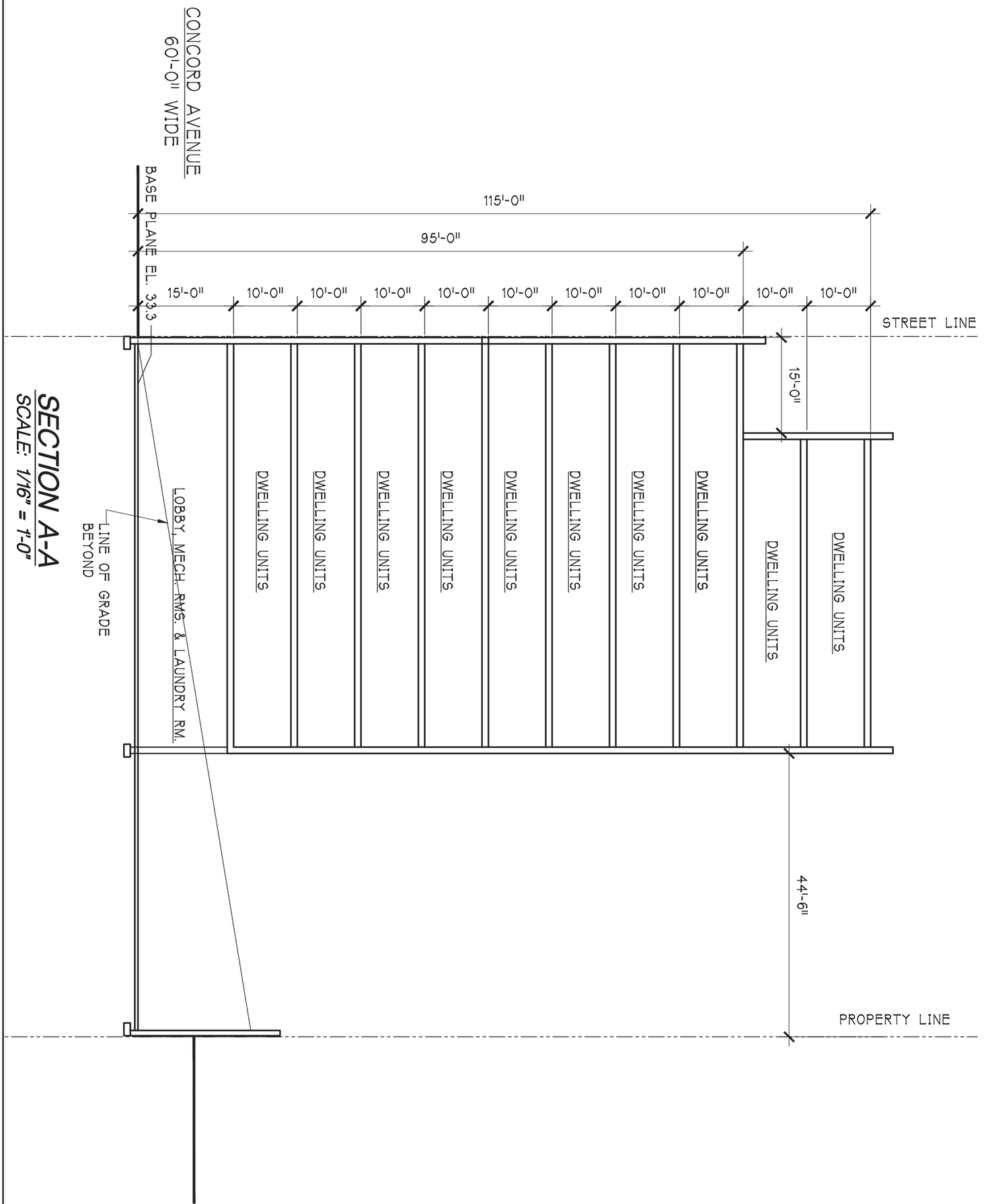

SECTION A-A

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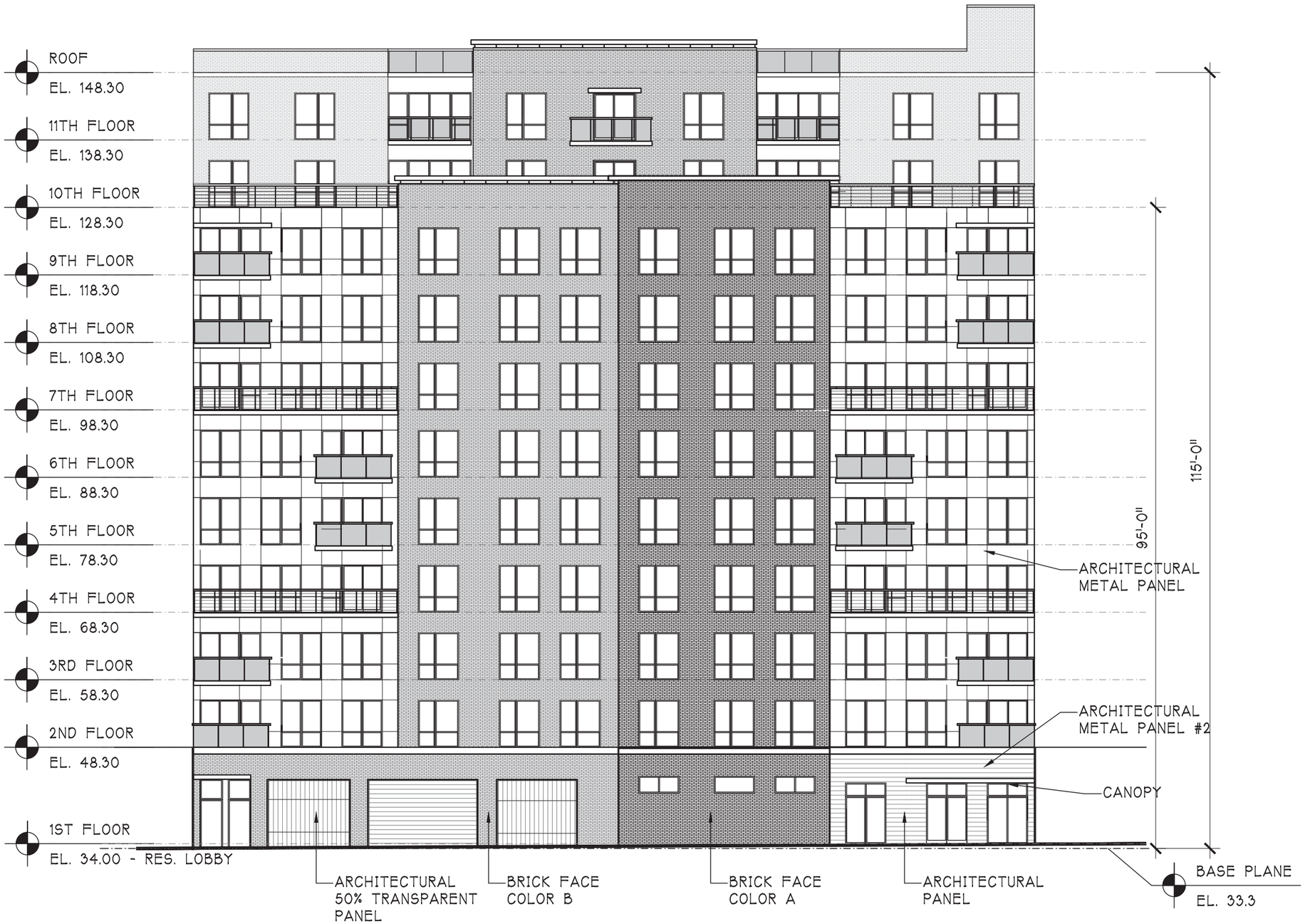

