DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

M E M O R A N D U M

TO: Sara Avila, Lin Zeng

FROM: Evren Ulker-Kacar EUK

DATE: February 26, 2026

RE: **TYPE II**

CEQR No.	26DCP065Q
Land Use Application No.	260171ZMQ; 260172ZRQ
Project Name	158-06 Northern Boulevard Rezoning

We have reviewed the above referenced application and determined that, pursuant to 6 NYCRR 617.5, it is a Type II action and not subject to SEQRA/CEQR:

- ☐ **617.5(9)** Construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or use variance, and consistent with local land use controls, but not radio communication or microwave transmission facilities.

- ☐ **617.5(11)** construction or expansion of a single-family, a two-family or a three-family residence on an approved lot.

- ☐ **617.5(12)** Construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density.

- **617.5(25)** Official acts of a ministerial nature involving no exercise of discretion:

  ☐ Special Permits pursuant to Zoning Resolution Section 74-78 (Conversions of Non-Residential Floor Area), for modifications to the requirements relating to the location of loft dwellings or joint living-work quarters for artists and use restrictions.

  ☐ Authorizations pursuant to Zoning Resolution Sections 105-421 (Modification of topographic features on Tier I sites), 105-422 (Authorization of a development, enlargement or site alteration on a Tier II zoning lot or portion of a zoning lot having a steep slope or steep slope buffer), 105-423 (Relocation of erratic boulders), 105-424 (Alteration of rock outcrops), 105-425 (Modification of botanic environment and tree preservation and planting requirements), 105-426 (Alteration of aquatic features), 105-91 (Special District Designation on Public Parks), 107-64 (Future Subdivision of Certain Plan Review Site), 107-65 (Authorization for Modifications of Natural Features), 119-311 (Authorization of a development, enlargement or site alteration on a steep slope or steep slope buffer), 119-313 (Modification of landscaping, tree preservation and tree planting requirements), and 119-319 (Authorization to allow site alterations, the construction of new park-related facilities and improvements to existing park-related facilities within public parks).

☐ Other Authorizations*

☐ City Planning Commission and Chair Certifications.

☐ Actions pursuant to Zoning Resolution Sections 93-65, 95-04 and 95-05 relating to transit easements.

- **617.5(32)** License, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities:

  ☐ Renewal of Special Permit or Authorization.

- **617.5(b)** Residential Development Type II Actions (Green Fast Track) adopted as Section 5-05(e) and (f) of Chapter 5 of Title 62 of the Rules of the City of New York:

  ☑ Green Fast Track for Housing eligible.

- ☐ **Other*** _____

*As determined by DCP's Environmental Assessment and Review Division and Counsel's Office

cc:

City Planning Commission

City Environmental Quality Review

GREEN FAST TRACK FOR HOUSING TYPE II: ELIGIBILITY CHECKLIST

FOR GREEN FAST TRACK TYPE II ACTIONS ONLY

Part I: Project Summary

Project Summary	158 Holding, LLC (the "Applicant") seeks a zoning map amendment to rezone a portion of the existing R5B and R2 districts to an R7A district, map a C2-4 commercial overlay, and adopt a zoning text amendment to Appendix F of the Zoning Resolution to designate a Mandatory Inclusionary Housing (MIH) area coterminous with the Rezoning Area (collectively, the "Proposed Actions"). The Proposed Actions would affect the Rezoning Area, which comprises a portion of the applicant-owned Projected Development Site (Block 5277, Lot 16), as well as adjacent, non-applicant-owned Lots 1 and 25, located in the Flushing neighborhood of Queens, Community District 7. The Proposed Actions would facilitate the redevelopment of the Development Site with a ten-story, 105-foot-tall, 91,624-gross-square-foot (gsf) mixed-use building with 9,282 gsf of ground-floor retail and 68,200 gsf of residential space on the upper floors (the "Proposed Project"). The Proposed Project would include 76 dwelling units, of which 15 to 23 units would be designated as permanently affordable pursuant to MIH Options 1, 2 or 3. The Proposed Project would also include 26 accessory off-street parking spaces located in the cellar level, which would comprise approximately 14,142 gsf. Under the With-Action scenario, the Projected Development Site would facilitate the development of an eleven-story, 115-foot-tall, 91,624-gsf mixed-use building with 9,282 gsf of ground-floor retail and 68,200 gsf of residential space on the upper floors. The With-Action development would include 80 dwelling units, of which 16 to 24 units would be designated as permanently affordable pursuant to MIH Options 1, 2 or 3. The With-Action development would also include 26 accessory off-street parking spaces located in the cellar level, which would comprise approximately 14,142 gsf.
Development Site Blocks and Lots *"Development site" means the zoning lot all or part of which the applicant proposes to develop through the action.*	Block 5277, Lot 16
Developable Site Blocks and Lots *"Developable site" means a zoning lot, including the development site, within the area that is the subject of the action that the lead agency determines is likely to be developed as a result of the action.*	N/A

