NEGATIVE DECLARATION (Use of this form is optional)

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 project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project 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 have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Hazardous Materials, Air Quality, and Noise

To ensure that the proposed actions would not result in significant adverse hazardous materials, air quality, and noise impacts an (E) Designation (E-513) will be placed on Projected Development Site 1 (Block 1481, Lot 35) and Projected Development Site 2 (Block 1481, Lot 39). Refer to "Determination of Significance Appendix: (E) Designation" for the applicable (E) designation requirements. The analyses conducted for hazardous materials, air quality, and noise conclude that with the (E) Designation requirements in place, the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, or noise.

Land Use, Zoning, and Public Policy

A detailed analysis of the effects of the proposed actions on Land Use, Zoning, and Public Policy was included in the EAS. The proposed actions would facilitate an increase in residential and commercial density on the projected development sites and would bring an existing residential use within the directly affected area into conformance with zoning. The proposed actions would be compatible with the land use pattern and zoning of the surrounding area and recent development trends. The analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed actions.

Shadows

A detailed assessment of the potential for the proposed actions to result in significant adverse shadows impacts is included in the EAS. A shadow impact occurs when the incremental shadow would fall on a sunlight sensitive resource or feature and reduces its direct sunlight exposure. Determining whether this impact is significant or not depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs. In the future with the proposed actions incremental shadows would be cast on a Greenstreet at the intersection of Broadway, Monroe Street, and Howard Avenue. Incremental shadows would generally be cast on portions of the Greenstreet containing vegetation during the growing season. However, the extent and duration of the incremental shadows would not significantly threaten the viability of vegetation within this Greenstreet. Therefore, it was determined that the proposed actions would not result in significant adverse impacts related to shadows.

Project Name: 2 Howard Avenue Rezoning
CEQR #: 18DCP130K
SEQRA Classification: Unlisted

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)

TITLE	LEAD AGENCY
Acting Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE 11/30/18
SIGNATURE	

TITLE	
Chair, City Planning Commission	
NAME Marisa Lago	DATE 12/03/18
SIGNATURE	

Project Name: 2 Howard Avenue Rezoning
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Determination of Significance Appendix: (E) Designation

To ensure that the proposed actions would not result in significant adverse hazardous materials, air quality, and noise impacts, an (E) Designation **(E-513)** will be placed on **Projected Development Site 1 (Block 1481, Lot 35)** and **Projected Development Site 2 (Block 1481, Lot 39)** as described below:

Hazardous Materials

The (E) Designation requirements for hazardous materials would apply to **Projected Development Site 1 (Block 1481, Lot 35)** and **Projected Development Site 2 (Block 1481, Lot 39)** and are as follows:

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

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

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

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

Project Name: 2 Howard Avenue Rezoning
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Air Quality

The (E) Designation requirements for air quality are as follows:

Block 1481, Lot 35 (Projected 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 heating, ventilating, air conditioning (HVAC) and hot water system(s) to avoid any potential significant adverse air quality impacts. Stack shall be located at the highest tier, or at a minimum of 68 feet above grade, and at least 60 feet from the lot line facing Madison Street to avoid any potential significant adverse air quality impacts.

Block 1481, Lot 39 (Projected Development Site 2): 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 grade to avoid any potential significant adverse air quality impacts.

Noise

The (E) Designation requirements for noise are as follows:

Block 1481, Lot 35 (Projected Development Site 1): In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 33 dB(A) window/wall attenuation on all facades in order to maintain an interior L10 noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

Block 1481, Lot 39 (Projected Development Site 2): In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 33 dB(A) window/wall attenuation on all facades in order to maintain an interior L10 noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.