FRONT (CONCORD AVENUE) ELEVATION

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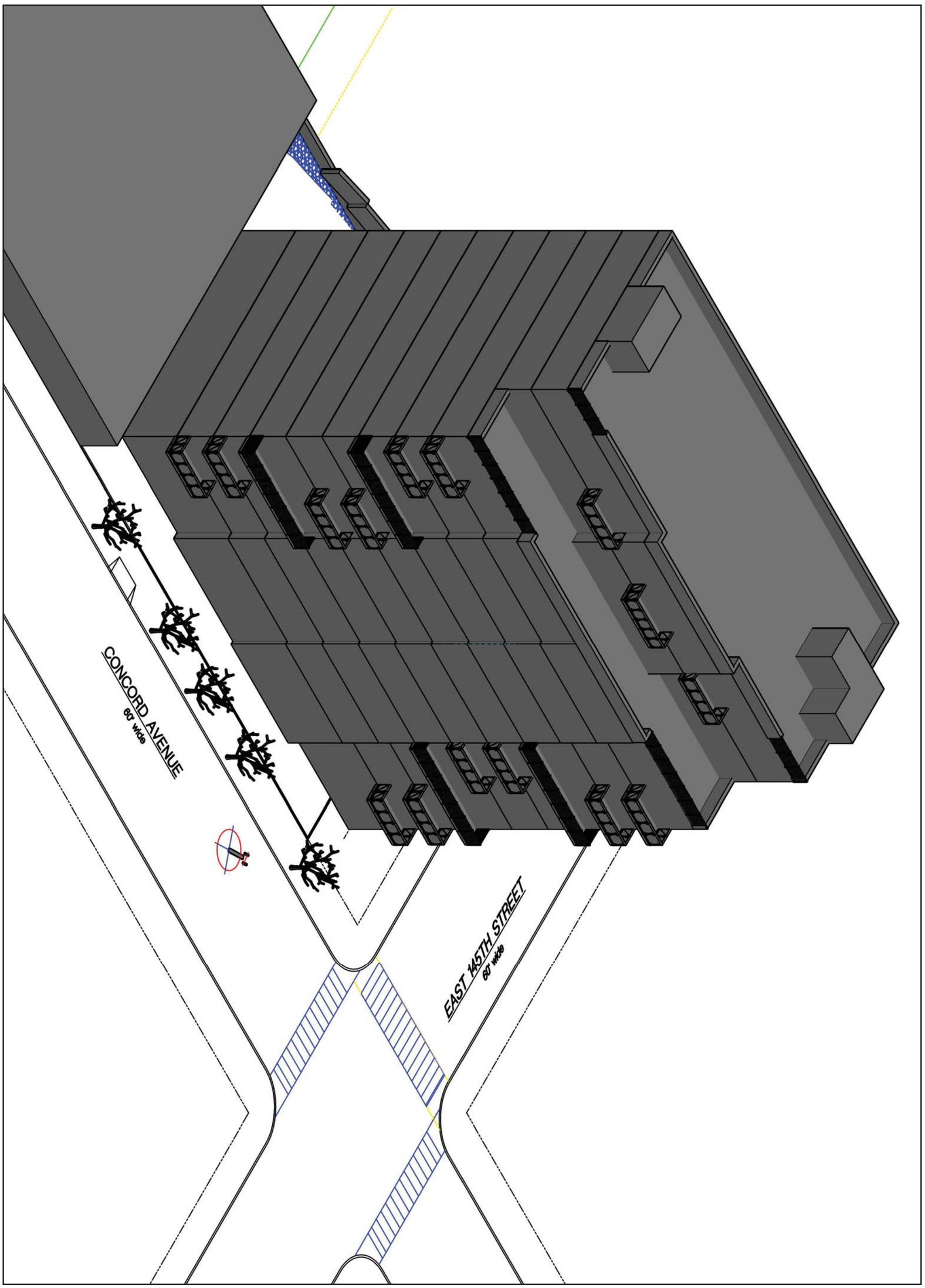

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BRONX, NY

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Architecture
Interior Design
Code Consultant
Building Dept.
Expediting

ZONING ANALYSIS
ZONE: R7D
MAP No.: 6c
TAX LOT 15
LOT AREA = 3,000 SF
MAX. F.A.R:
COMMUNITY FAC. = 4.20
RESIDENTIAL = 5.60

MAX. F.A.:
COMM. FAC. = 12,600 SF
RESIDENTIAL = 16,800 SF
ENTIRE BLDG. = 16,800 SF

PROP. F.A.:
1ST - 7TH FLS. = 2,186.4 x 7 fls. = 15,304.8 SF
8TH FL = 1,494.13 SF
TOTAL .F.A. = 16,798.93 SF < 16,800 SF - COMPLIES

MAX. LOT COV. = 100% or 3,000 SF
PROP. LOT COV. = 2,186.4 SF < 3,000 SF - COMPLIES

YARDS:	REQ'D.	PROPOSED
SIDE	0 or 8' min.	30'-0"
REAR	None - corner lot	n/a

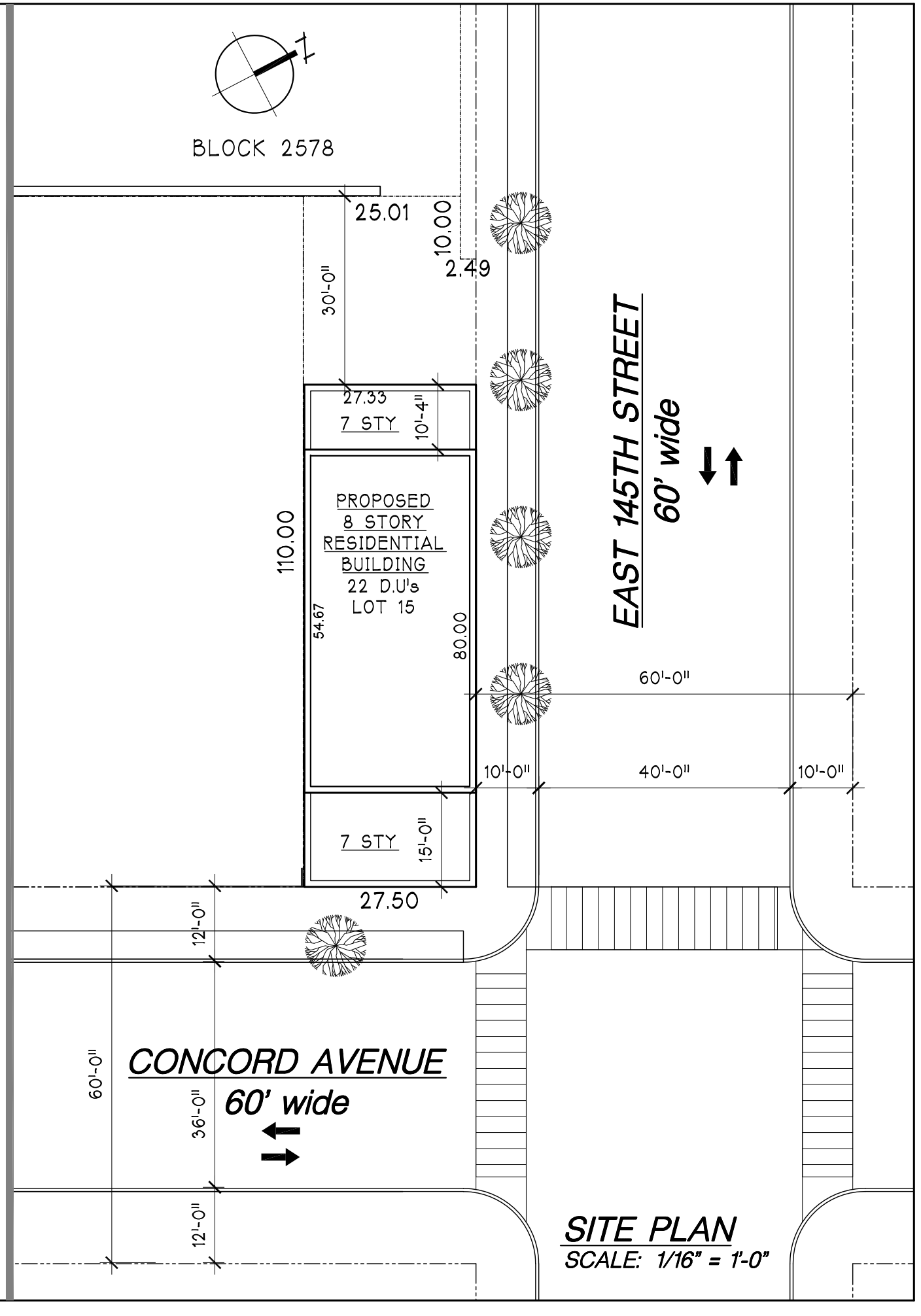
DENSITY
MAX. No. OF D.U's = 16,800 / 680 = 25
PROP. No. OF D.U's: (3 x 6 FLS) + (2 x 2 FLS.) = 22 UNITS