Part II: Package Requirements

II.1 Agency Sign-offs	Required Agency Sign-offs and their determinations ***attached.*** List of required agencies include: Landmarks Preservation Commission; Department of Environmental Protection	✔
II.2 Restrictive Declarations & E-Designations	Required Restrictive Declarations & E-Designations ***attached.***	✔
II.3 Development Increment Table	Development Increment Table ***attached.***	✔
II.4 Project Area Map	Project Area Map (with development sites) ***attached.***	✔

Part III: Eligibility Checklist

§ 3. Section 5-05 of Chapter 5 of Title 62 of the Rules of the City of New York: Subdivisions (e) and (f)

		Eligible?
(e)	**Residential Development Type II Actions. The following actions are not subject to review under City Environmental Quality Review, the State Environmental Quality Review Act (Environmental Conservation Law, Article 8) or the SEQRA Regulations, subject to subdivision (f) of this section:**	
(e) (1)	Actions that enable incremental development of at least 1 and no more than 250 new dwelling units or new income-restricted dwelling units, and no more than 35,000 gross square feet of space for non-residential uses, which includes no more than 25,000 gross square feet of space for commercial uses and no more than 25,000 gross square feet of community facility space, and which at the time of the environmental determination are:	☐
(i)	Located wholly within an existing R5 through R10 Residence zoning district, provided that such action does not include the creation or enlargement of a Special Mixed Use zoning district or a stand-alone Commercial zoning district; or	☑
(ii)	Located in an existing stand-alone Commercial zoning or Manufacturing zoning district and are being developed pursuant to a regulatory agreement or lease with a government agency to develop housing or a decision by the Board of Standards and Appeals authorizing residential development; or	☐
(e) (2)	Actions that enable incremental development of at least 1 and no more than 175 new dwelling units or new income restricted dwelling units, and no more than 20,000 gross square feet of space for non-residential uses, which includes no more than 10,000 gross square feet of space for commercial uses, and no more than 10,000 gross square feet of community facility space, and which at the time of the environmental determination, are located at least partially within an existing R1 through R4 Residence zoning district, provided that such action shall not include actions that include the creation or enlargement of a Special Mixed Use zoning district or a stand-alone Commercial zoning district.	☐
(f)	**Type II Residential Development Prerequisites. An action listed in subdivision (e) of this section must also comply with all of the following to be a Type II action, at or before the time environmental review is required to be completed:**	**Eligible?**
(f) (1)	Any new building or any enlargement of an existing building on the development site shall not burn fossil fuels to supply heat or hot water;	☑
(f) (2)	The applicant or development site owner shall have complied with the following site-specific requirements:	☑
(i)	For developable sites that include one or more tax lots that do not have an (E) designation for hazardous materials pursuant to section 11-15 of the New York City Zoning Resolution at the time of the environmental determination, completed a Phase I Environmental Site Assessment for the development site and either:	☑
(A)	Obtained a written signoff from the lead agency that no further environmental investigation is required or that a plan to address any hazardous materials is acceptable; or	☐
(B)	Consented to the establishment of an (E) designation for hazardous materials pursuant to section 11-15 of the New York City Zoning Resolution and 15 RCNY Chapter 24 on the developable sites, provided that where an (E) designation is not available and the development site will be developed pursuant to a regulatory agreement with a government agency, such government agency shall include protections and development oversight requirements equivalent to an (E) designation found in 15 RCNY Chapter 24 in such regulatory agreement; and	☑
(ii)	Obtained a determination from the New York City Landmarks Preservation Commission (LPC) stating whether any developable site is within an archaeologically sensitive area, is designated, calendared for consideration or eligible for designation as a New York City Landmark or Historic District, is listed on, or formally determined to be eligible for inclusion on, the National Register of Historic Places or the New York State Register of Historic Places, or is substantially contiguous to a sunlight sensitive architectural resource, and	☑
(A)	If LPC determines a developable site is within an archaeologically sensitive area, completed an archaeological document study for the development site and obtained a writing from LPC that the development of such development site does not raise archaeological concerns; and	☐
