DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, AICP, *Director*
Department of City Planning

POSITIVE DECLARATION

Date: May 20, 2005

Project Identification
CEQR No. 05DCP080Q
ULURP Nos. Pending
BZ No. Pending
SEQRA Classification: Type I

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

Silvercup West

The applicant, Terra Cotta, LLC, is seeking to develop "Silvercup West", an approximately 2.77 million gross square foot (gsf) mixed-use development on an approximately 6-acre waterfront site (the project site) located at 42-20 Vernon Boulevard (Block 477, Lots 13, 15, 20 and 24) in the Long Island City neighborhood of Queens Community Board 2. The project site is generally bounded by the Queensboro Bridge to the north, Vernon Boulevard to the east, 43rd Avenue to the south, and the East River to the west, and is located within the area covered by the Waterfront Access Plan (WAP) Q-1 for Northern Hunters Point.

Silvercup Studios is a television and movie production studio facility currently located in Long Island City. The proposed Silvercup West project is intended to expand and enhance their television and movie production operations, improve access to the waterfront, and provide for a mix of uses at the project site. The proposed development would be comprised of the following uses:

- Residential: approximately 1,044,000 gsf (1,040 dwelling units)
- Production Studios: approximately 347,000 gsf
- Office: approximately 655,000
- Retail: 77,000 gsf
- Catering Facility: approximately 45,000 gsf

Robert Dobruskin, *Director*
James Merani, *Deputy Director*
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- Cultural/Community Facility: approximately 131,000 gsf
- Health Club: approximately 43,000 gsf
- Parking: approximately 433,760 gsf (1,400 accessory spaces)

The proposed project would contain three towers. Two residential towers at the southern portion of the building would be 517 feet and 600 feet in height, respectively, and a commercial tower at the northern portion of the building would be 557 feet in height. The project would also include a 1,400-space accessory parking garage with access provided by two driveways on Vernon Boulevard. Also, the portion of 43rd Avenue along the southern portion of the project site, between Vernon Boulevard and the East River, which is a mapped but currently unimproved street, would be re-graded and improved as part of the proposed project, and the East River bulkhead would be reestablished along the project site's western boundary. The proposed project would provide a publicly accessible waterfront esplanade between the project site's western boundary and the East River and an upland connection along the project site's northern boundary. The development requires the following actions:

- An amendment to the zoning map to change the zoning designation of the project site from M1-4 to an MX (M1-5/R10) Special Mixed-Use District. The current M1-4 zoning district is a light manufacturing district which permits light industrial and certain commercial uses at a maximum floor area ratio (FAR) of 2. The proposed MX (M1-5/R10) Special Mixed-Use District would permit light industrial uses, as well as residential, community facility and commercial uses, and a maximum FAR of 10. However, the proposed project will include a restrictive declaration which will limit the project's floor area to approximately 2.77 million square feet, or approximately 8.0 FAR;

- a zoning text amendment to Zoning Resolution (ZR) Section 123-90 to establish the Special Mixed-Use District, and to create a CPC special permit to allow accessory signage within the Special Mixed-Use District with a greater surface area and height than that allowed by ZR Section 123-40;

- a special permit pursuant to the above proposed text amendment to allow an accessory sign on the project site with a greater surface area and height than allowed by ZR Section 123-40;

- a special permit pursuant to ZR Sections 13-134 and 13-561 to allow an accessory parking garage exceeding 225 spaces;

- a special permit pursuant to ZR Section 62-736 to modify the bulk regulations of ZR Section 62-341 for development on a waterfront block;

- an authorization pursuant to ZR Section 62-722 to modify the waterfront public access and visual corridor design requirements of ZR Section 62-60;
- an authorization pursuant to ZR Section 13-553 to permit curb cuts on a wide street;
- an amendment to the City Map for 43rd Avenue between Vernon Boulevard and the East River to modify the elevation of this mapped but unimproved portion of the street;
- a certification pursuant to ZR Section 62-711 that the site plan complies with the provisions of ZR Section 62-80;
- a Board of Standards and Appeals (BSA) special permit pursuant to ZR Section 73-36 for a physical culture or Health Establishment; and
- permits from the New York State Department of Environmental Conservation (NYSDEC) and, possibly, the US Army Corps of Engineers to reestablish the bulkhead along the site's western boundary.