MAX HEIGHT & SETBACK

MIN. BASE HEIGHT:	REQUIRED	PROPOSED
MIN. BASE HEIGHT	60'-0"	N/A
MAX. BASE HEIGHT	95'-0"	75'-0"
MAX. BLDG. HEIGHT	115'-0"	85'-0"
SETBACK - NARROW ST.:	15'-0"	N/A

REQ'D. PARKING:
RESIDENTIAL:
MIH UNITS = 30% x 22 = 7 UNITS - TRANSIT ZONE - NO PARKING REQ'D.
MARKET RATE = 15 UNITS x 30% = 5
WAIVER: 5 < 15 = NONE REQ'D.

REQ'D. BICYCLE PARKING = 1 PER 2 D.U's = 11 bikes
PROPOSED BICYCLE PARKING = 11 bikes



SITE PLAN
SCALE: 1/16" = 1'-0"

THE ARCHITECT SHALL NOT HAVE CONTROL OR CHARGE OF AND SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, DEVIATIONS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTIONS WITH THE WORK, FOR THE ACTS OR OMISSIONS OF THE CONTRACTOR, SUBCONTRACTORS OR ANY OTHER PERSONS PERFORMING ANY OF THE WORK, OR FOR THE FAILURE OF THEM TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. ALWAYS USE DIMENSIONS AS SHOWN. DRAWINGS ARE NOT TO BE SCALED. GERALD J. CALIENDO ARCHITECT, P.C. AND ITS PRINCIPAL/EMPLOYEES WERE NOT RETAINED FOR ANY CONSTRUCTION SUPERVISION.

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DRAWING TITLE: ZONING ANALYSIS - LOT 15 - R7D
FOR ILLUSTRATIVE PURPOSES ONLY

PREMISES: 431 CONCORD AVE
BRONX, NY

DRAWN BY:	CHECKED BY:	JOB No:	SCALE:	DATE:
N.M.M.	GJC	17207	AS NOTED	10-8-19

REGISTERED ARCHITECT
GERALD J. CALIENDO
020241
STATE OF NEW YORK

DRAWING No: 1 OF 2

Z-001.00

HISTORIC AND CULTURAL RESOURCES APPENDIX

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: DEPARTMENT OF CITY PLANNING / LA-CEQR-X
Project: 431 CONCORD AVENUE
Date received: 7/12/2018

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 441 CONCORD AVENUE, BBL: 2025780015
2) ADDRESS: 439 CONCORD AVENUE, BBL: 2025780016
3) ADDRESS: 431 CONCORD AVENUE, BBL: 2025780018
4) ADDRESS: 415 CONCORD AVENUE, BBL: 2025780021

Properties with Architectural significance in the radius:

Mott Haven Community High School and Jim Rapaport School for Career Development.

Gina Santucci 7/18/2018

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 33510_FSO_DNP_07182018.doc

HAZARDOUS MATERIALS APPENDIX

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

June 24, 2020

Matthew Katz
Senior Project Manager
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: 431 Concord Avenue
Block 2578, Lots 15, 16 and 18
CEQR # 77DCP599X

Dear Mr. Katz:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the January 2020 Environmental Assessment Statement, the February 2019 Phase I Environmental Site Assessment (Phase I), the February 2020 Phase II Environmental Site Assessment (Phase II), the March 2020 Remedial Action Plan (RAP) and the March 2020 Construction Health and Safety Plan (CHASP), prepared by Environmental Studies Corporation on behalf of First Concord Realty, LLC., (applicant), for the above referenced project located between East 144th Street and East 145th Street in the Mott Haven neighborhood of Bronx Community District 1. It is our understanding that the applicant is seeking:

1. A zoning map amendment from the New York City Department of City Planning (DCP) to rezone Block 2578, Lots 15, 16 and 18 from a M1-2 zoning district to a R7D zoning district.
2. A zoning text amendment to Appendix F of the New York City Zoning Resolution to designate the project area as a Mandatory Inclusionary Housing Area.

The proposed actions would facilitate the development of a new 11-story, 87,369 gross square feet (gsf), residential building containing 92 dwelling units and 29 accessory parking spaces on applicant-owned Lots 16 and 18 (Projected Development Site 1). It should be noted that Projected Development Site 1 is currently improved with two vacant buildings while the remainder of the project area, non-applicant owned Lot 15 (Potential Development Site 1) is improved with one building. Although Potential Development Site 1 is not proposed for development, under the reasonable worst case development scenario, it is anticipated that it would be developed with an 8-story, 18,480 gsf residential building with 22 residential dwelling units.

Block 2578, Lots 16 and 18

The February 2019 Phase I report revealed that historical on-site and surrounding area land uses consists of manufacturing and residential uses including Harkavy Beverage Company Inc., Legacy Manufacturing, machine shops, an iron works facility, auto repair shops, churches, schools, a coffee shop, a pickle company, a stable, as well as several residential buildings. Regulatory databases such as the New

York State Department of Environmental Conservation (NYSDEC) SPILLS, Leaking Underground Storage Tank, Leaking Storage Tanks (LTANKS), Resource Conservation and Recovery Act Generators, and Petroleum Bulk Storage (PBS) Underground Storage Tanks (USTs) and PBS Aboveground Storage Tanks (ASTs) identified several sites in close proximity to the project site. The SPILLS database reported 17 SPILLS within a 1/8-mile radius of the project site and the LTANKS database reported 34 LTANKS within a 1/2-mile radius of the project site. The PBS USTs and the PBS ASTs databases reported nine USTs and 28 ASTs within a 1/4-mile radius of the project site. Based on the age of the buildings that currently occupies the project site, asbestos containing materials (ACM) and lead based paint (LBP) could be present in the structures.

It should be noted that the Phase II Subsurface Investigation was conducted without DEP approval.