(B)	If LPC determines a developable site is designated, calendared for consideration or eligible for designation as a New York City Landmark or Historic District or is listed on, or formally determined to be eligible for inclusion on, the National Register of Historic Places or the New York State Register of Historic Places, obtained a writing from LPC that the development of such development site does not raise historic preservation concerns;	☐
(iii)	Agreed to prepare and implement a Construction Protection Plan consistent with the requirements of the New York City Department of Buildings Technical Policy and Procedure #10/88 for a development site located at least partially within 90 feet of a building or site formally determined to be eligible for listing on the National Register of Historic Places or the New York State Register of Historic Places or of a building or site that is eligible for designation as a New York City Landmark or Historic District;	☐
(iv)	For developable sites within 1000 feet of an air emissions source that operates under a permit issued pursuant to subpart 201-5 of title 6 of the New York Codes, Rules and Regulations (New York State facility permits) or subpart 201-6 of such title (Clean Air Act Title V permits) or either within 400 feet of any existing air emission source with an active or expired industrial permit issued by the New York City Department of Environmental Protection or within 400 feet of any unpermitted industrial source, confirmed to the lead agency based on the emission limits in the permit(s) or, for any unpermitted source, the estimated emission limits from similar source permit(s) provided by the lead agency, that concentrations of any pollutant regulated by the permit(s) or identified by the lead agency for any unpermitted source will not exceed the corresponding National Ambient Air Quality Standards (including background concentrations) and Annual Guideline Concentration (AGC) and Short-term Guideline Concentration (SGC) in the New York State Department of Environmental Conservation Division of Air Resources Guidelines for Evaluation and Control of Ambient Air Contaminants (DAR-1) at such developable site, as determined in accordance with the industrial source screen in Appendix B of Chapter 5 of Title 62 of the rules of the city of New York (Industrial Air Quality Checklist).	☑
(v)	With respect to calculation of noise levels, either:	☑
(A)	Provided to the lead agency representative peak hour outdoor noise sampling showing less than 70 A-weighted decibels (dBA) L10 ambient noise levels at all developable sites, and provided outdoor noise sampling for all developable site buildings within the line of sight of any railway or elevated subway showing less than 65 dBA Ldn ambient noise levels and confirmed that all developable sites are outside the 65 Day Night Average Sound Level contours established in the Noise Exposure Map (NEM) Report for John F. Kennedy Airport and LaGuardia Airport, or	☐
(B)	Agreed to establishment of an (E) designation for noise pursuant to section 11-15 of the NYC Zoning Resolution on any developable sites that cannot meet the requirements of item (A) above, provided that where the development site will be developed pursuant to a regulatory agreement with a government agency, such government agency shall include protections equivalent to those imposed by an (E) designation for noise attenuation in such regulatory agreement.	☑
(f) (3)	The projected duration of construction at each development site shall not be greater than 24 months and no consecutive projected construction period for all substantially contiguous developable sites shall be greater than 24 months.	☑
(f) (4)	No portion of any developable site shall:	☑
(i)	Be located adjacent to an arterial highway listed in Appendix H to the New York City Zoning Resolution or a vent structure for a tunnel	☑
(ii)	Be located within in a Special Coastal Risk District mapped pursuant to Article XIII, Chapter 7 of the New York City Zoning Resolution; or	☑
(iii)	Contain a natural resource. *("Natural Resource" means surface water bodies; wetland resources; upland resources, such as beaches, shrublands, meadows, and forests; or other significant or sensitive resources.)*	☑
(f) (5)	The action shall not enable construction of a new building or other structure or enlargement of an existing building or structure with a maximum allowable height greater than 250 feet, including all rooftop bulkheads, mechanical equipment, parapets, and any other parts of the building, or with a maximum possible height greater than 50 feet if substantially contiguous to a public open space other than a street or sidewalk, natural resource or an architectural sunlight sensitive resource identified by LPC under subparagraph (ii) of paragraph (2) of this subdivision above, unless such open space, natural resource or sunlight sensitive resource is entirely within the area between -108° degrees from true north and +108 degrees from true north of the building or other structure or is an architectural resource that is located on a facade that faces directly away from a developable site.	☑

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Project Location and Density

Proposed Actions

The Applicant, Northern 158 Holding, LLC, is proposing the following actions:

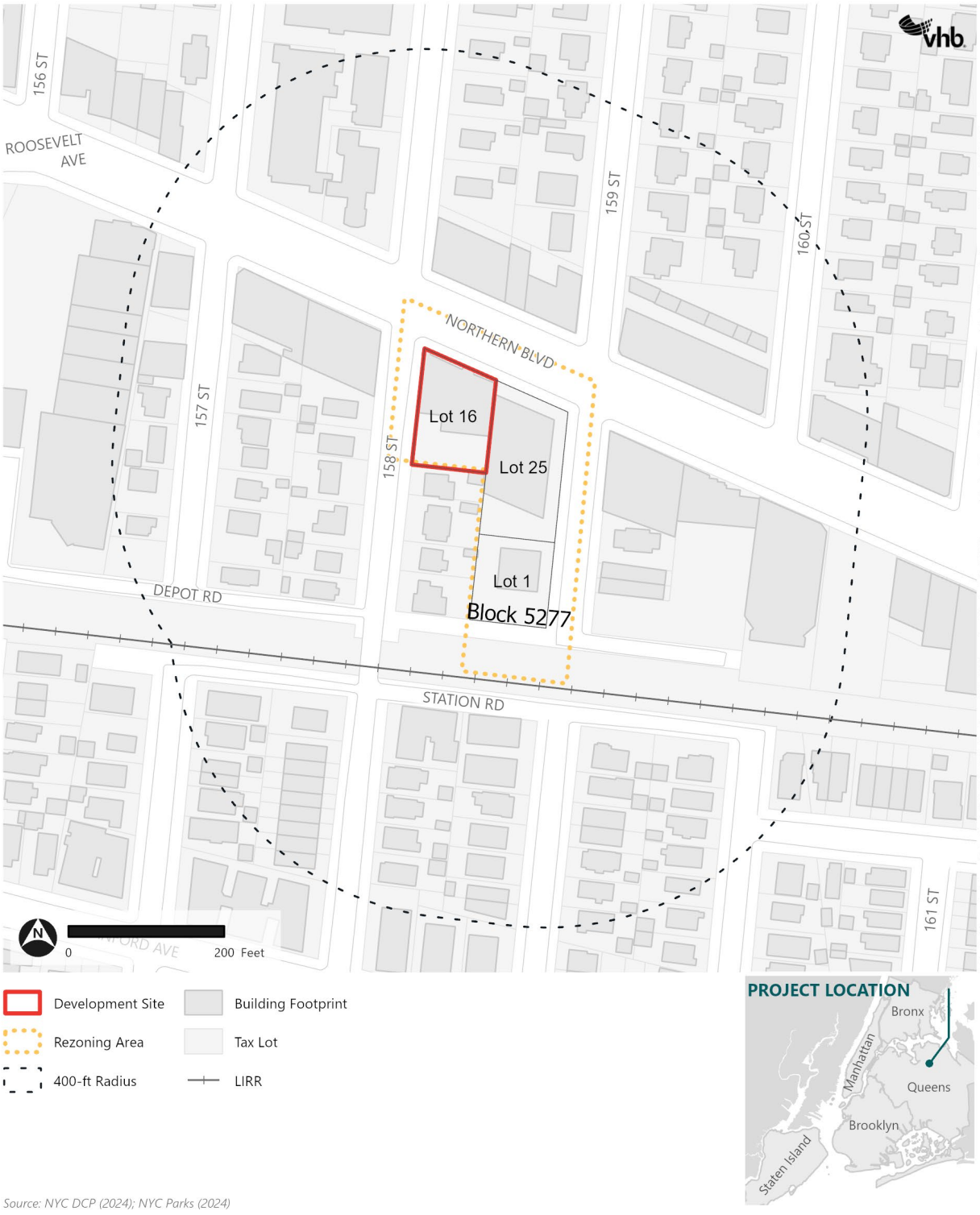
- A zoning map amendment to rezone a portion of the existing R5B and R2 districts to an R7A district, and map a C2-4 commercial overlay at a depth of 100 feet from Northern Boulevard and 100 feet from 159th Street;
- A zoning text amendment to Appendix F of Zoning Resolution to designate an Mandatory Inclusionary Housing (MIH) area coterminous with the Rezoning Area

Affected Area

The Proposed Actions would affect the Rezoning Area, which comprises a portion of (p/o) the Applicant-owned Development Site (Block 5277, Lot 16) as well as the adjacent, non-Applicant-owned Lots 1 and 25 in the Flushing neighborhood of Community District 7. The proposed R7A zoning would extend 150 feet from the street line of Northern Boulevard along 158th Street, leaving an approximately 6-foot sliver of Lot 16 outside the Rezoning Area. The "Project Area" is generally bounded by Northern Boulevard to the north, 159th Street to the east, 158th Street to the west, and Long Island Rail Road (LIRR) right-of-way to the south (see **Figure 1**).