The project site is currently occupied by a New York Power Authority (NYPA) power generating facility and a New York City Department of Sanitation (DSNY) open storage pile of de-icing salt and sand, both of which would be relocated from the site prior to construction of the proposed project. The site also contains the Terra Cotta Company building (Lot 20), which is a New York City designated landmark and is listed on the State and National Register of Historic Places. This building is currently being renovated and would be retained as part of the proposed project. Construction of the proposed project is expected to be completed by 2009.

Statement of Significant Effect:

On behalf of the City Planning Commission, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The action, as proposed, may result in significant adverse impacts related to land use, zoning, and public policy in the vicinity of the affected area.

2. The action, as proposed, may result in significant adverse impacts on socioeconomic conditions in the vicinity of the affected area.

3. The action, as proposed, may result in significant adverse impacts on community facilities and services in the vicinity of the affected area.

4. The action, as proposed, may result in significant adverse impacts on publicly accessible open space in the vicinity of the affected area.

5. The action, as proposed, may result in significant adverse shadow impacts in the vicinity of the affected area.

6. The action, as proposed, may result in significant adverse impacts on historic resources in the affected area.

7. The action, as proposed, may result in significant adverse impacts on urban design and visual resources in the vicinity of the affected area.

8. The action, as proposed, may result in significant adverse impacts on neighborhood character in the vicinity of the affected area.

9. The action, as proposed, may result in significant adverse impacts on natural resources in the vicinity of the affected area.

10. The action, as proposed, may result in significant adverse hazardous materials impacts in the affected area.

11. The action, as proposed, is located within the designated coastal zone and may result in significant adverse impacts related to the Local Waterfront Revitalization Program (LWRP) within the affected area.

12. The action, as proposed, may result in significant adverse impacts on infrastructure in the vicinity of the affected area.

13. The action, as proposed, may result in significant adverse impacts on solid waste and sanitation services in the vicinity of the proposed action.

14. The action, as proposed, may result in significant adverse impacts on energy consumption in the affected area.

15. The action, as proposed, may result in significant adverse impacts to traffic, parking, transit, and pedestrian conditions in the vicinity of the affected area.

16. The action, as proposed, may result in significant adverse impacts to air quality in the vicinity of the affected area.

17. The action, as proposed, may result in significant adverse noise impacts in the vicinity of the affected area.

18. The action, as proposed, may result in significant adverse construction-related impacts.

19. The action, as proposed, may result in significant adverse noise impacts in the vicinity of the affected area.

18. The action, as proposed, may result in significant adverse impacts related to other aspects of the environment.

Supporting Statement:

The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. The proposed action would alter existing land use and zoning patterns by rezoning the project site to permit the development of new commercial, residential, community facility and retail uses.

2. The proposed action would result in the development of an approximately 2.77 million gross square foot (gsf) mixed-use development on the project site. This has the potential to alter socioeconomic conditions in the area.

3. The proposed action would introduce a new residential population which could potentially increase demand on community facilities.

4. The proposed action would bring new residents, workers and visitors to the area, potentially placing additional demands on available open space resources.

5. The proposed action would result in the construction of a new building containing three towers with heights of 517 feet, 600 feet, and 557 feet, respectively. The proposed building could cast shadows on sunlight sensitive resources.

6. Construction of the proposed project could disturb archaeological resources should they exist on the project site. In addition, the proposed project could affect the context of

existing historic structures in the area.