During the January 2020 fieldwork five soil borings (B-1 through B-5), one temporary groundwater monitoring well (GW-1) and three soil vapor probes (SV-1, SV-2 and SV-3) were installed at the project site. Two soil samples were taken from each boring; one surface sample taken from 0 - 2 feet below grade surface (bgs) and the second sample taken from 10 - 12 feet bgs. Ten soil samples were collected and analyzed for volatile organic compounds (VOCs) via United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds (SVOCs) via EPA Method 8270 BN, pesticides via EPA Method 8081, polychlorinated biphenyls (PCBs) via EPA Method 8082 and Target Analyte List metals. Three soil vapor samples were also collected and analyzed for VOCs via EPA Method TO-15. It should be noted that due to the presence of shallow bedrock, groundwater was not encountered, therefore no groundwater samples were collected at the project site.

The soil analytical results revealed VOCs and PCBs were either non-detect (ND) or below NYSDEC 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs). Six SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene and indeno(1,2,3-cd)pyrene), seven metals (barium, copper, lead, mercury, manganese, nickel and zinc) and two pesticides (4,4'-DDT and dieldrin) were detected above NYSDEC Unrestricted Use and/or Restricted Residential Use SCOs. The soil vapor analytical results revealed several VOCs including 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 1,3-butadiene, 2-butanone, 2-hexanone, acetone, benzene, bromodichloromethane, carbon disulfide, carbon tetrachloride, chloroform, chloromethane, cyclohexane, dichlorodifluoromethane, ethylbenzene, methyl tert-butyl ether, methylene chloride, isopropanol, methyl methacrylate, n-heptane, n-hexane, o-xylene, m/p-xylene, p-ethyltoluene, propylene, styrene, tetrachloroethylene, tetrahydrofuran, toluene, trichlorofluoromethane and vinyl chloride were detected.

The March 2020 RAP proposes proper handling, transportation and disposal of excavated materials from the site in accordance with applicable laws and regulations; dust suppression procedures; air monitoring procedures; stockpiling of excavated soils on, at minimum, double layers of 6-mil sheeting and covered with appropriately anchored plastic tarps; a storm-water pollution prevention plan in accordance with applicable laws and regulations; all found underground storage tanks will be properly removed and closed in accordance with applicable federal, state and local regulations; dewatering, if necessary, conducted in accordance with a New York City Department of Environmental Protection Sewer Discharge Permit; the installation of a cover system consisting of a 6-inch thick concrete building slab; the installation of a 20-mil Stego Wrap vapor barrier, or approved equivalent, beneath the building slab and on sub-grade foundation sidewalls, as well as the installation of two feet of certified clean fill/top soil in any landscaped/grass covered areas of the site not capped with concrete/asphalt if necessary. The March 2020 CHASP addresses worker and community health and safety during redevelopment.

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

Projected Development Site 1: Block 2578, Lots 16 and 18 (Site under the control or ownership of the applicant)

RAP

- DCP should inform the applicant that suspected ACM and LBP may be present in the on-site structures. These materials should be properly removed and/or managed prior to the start of the construction activities and disposed of in accordance with all federal, state, and local regulations.

DEP finds the March 2020 RAP and CHASP, which addresses worker and community health and safety during construction acceptable, as long as the aforementioned information is incorporated into the RAP. DCP should instruct the applicant that at the completion of the project, a Professional Engineer (P.E.) certified Remedial Closure Report should be submitted for DEP review and approval for the proposed project. The P.E. certified Remedial Closure Report should indicate that all remedial requirements have been properly implemented (i.e., proper transportation/disposal manifests and certificates from impacted soils removed and properly disposed of in accordance with all NYSDEC regulations; proof of installation of engineering control system; and two feet of DEP approved certified clean fill/top soil capping requirement in any landscaped/grass covered areas not capped with concrete/asphalt, etc.).

Potential Development Site 1: Block 2578, Lot 15 (Site not under the control or ownership of the applicant)

- Based on prior on-site and/or surrounding area land uses which could result in environmental contamination, DEP concurs with the EAS recommendation that an (E) designation for hazardous materials should be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for subject property. The (E) designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation.

Future correspondence and submittals related to this project should include the following CEQR # **77DCP599X.** If you have any questions, you may contact Ms. Cassandra Scantlebury at (718) 595-6756.

Sincerely,

Wei Yu
Deputy Director, Hazardous Materials

cc: R. Weissbard; T. Estesen; C. Scantlebury; M. Wimbish; R. Lucas; O. Abinader – DCP;
M. Bertini – OER

AIR QUALITY APPENDIX

Appendix - Air Quality

Vehicle Trips	AM		
Mode	In	Out	Total
Truck (delivery)	0	0	0
Auto (Car, Truck, Van)	8	8	16
Taxicab Balanced	2	2	4
TOTAL	10	10	20

Vehicle Trips	Midday		
Mode	In	Out	Total
Truck (delivery)	0	0	0
Auto (Car, Truck, Van)	4	4	8
Taxicab Balanced	0	0	0
TOTAL	4	4	8

Vehicle Trips	PM		
Mode	In	Out	Total
Truck (delivery)	0	0	0
Auto (Car, Truck, Van)	9	9	18
Taxicab Balanced	2	2	4
TOTAL	11	11	22

Vehicle Trips	Saturday Midday		
Mode	In	Out	Total
Truck (delivery)	0	0	0
Auto (Car, Truck, Van)	8	8	16
Taxicab Balanced	2	2	4
TOTAL	10	10	20

Figure 1. CEQR App – Project-generated traffic

Equivalent Truck Calculation

Instructions:
1. Input the hourly vehicles trips in the 2nd column (yellow column) in Table 1.
2. The equavalent to heavy duty trucks are shown in Table 2

Table 1: Vehicle trips	
Vehcile types	Hourly vehicles
LDGT1	22
LDGT2	
LDGT3	
LDGT4	
LDDT12	
LDDT34	
HDGV2B	
HDGV3	
HDGV4	
HDGV5	
HDGV6	
HDGV7	
HDGV8A	
HDGV8B	
HDDV2B	
HDDV3	
HDDV4	
HDDV5	
HDDV6	0
HDDV7	
HDDV8A	
HDDV8B	
Total	22

Table 2: Equivalent Truck Calculation			
Road Types	Equ. truck	Screen value	PM2.5 Screen
Paved road < 5000 veh/day	11	13	Pass Screen
Collector roads	4	20	Pass Screen
Principal and minor arterials	1	23	Pass Screen
Expressways and limited access roads	1	23	Pass Screen

Figure 2. *CEQR Technical Manual* Equivalent Truck Calculation

Equivalent Truck Calculation

Instructions:

1. Input the hourly vehicles trips in the 2nd column (yellow column) in Table 1.
2. The equavalent to heavy duty trucks are shown in Table 2

Table 1: Vehicle trips	
Vehcile types	**Hourly vehicles**
LDGT1	22
LDGT2	
LDGT3	
LDGT4	
LDDT12	
LDDT34	
HDGV2B	
HDGV3	
HDGV4	
HDGV5	
HDGV6	
HDGV7	
HDGV8A	
HDGV8B	
HDDV2B	
HDDV3	
HDDV4	
HDDV5	
HDDV6	0
HDDV7	
HDDV8A	
HDDV8B	
Total	22

Table 2: Equivalent Truck Calculation			
Road Types	**Equ. truck**	**Screen value**	**PM2.5 Screen**
Paved road < 5000 veh/day	11	13	Pass Screen
Collector roads	4	20	Pass Screen
Principal and minor arterials	1	23	Pass Screen
Expressways and limited access roads	1	23	Pass Screen

Project Name: 431 Concord Avenue
Analysis Date: 9/17/2019
Instruction: Fill in yellow highlighted cells

