NEGATIVE DECLARATION

Statement of No Significant Effect

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

Reasons Supporting this Determination

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

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The proposed actions are a Zoning Map Amendment to rezone the project area, Block 406, Lots 9, 10, 11, 12, 29, 38, 40, and part of Lots 1, 2, 8, 24, 27, and 28 from M1-2/R5B and M1-2/R5D zoning districts to M1-2/R6A, and a Zoning Text Amendment to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the project area in the Dutch Kills neighborhood of Long Island City, Queens, Community District 1. The proposed actions would facilitate the development of a new mixed-use building on Queens Block 406, Lot 12 (Site A), containing 233 dwelling units, up to 70 of which would be permanently affordable pursuant to MIH, approximately 13,000 gross square feet (GSF) of manufacturing space, 5,800 GSF of local retail space, and 118 parking spaces. Lots 1, 2, 9, 10, 11, and 38 (collectively Site B) are fully or partially within the project area and have been under common ownership since 1998. Because a large portion of the lot area is outside of the project area, Site B is analyzed as a potential development site. Zoning controls would also be modified on the remaining lots in the project area, but these lots are not projected for redevelopment as a result of the proposed actions because of the existing size, uses, or because only a small portion of the lot area is within the project area to be rezoned. The proposed actions would result in a change in land use within the project area, however, given the existing mixed-use character of the surrounding area, as well as the existing adjacent M1-2/R6A zoning district, the change in land use and zoning would be consistent with trend of the area and would not constitute a significant adverse impact. Additionally, there would be no impact to public policy as a result of the proposed actions.

Open Space

A detailed analysis related to open space is included in this EAS. The proposed actions would result in an increase of approximately 520 new residents, which is above the threshold described in the CEQR Technical Manual for a detailed analysis of residential open space. The open space ratio for residents in the study area would decrease from 0.144 to 0.142 acres per thousand residents, a decrease of approximately 1.39%, as a result of the proposed actions, which is below the 5% threshold for impacts to open space, but above 1%, which is considered in this case because the existing open space ratio is low compared to the City's planning goal of 2.5 acres per thousand residents. The analysis finds that while there would be a decrease in the open space ratio as a result of the increase in population, a number of qualitative factors would help to prevent an impact to open space resources, including proximity to several open space resources that are just outside of the open space study area including Queensbridge Park, Murray Playground, Spirit Playground, Ravenswood Playground, One Court Square, McKenna Triangle, and Albert Triangle – all not included in the quantitative analysis. Additionally, the analysis finds low to moderate usage of existing open spaces within the study area, suggesting that these resources can absorb additional open space users. Therefore, with the consideration of these qualitative factors, the proposed actions would not result in any significant adverse impacts to open space, and no further analysis is required.

Hazardous Materials and Air Quality

An (E) designation (E-677) 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 a significant adverse impact related to hazardous materials or air quality.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Rachel Antelmi at rantelmi@planning.nyc.gov.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe	DATE May 6, 2022
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE May 9, 2022
SIGNATURE	

Project Name: 40-25 Crescent Street Rezoning
CEQR # 22DCP065Q
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 A	Queens	Block 406, Lot 12
Potential Development Site B	Queens	Block 406, Lots 1, 2, 9, 10, 11, 38

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-677**) would be established as part of approval of the proposed actions on **Projected Development Site A** and **Potential Development Site B** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site A	X	X	
Potential Development Site B	X	X	

Hazardous Materials

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

Task 1-Sampling Protocol
The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol
A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

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

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

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Air Quality

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

HVAC Systems

Projected Development Site A
Any new residential, commercial and/or light industrial development on Site A (Block 406, Lot 12) must utilize only natural gas in any fossil fuel-fired heating and hot water equipment, be fitted with low NOx burners (30 ppm), and heating and hot water exhaust stack(s) located at least 78 feet above grade. In addition, if located on the tower segment along 27th Street, the heating and hot water systems stack(s) must be at least 60 feet from the lot line facing 40th Avenue and at least 123 feet from the lot line facing 41st Avenue; OR if located on the tower along Crescent Street, the heating and hot water systems stack(s) must be at least 76 feet from the lot line facing 41st Avenue, to avoid potential significant adverse air quality impacts.

Potential Development Site B
Site B1 (Block 406, Lots 1, 2, 9, 10, and 11): Any new residential and/or light industrial development on Potential Development Site B1 – Block 406, Lots 1, 2, 9, 10, and 11, must utilize only natural gas in any fossil fuel-fired heating and hot water equipment, be fitted with low NOx burners (30 ppm) and ensure that fossil fuel-fired heating and hot water exhaust stacks are located at least 100 feet above grade, and be located at least 66 feet from the lot line facing 40th Avenue, to avoid potential significant adverse air quality impacts.

Site B2 (Block 406, Lot 38): Any new light industrial development on the Potential Development Site B2 – Block 406, Lot 38, must utilize only natural gas in any fossil fuel-fired heating and hot water equipment, be fitted with low NOx burners (30 ppm) and ensure that fossil fuel-fired heating and hot water exhaust stacks are located at least 48 feet above grade, to avoid potential significant adverse air quality impacts.

Proposed Light Industrial Uses

Projected Development Site A
Any new industrial development in the above-referenced property must ensure the exhaust stack(s) be located on the tallest portion of the roof and at least 78 feet above grade to avoid any potential significant adverse air quality impact.

Odor/vapor barrier and prevention: a mechanical ventilation system separate from the residential and/or commercial building will provide fresh air to and exhaust from the ground-floor, with vents running above the roof line of the residential and/or commercial towers. An odor/vapor barrier would also be applied to the structural slab separating the light industrial and residential and/or commercial spaces.

Potential Development Site B
Site B1 (Block 406, Lots 1, 2, 9, 10, and 11): Any new industrial development in the above-referenced property must ensure the exhaust stack(s) be located on the tallest portion of the roof and at least 100 feet above grade to avoid any potential significant adverse air quality impact.

Site B2 (Block 406, Lot 38): Any new industrial development in the above-referenced property must ensure the exhaust stack(s) be located on the tallest portion of the roof and at least 48 feet above grade to avoid any potential significant adverse air quality impact. Odor/vapor barrier and prevention: a mechanical ventilation system separate from the residential and/or commercial building will provide fresh air to and exhaust from the ground-floor, with vents running above the roof line of the residential and/or commercial towers. An odor/vapor barrier would also be applied to the structural slab separating the light industrial and residential and/or commercial spaces.