7. The proposed action would result in development which could differ from existing urban design elements in the affected area, and may affect the urban design character of the area. The proposed action would result in a new type of building use and form which would differ from existing urban design elements in the affected area, and may alter the urban design character and visual resources of the surrounding area.

8. The proposed action would result in new mixed-use development which could alter existing neighborhood character by affecting land use, socioeconomic conditions, historic resources, urban design, traffic, and noise.

9. The proposed action would result in new mixed-use development on the project site which could affect natural resources.

10. The proposed action would result in demolition and construction on the project site which could potentially expose construction workers and the public to hazardous materials.

11. The proposed action would result in new mixed-use development in the designated coastal zone which could potentially be inconsistent with the policies of the LWRP.

12. The proposed action would result in new mixed-use development on the project site which could place additional demands on infrastructure.

13. The proposed action would result in new mixed-use development which would result in the generation of solid waste, and which would require sanitation services.

14. The proposed action would result in new mixed-use development on the project site which could increase demand for energy.

15. The proposed action would result in the development of an approximately 2.77 million gross square foot (gsf) mixed-use development on the project site which would result in additional vehicular, pedestrian, and transit trips, and additional parking demand in the vicinity of the affected area.

16. The proposed action would result in new mixed-use development on the project site which could potentially result in air quality impacts due to increased mobile source (vehicular) and stationary source (HVAC system) emissions.

17. The proposed action would increase the volume of traffic in the area, which could result in additional traffic noise. The proposed action could also potentially result in noise impacts due to the introduction of sensitive receptors, including residential and office uses.

18. The proposed action would result in new, large-scale development that would involve demolition and construction activities which may result in construction-related impacts.

19. The proposed action would result in new development which could potentially result in public health concerns.

20. The Draft Environmental Impact Statement (DEIS) to be prepared for the proposed action will identify and describe any other potential effects on the environment.

Public Scoping:

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting has been scheduled for Tuesday, June 28, 2005 at 10:00 AM at City of New York Department of City Planning, Spector Hall, 22 Reade Street, New York, New York 10007. Written comments will be accepted by the lead agency through the tenth day following the scoping meeting.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact Brad Kieves, the project manager, at (212) 720-3417.

Robert Dobruskin

Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning

5/20/05

Date

PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION

TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

21. For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

LAND USE, ZONING, AND PUBLIC POLICY	YES
SOCIOECONOMIC CONDITIONS	YES
COMMUNITY FACILITIES AND SERVICES	YES
OPEN SPACE	YES
SHADOWS	YES
HISTORIC RESOURCES	YES
URBAN DESIGN/VISUAL RESOURCES	YES
NEIGHBORHOOD CHARACTER	YES
NATURAL RESOURCES	YES
HAZARDOUS MATERIALS	YES
WATERFRONT REVITALIZATION PROGRAM	YES
INFRASTRUCTURE	YES
SOLID WASTE AND SANITATION SERVICES	YES
ENERGY	YES
TRAFFIC AND PARKING	YES
TRANSIT AND PEDESTRIANS	YES
AIR QUALITY	YES
NOISE	YES
CONSTRUCTION IMPACTS	YES
PUBLIC HEALTH	YES

22. Are there any aspects of the action relevant to the determination whether the action 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? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.

23. If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.

24. If the lead agency has determined in its answers to questions 1 and 2 of this part that the action may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts.