Conty Name	countyID
Bronx	36005
Brooklyn	36047
Manhattan	36061
Queens	36081
Staten Island	36085

Source Type Population	
County	Bronx
Source Type	Percent
Passenger Car (21)	100.0%
Passenger Truck (31)	100.0%

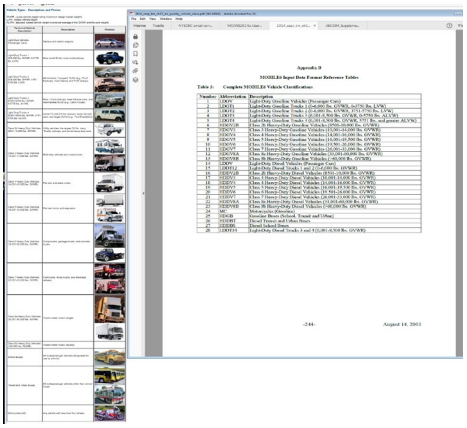
Project Increment	
Residential Dwelling Units Total	93
Affordable Dwelling Units	19
Commercial Land Use Type	
Commercial Use Floor Area (gsf)	0
Parking Number of New Spaces	29

Collector Road

Road Type	Paved Roadway	
Period	Truck	P CarTruck
AM	0	20
MD	0	8
PM	0	22
Sat MD	0	20
Max	0	22

13

	Collector Roadway			
Period	Truck	P Truck (LDGT1)	Etrucks (paved Road)	Pass/Fail
Max	0	22	10.61	Pass Screen



CEQR App Projected-Generated Traffic - 431 Concord Avenue (93 DW, 19 Affordable)

Vehicle Trips — AM

Mode	In	Out	Total
Truck (delivery)	0	0	0
Auto (Car, Truck, Van)	8	8	16
Taxicab Balanced	2	2	4
TOTAL	10	10	20

Vehicle Trips — Midday

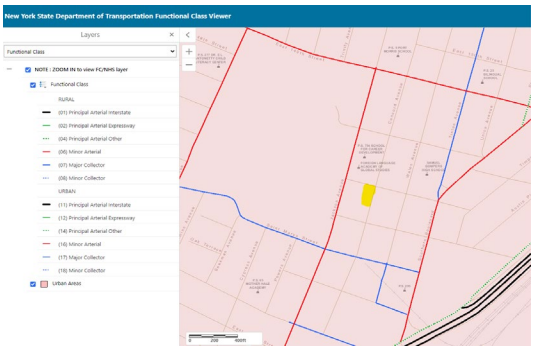
Mode	In	Out	Total
Truck (delivery)	0	0	0
Auto (Car, Truck, Van)	4	4	8
Taxicab Balanced	0	0	0
TOTAL	4	4	8

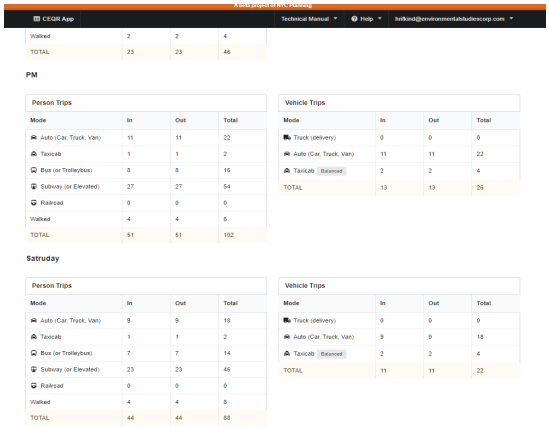
Vehicle Trips — PM

Mode	In	Out	Total
Truck (delivery)	0	0	0
Auto (Car, Truck, Van)	9	9	18
Taxicab Balanced	2	2	4
TOTAL	11	11	22

Vehicle Trips — Saturday Midday

Mode	In	Out	Total
Truck (delivery)	0	0	0
Auto (Car, Truck, Van)	8	8	16
Taxicab Balanced	2	2	4
TOTAL	10	10	20





PM

Person Trips

Mode	In	Out	Total
Auto (Car, Truck, Van)	11	11	22
Taxicab	1	1	2
Bus (or Trolleybus)	8	8	16
Subway (or Elevated)	27	27	54
Railroad	0	0	0
Walked	4	4	8
TOTAL	51	51	102

Vehicle Trips

Mode	In	Out	Total
Truck (delivery)	0	0	0
Auto (Car, Truck, Van)	11	11	22
Taxicab Balanced	2	2	4
TOTAL	13	13	26

Satruday

Person Trips

Mode	In	Out	Total
Auto (Car, Truck, Van)	9	9	18
Taxicab	1	1	2
Bus (or Trolleybus)	7	7	14
Subway (or Elevated)	23	23	46
Railroad	0	0	0
Walked	4	4	8
TOTAL	44	44	88

Vehicle Trips

Mode	In	Out	Total
Truck (delivery)	0	0	0
Auto (Car, Truck, Van)	9	9	18
Taxicab Balanced	2	2	4
TOTAL	11	11	22

Queens

Source Type Population in Queens (NYS DEC)

yearID	sourceTypeID	sourceTypePopulation
2020	11	12,514
2020	21	453,895
2020	31	296,515
2020	32	28,593
2020	41	1,003
2020	42	448
2020	43	937
2020	51	729
2020	52	19,542
2020	53	2,596
2020	54	179
2020	61	718
2020	62	878

Source Type Population	
Source Type	Percent
Passenger Car (21)	60.5%
Passenger Truck (31)	39.5%

Source Type Population in The Bronx (NYS DEC)

yearID	sourceTypeID	sourceTypePopulation
2020	11	3,824
2020	21	142,056
2020	31	111,160
2020	32	5,926
2020	41	227
2020	42	1,584
2020	43	163
2020	51	4
2020	52	3,810
2020	53	506
2020	54	58
2020	61	292
2020	62	357

Source Type Population	
Source Type	Percent
Passenger Car (21)	56.1%
Passenger Truck (31)	43.9%

Source Type Population in Brooklyn (NYS DEC)

yearID	sourceTypeID	sourceTypePopulation
2020	11	9,373
2020	21	252,548
2020	31	198,208
2020	32	15,006
2020	41	1,351
2020	42	7,688
2020	43	2,896
2020	51	4
2020	52	9,397
2020	53	1,248
2020	54	101
2020	61	502
2020	62	614

Source Type Population	
Source Type	Percent
Passenger Car (21)	56.0%
Passenger Truck (31)	44.0%

Source Type Population in Manhattan (NYS DEC)

yearID	sourceTypeID	sourceTypePopulation
2020	11	8,696
2020	21	144,036
2020	31	125,694
2020	32	9,081
2020	41	317
2020	42	4,402
2020	43	60
2020	51	1
2020	52	8,579
2020	53	1,140
2020	54	165
2020	61	315
2020	62	385

Source Type Population	
Source Type	Percent
Passenger Car (21)	53.4%
Passenger Truck (31)	46.6%

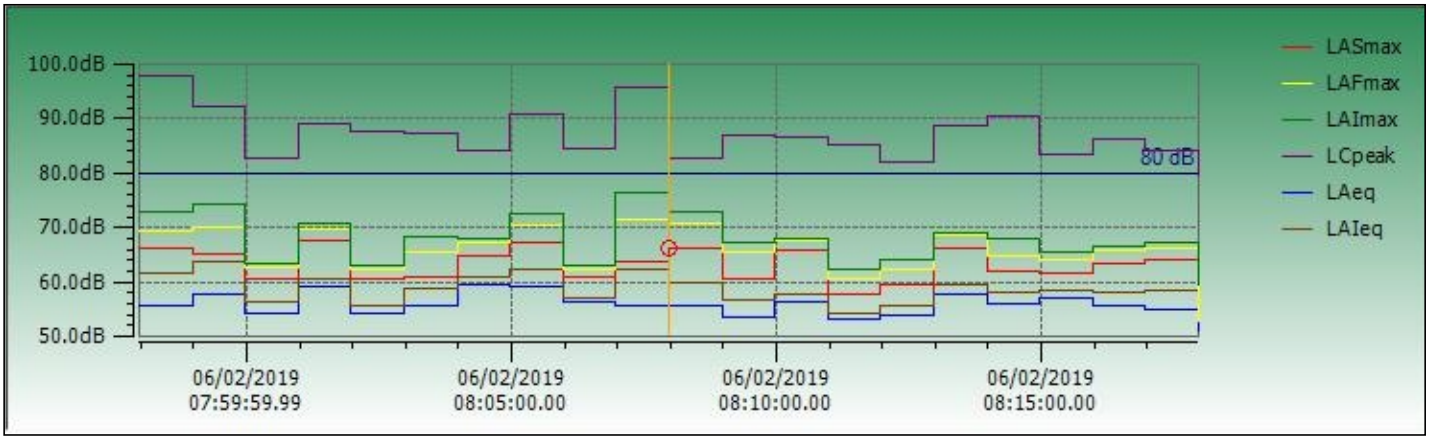
Source Type Population in Staten Island (NYS DEC)

yearID	sourceTypeID	sourceTypePopulation
2020	11	5,916
2020	21	161,554
2020	31	115,317
2020	32	4,578
2020	41	756
2020	42	32
2020	43	3,178
2020	51	0
2020	52	2,196
2020	53	292
2020	54	125
2020	61	111
2020	62	135

Source Type Population	
Source Type	Percent
Passenger Car (21)	58.3%
Passenger Truck (31)	41.7%

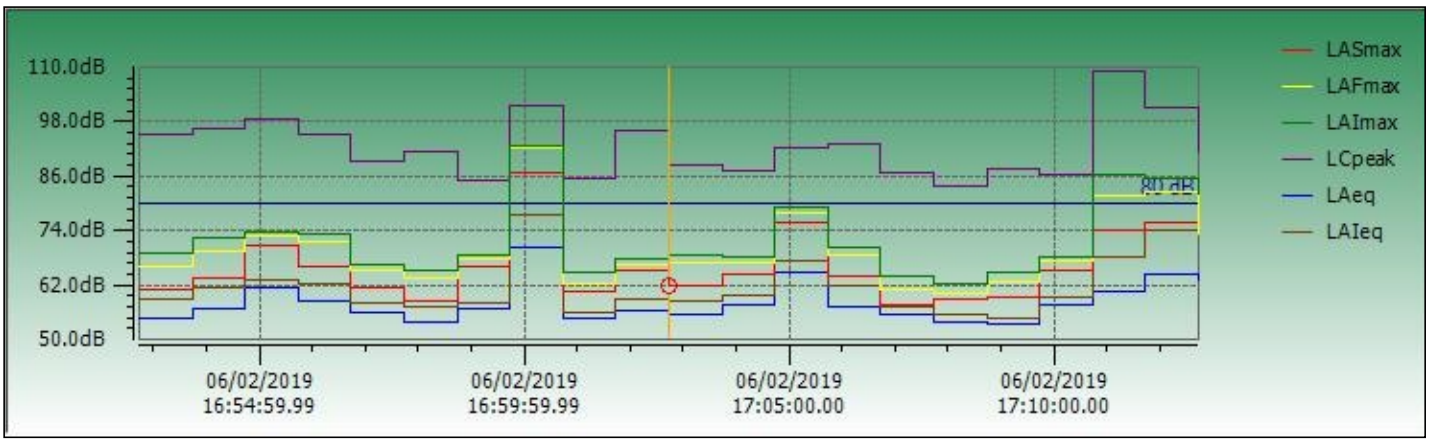
NOISE
APPENDIX

Instrument Model	CEL-633C		
LAeq	56.4 dB	Battery Low	No
LCpeak with Time	97.8 dB (2/6/2019 7:58:03 AM)	Duration	00:20:02 HH:MM:SS
Lepd(Projected)	56.4 dB	End Date & Time	2/6/2019 8:18:00 AM
Lex8h(Projected)	56.4 dB	Overload	No
LAFmax with Time	71.5 dB (2/6/2019 8:07:23 AM)	Pause Duration	00:00:00 HH:MM:SS
LAImax with Time	76.5 dB (2/6/2019 8:07:23 AM)	Response	Random
LAFmin with Time	48.5 dB (2/6/2019 8:09:10 AM)	Run Number	17
LAImin with Time	48.7 dB (2/6/2019 8:09:11 AM)	Serial Number	1488256
LZeq	73.7 dB	Start Date & Time	2/6/2019 7:57:58 AM
LCeq	68.8 dB	Site	Unallocated
LCeq-LAeq	12.4 dB	Location	Unallocated
LAIeq	59.6 dB	Person	Unallocated
LAE	87.2 dB	Process	Unallocated
Calibration (Before) Date	2/6/2019 7:56:52 AM	Result	Cumulative
Calibration (Before) SPL	114 dB	LAF 50%	53.5 dB
Calibration (After) Date	2/6/2019 8:24:51 AM	LAF 90%	50.5 dB
Calibration Drift	-0.2 dB	LAF 95%	50 dB
LAF 10%	59.5 dB		
Notes			



Instrument Model	CEL-633C		
LAeq	60.9 dB	Battery Low	No
LCpeak with Time	109.1 dB (2/6/2019 5:11:43 PM)	Duration	00:20:02 HH:MM:SS
Lepd(Projected)	60.9 dB	End Date & Time	2/6/2019 5:12:45 PM
Lex8h(Projected)	60.9 dB	Overload	No
LAFmax with Time	92.1 dB (2/6/2019 5:00:24 PM)	Pause Duration	00:00:00 HH:MM:SS
LAImax with Time	92.5 dB (2/6/2019 5:00:24 PM)	Response	Random
LAFmin with Time	50.6 dB (2/6/2019 5:11:45 PM)	Run Number	21