25. If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment.

Brad Kieves	Robert Dobruskin
PREPARER NAME	NAME OF LEAD AGENCY REPRESENTATIVE
Project Manager	Director, DCP Environmental Review
PREPARER TITLE	TITLE OF LEAD AGENCY REPRESENTATIVE
PREPARER SIGNATURE	SIGNATURE OF LEAD AGENCY REPRESENTATIVE
5/20/05	5/20/05
DATE	DATE

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, A.I.C.P., *Director*
Department of City Planning

May 20, 2005

PUBLIC NOTICE OF A SCOPING MEETING DRAFT ENVIRONMENTAL IMPACT STATEMENT (CEQR No. 05DCP080Q)

Notice is hereby given that pursuant to Section 5-07 of the Rules of Procedure for Environmental Review (CEQR) and 6 NYCRR 617.8 (State Environmental Quality Review) that the New York City Department of City Planning, acting on behalf of the City Planning Commission as CEQR lead agency, together with the Board of Standards and Appeals (BSA) and the New York State Department of Environmental Conservation (NYSDEC), with whom we are conducting a coordinated CEQR review, have determined that a draft environmental impact statement is to be prepared for the proposed Silvercup West project, CEQR Number 05DCP080Q.

The proposal involves an application by Terra Cotta, LLC to develop "Silvercup West", an approximately 2.77 million gross square foot (gsf) mixed-use development on an approximately 6-acre waterfront site (the project site) located at 42-20 Vernon Boulevard (Block 477, Lots 13, 15, 20 and 24) in the Long Island City neighborhood of Queens Community Board 2. The project site is generally bounded by the Queensboro Bridge to the north, Vernon Boulevard to the east, 43rd Avenue to the south, and the East River to the west, and is located within the area covered by the Waterfront Access Plan (WAP) Q-1 for Northern Hunters Point.

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- An amendment to the zoning map to change the zoning designation of the project site from M1-4 to an MX (M1-5/R10) Special Mixed-Use District. The current M1-4 zoning district is a light manufacturing district which permits light industrial and certain commercial uses at a maximum floor area ratio (FAR) of 2. The proposed MX (M1-5/R10) Special Mixed-Use District would permit light industrial uses, as well as residential, community facility and commercial uses, and a maximum FAR of 10. However, the proposed project will include a restrictive declaration which will limit the project's floor area to approximately 2.77 million square feet, or approximately 8.0 FAR;

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- an authorization pursuant to ZR Section 62-722 to modify the waterfront public access and visual corridor design requirements of ZR Section 62-60;

- an authorization pursuant to ZR Section 13-553 to permit curb cuts on a wide street;

- an amendment to the City Map for 43rd Avenue between Vernon Boulevard and the East River to modify the elevation of this mapped but unimproved portion of the street;

- a certification pursuant to ZR Section 62-711 that the site plan complies with the provisions of ZR Section 62-80;

- a Board of Standards and Appeals (BSA) special permit pursuant to ZR Section 73-36 for a physical culture or Health Establishment; and

- permits from the New York State Department of Environmental Conservation (NYSDEC) and, possibly, the US Army Corps of Engineers to reestablish the bulkhead along the site's western boundary.

The project site is currently occupied by a New York Power Authority (NYPA) power generating facility and a New York City Department of Sanitation (DSNY) open storage pile of de-icing salt and sand, both of which would be relocated from the site prior to construction of the proposed project. The site also contains the Terra Cotta Company building (Lot 20), which is a New York City designated landmark and is listed on the State and National Register of Historic Places. This building is currently being renovated and would be retained as part of the proposed project. Construction of the proposed project is expected to be completed by 2009.

Public comments are requested with respect to the issues to be addressed in the draft environmental impact statement.

A public scoping meeting has been scheduled for Tuesday, June 28, 2005 at 10:00 AM at City of New York Department of City Planning, Spector Hall, 22 Reade Street, New York, New York 10007. Written comments will be accepted by the lead agency through the tenth day following the scoping meeting.

Copies of the Draft Scope of Work and the Environmental Assessment Statement may be obtained from the Environmental Assessment and Review Division, New York City Department of City Planning, 22 Reade Street, 4E, New York, New York 10007, Robert Dobruskin, Director (212) 720-3423; or from the Office of Environmental Coordination, 100 Gold Street, 2nd Floor, New York, New York 10038, Robert Kulikowski, Ph.D., Director (212) 788-2937.