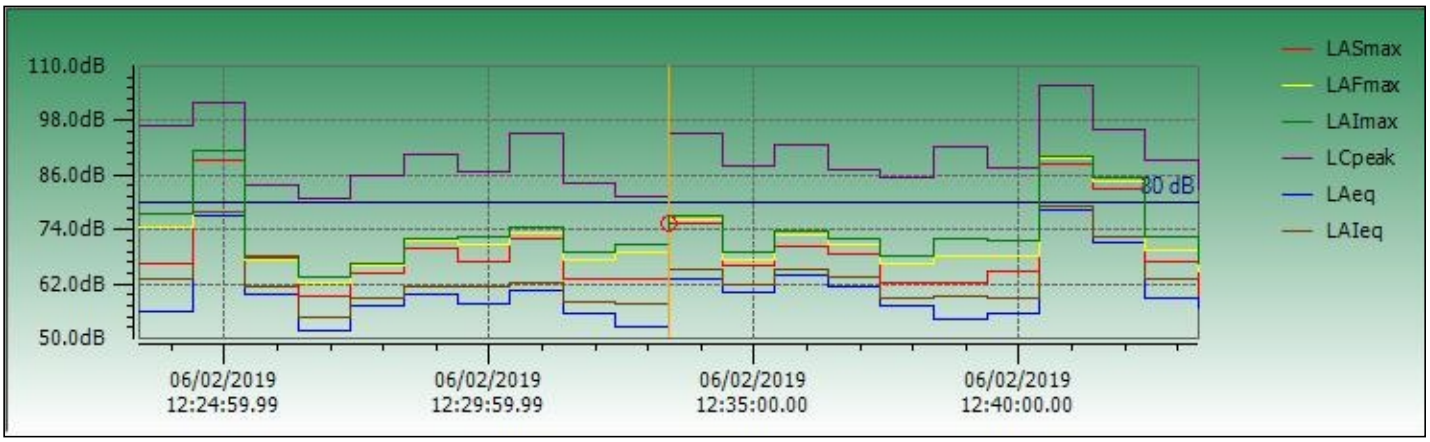
LAImin with Time	51.0 dB (2/6/2019 5:08:32 PM)	Serial Number	1488256
LZeq	79.3 dB	Start Date & Time	2/6/2019 4:52:43 PM
LCeq	74.8 dB	Site	Unallocated
LCeq-LAeq	13.9 dB	Location	Unallocated
LAIeq	67.4 dB	Person	Unallocated
LAE	91.7 dB	Process	Unallocated
Calibration (Before) Date	2/6/2019 4:50:38 PM	Result	Cumulative
Calibration (Before) SPL	114 dB	LAF 50%	54 dB
Calibration (After) Date	2/6/2019 5:13:46 PM	LAF 90%	52.5 dB
Calibration Drift	-0.1 dB	LAF 95%	52 dB
LAF 10%	60 dB		
Notes			



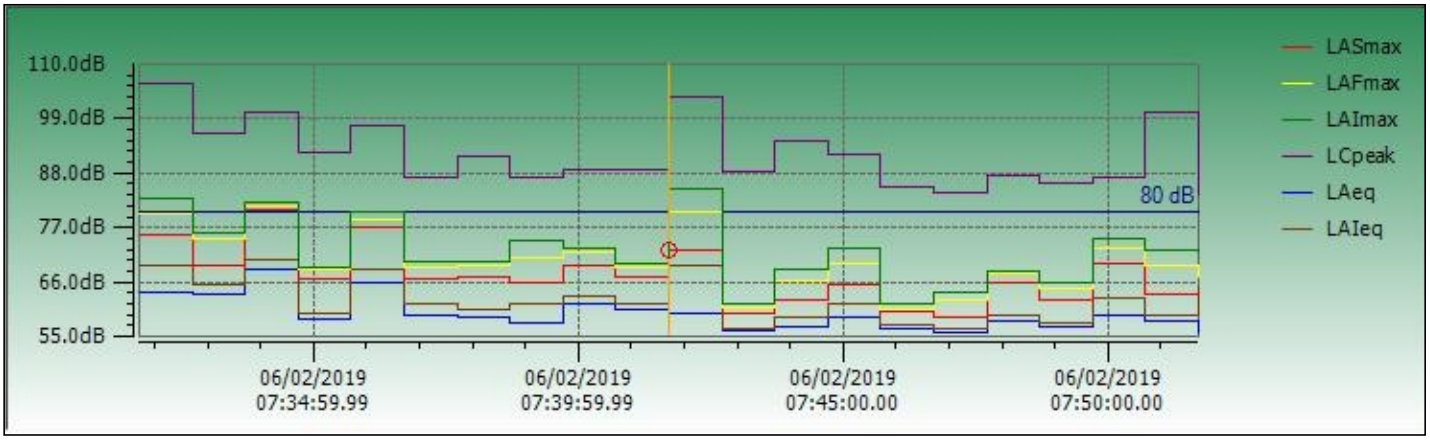
Instrument Model	**CEL-633C**		
LAeq	68.6 dB	Battery Low	No
LCpeak with Time	105.8 dB (2/6/2019 12:40:52 PM)	Duration	00:20:03 HH:MM:SS
Lepd(Projected)	68.6 dB	End Date & Time	2/6/2019 12:43:26 PM
Lex8h(Projected)	68.6 dB	Overload	No
LAFmax with Time	91.2 dB (2/6/2019 12:25:10 PM)	Pause Duration	00:00:00 HH:MM:SS
LAImax with Time	91.6 dB (2/6/2019 12:25:10 PM)	Response	Random
LAFmin with Time	47.1 dB (2/6/2019 12:32:07 PM)	Run Number	19
LAImin with Time	47.3 dB (2/6/2019 12:26:48 PM)	Serial Number	1488256
LZeq	75.7 dB	Start Date & Time	2/6/2019 12:23:23 PM
LCeq	73.1 dB	Site	Unallocated
LCeq-LAeq	4.5 dB	Location	Unallocated
LAIeq	69.6 dB	Person	Unallocated
LAE	99.4 dB	Process	Unallocated
Calibration (Before) Date	2/6/2019 12:21:32 PM	Result	Cumulative
Calibration (Before) SPL	114 dB	LAF 50%	54 dB
Calibration (After) Date	2/6/2019 12:44:38 PM	LAF 90%	49.5 dB

Calibration Drift	-0.1 dB	LAF 95%	48.5 dB
LAF 10%	65 dB		

Notes

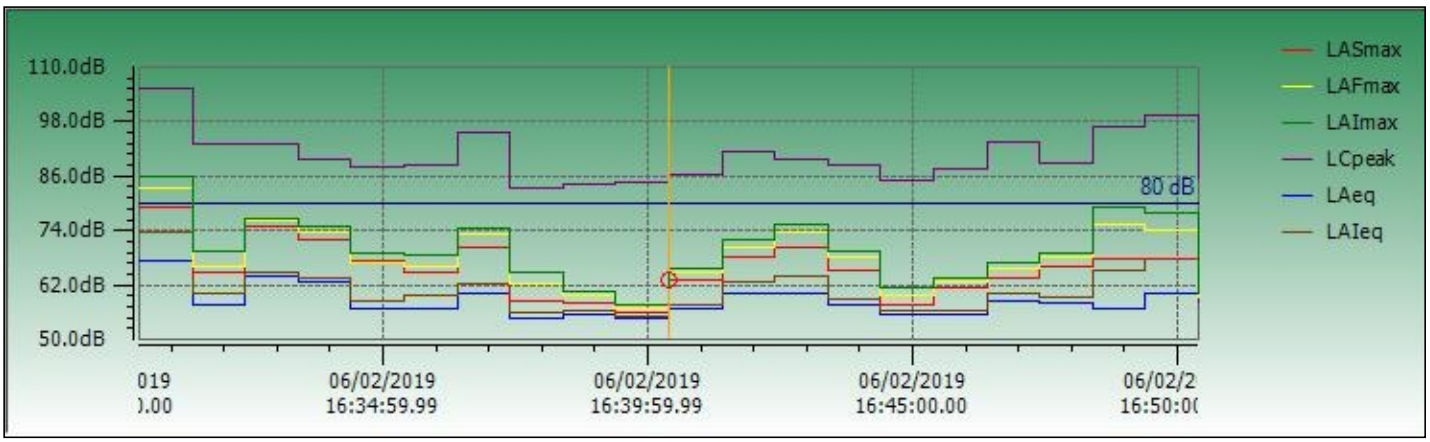


Instrument Model	CEL-633C		
LAeq	61.3 dB	Battery Low	No
LCpeak with Time	106.1 dB (2/6/2019 7:31:48 AM)	Duration	00:20:08 HH:MM:SS
Lepd(Projected)	61.3 dB	End Date & Time	2/6/2019 7:51:50 AM
Lex8h(Projected)	61.3 dB	Overload	No
LAFmax with Time	81.5 dB (2/6/2019 7:33:52 AM)	Pause Duration	00:00:00 HH:MM:SS
LAImax with Time	84.8 dB (2/6/2019 7:41:56 AM)	Response	Random
LAFmin with Time	54.5 dB (2/6/2019 7:39:07 AM)	Run Number	16
LAImin with Time	54.5 dB (2/6/2019 7:39:09 AM)	Serial Number	1488256
LZeq	77.6 dB	Start Date & Time	2/6/2019 7:31:42 AM
LCeq	74.4 dB	Site	Unallocated
LCeq-LAeq	13.1 dB	Location	Unallocated
LAleq	64.3 dB	Person	Unallocated
LAE	92.1 dB	Process	Unallocated
Calibration (Before) Date	2/6/2019 7:27:08 AM	Result	Cumulative
Calibration (Before) SPL	114 dB	LAF 50%	56.5 dB
Calibration (After) Date	2/6/2019 7:56:52 AM	LAF 90%	55.5 dB
Calibration Drift	0.7 dB	LAF 95%	55 dB
LAF 10%	62.5 dB		
Notes			



Instrument Model	CEL-633C		
LAeq	60 dB	Battery Low	No
LCpeak with Time	105.2 dB (2/6/2019 4:30:46 PM)	Duration	00:20:03 HH:MM:SS
Lepd(Projected)	60 dB	End Date & Time	2/6/2019 4:50:27 PM
Lex8h(Projected)	60 dB	Overload	No
LAFmax with Time	83.5 dB (2/6/2019 4:30:46 PM)	Pause Duration	00:00:00 HH:MM:SS
LAImax with Time	85.8 dB (2/6/2019 4:30:32 PM)	Response	Random
LAFmin with Time	50.6 dB (2/6/2019 4:31:14 PM)	Run Number	20

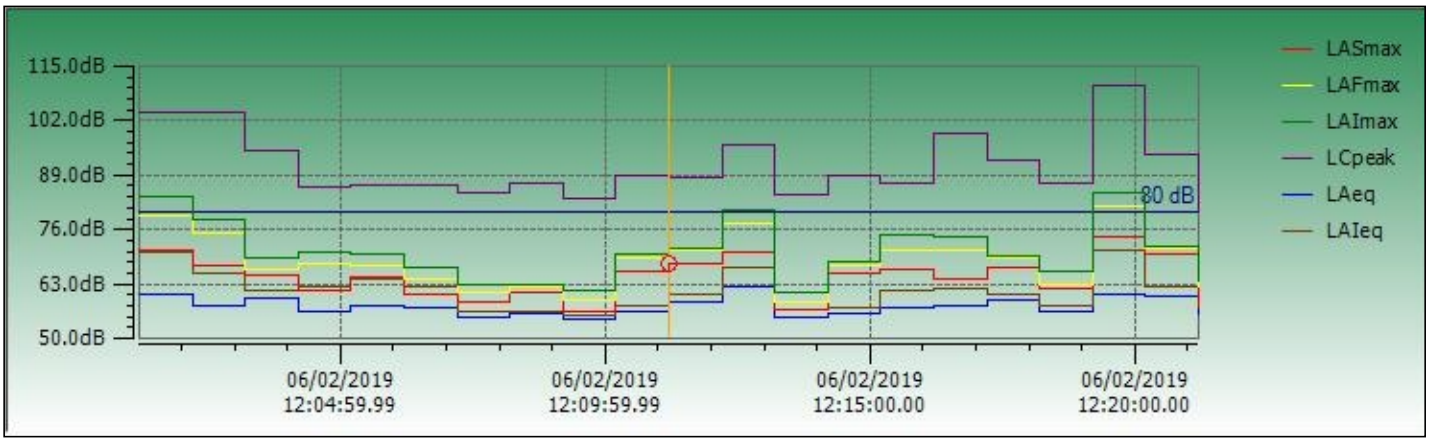
LAImin with Time	50.9 dB (2/6/2019 4:31:14 PM)	Serial Number	1488256
LZeq	77.9 dB	Start Date & Time	2/6/2019 4:30:24 PM
LCeq	74.4 dB	Site	Unallocated
LCeq-LAeq	14.4 dB	Location	Unallocated
LAIeq	64.2 dB	Person	Unallocated
LAE	90.8 dB	Process	Unallocated
Calibration (Before) Date	2/6/2019 4:30:15 PM	Result	Cumulative
Calibration (Before) SPL	114 dB	LAF 50%	55.5 dB
Calibration (After) Date	2/6/2019 4:50:38 PM	LAF 90%	54 dB
Calibration Drift	-0.1 dB	LAF 95%	53.5 dB
LAF 10%	61 dB		
Notes			



Instrument Model	**CEL-633C**		
LAeq	58.3 dB	Battery Low	No
LCpeak with Time	110.2 dB (2/6/2019 12:20:03 PM)	Duration	00:20:02 HH:MM:SS
Lepd(Projected)	58.3 dB	End Date & Time	2/6/2019 12:21:14 PM
Lex8h(Projected)	58.3 dB	Overload	No
LAFmax with Time	81.7 dB (2/6/2019 12:20:03 PM)	Pause Duration	00:00:00 HH:MM:SS
LAImax with Time	85.0 dB (2/6/2019 12:20:03 PM)	Response	Random
LAFmin with Time	51.1 dB (2/6/2019 12:21:14 PM)	Run Number	18
LAImin with Time	51.7 dB (2/6/2019 12:21:11 PM)	Serial Number	1488256
LZeq	79 dB	Start Date & Time	2/6/2019 12:01:12 PM
LCeq	74.8 dB	Site	Unallocated
LCeq-LAeq	16.5 dB	Location	Unallocated
LAIeq	64.1 dB	Person	Unallocated
LAE	89.1 dB	Process	Unallocated
Calibration (Before) Date	2/6/2019 12:00:31 PM	Result	Cumulative
Calibration (Before) SPL	114 dB	LAF 50%	55.5 dB
Calibration (After) Date	2/6/2019 12:21:32 PM	LAF 90%	53.5 dB

Calibration Drift	0.3 dB	LAF 95%	53.5 dB
LAF 10%	60 dB		

Notes



E-DESIGNATION APPENDIX

Project Name: 431 Concord Avenue
CEQR #: 21DCP007X
SEQRA Classification: Unlisted

Appendix I: (E) Designation

To ensure that there would be no significant adverse hazardous materials impacts associated with the proposed project, an E designation (E-588) will be placed on the project sites as follows:

The E-designation requirements related to hazardous materials would apply to:

Potential Development Site 1: Block 2578, Lot 15

Hazardous Materials

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 be 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.

Air Quality

To ensure that there would be no significant adverse air quality impacts associated with the proposed project, an E designation (E-588) will be placed on the project sites as follows:

Project Name: 431 Concord Avenue
CEQR #: 21DCP007X
SEQRA Classification: Unlisted

The E-designation requirements related to air quality would apply to:

Potential Development Site 1: Block 2578, Lot 15
Projected Development Site 1: Block 2578, Lots 16 and 18

Block 2578, Lots 16 and 18 (Projected Development Site 1): Any new residential or commercial development on the above-referenced property must ensure that the stack is located at the building's highest level and at least 118 feet above grade to avoid any potential significant adverse air quality impacts.

Block 2578, Lot 15 (Potential Development Site 1): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for the HVAC and hot water system(s) and must be fitted with low NOx (30 ppm) burner(s), ensure that the stack is located at the building's highest level at a minimum of 88 feet above the grade, and that the stack is located at least 17.5 feet from the southern lot line facing East 144th Street to avoid any potential significant adverse air quality impacts.