The Project Area is in R2 zoning districts and R5B zoning districts with C1-2 commercial overlays, and is entirely located in the Outer Transit Zone. Mixed-use buildings in R5B/C1-2 districts are permitted to have a maximum total floor area ratio (FAR) of 2.00 FAR; R2 districts permit a maximum residential FAR of 0.75.

Figure 1 Project Area



Source: NYC DCP (2024); NYC Parks (2024)

Project Description

The Proposed Actions would facilitate the redevelopment of the Development Site into a ten-story, 105-foot-tall (120-foot-tall with bulkhead), 91,624-gross-square-foot (gsf) (70,765-zoning-square-foot [zsf]; 5.0 FAR) mixed-use residential and commercial building with 9,282 gsf (9,282 zsf; 0.66 FAR) of ground-floor retail and 68,200 gsf (61,483 zsf; 4.34 FAR) of residential space on the remaining floors (the "Proposed Project"). The Proposed Project residential space would result in 76 dwelling units, 20-30% (15-23 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3. Additionally, there would be 26 accessory off-street parking spaces in the cellar level of the Proposed Project. The cellar floor would have approximately 14,142 gsf

Analysis Framework

For the purpose of the environmental analyses, the No-Action condition represents the future absent the Proposed Actions and serves as the baseline by which the With-Action condition is compared to determine the potential for significant environmental impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

Future No-Action Condition

Block 5277, Lot 16 (Applicant-owned Development Site) is currently improved with a one-story, 9,000 gross-square-foot (gsf) radiation treatment center and an approximately 4,800-sf accessory parking lot with 12 surface parking spaces. Lot 1 (non-Applicant-owned) is currently improved with a two-story, 5,265-gsf long-standing community facility building (the Dar Al-Taqwa Islamic Center) with an accessory parking space on the southern portion. As the structure, uses, and site ownership of Lot 1 is expected to remain as under existing and No-Action conditions; therefore, Lot 1 will not be redeveloped in the No-Action condition. Lot 25 (non-Applicant-owned) is currently improved with a three-story, 44,000-gsf commercial building tenanted with multiple different businesses. Similarly, the structure, uses, and site ownership of Lot 25 is expected to remain as under existing and No-Action conditions; therefore Lot 25 is not expected to be redeveloped under No-Action conditions,

In the future absent the Proposed Actions, no new development is expected to occur on any of the lots within the Rezoning Area. As the Rezoning Area would continue to be governed by the underlying R5B/C1-2 and R2 districts, each of the existing buildings within the Rezoning Area are expected to remain in their existing conditions in the future absent the Proposed Actions.

Future With-Action Condition

In the With-Action condition, it is conservatively assumed that the Proposed Actions would facilitate the redevelopment of the Development Site (14,142 sf) with an eleven-story, 115-foot-tall (130-foot-tall with bulkhead), 91,624-gsf (70,765-zoning-square-foot [zsf]; 5.0 FAR) mixed-use residential and commercial building with 9,282 gsf (9,282 zsf; 0.66 FAR) of ground-floor retail and 68,200 gsf (61,483 zsf; 4.34 FAR) of residential space on the remaining floors. Assuming an average dwelling unit size of 850 gsf, the development under With-Action condition would contain approximately 80 units, of which 16 to 24 units would be designated as permanently affordable pursuant to MIH Options 1, 2 or 3 at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3. Additionally, there would be 26 accessory off-street parking spaces in the cellar level of the With-Action development. There are two existing curb cuts: one on 158th

Street providing access to the parking lot and the existing building's loading dock and one along the Northern Boulevard.

Since the long-standing community facility building is expected to remain on Lot 1, Lot 1 is not expected to be redeveloped in the Future With-Action Condition.

In addition, Lot 25 is not considered as a developable site because the building is currently occupied by over 15 separate commercial offices and retail tenants and it is unlikely that the existing commercial building would be fully vacated by the time of the 2028 Build Year.

Increment for Analysis

As shown below in **Table 1**, the increment for analysis would be 80 residential units, including 16 to 24 units for low-income households. The Proposed Actions would result in an increment of 68,200 gsf (61,483 zsf; 4.34 FAR) of residential floor area, 9,282 gsf (9,282 zsf; 0.66 FAR) of ground-floor retail, and an approximately incremental 9,342 gsf of accessory parking space (for a total of 14 additional off-street parking spaces) would be provided in the cellar.

Table 1 Future No-Action and With-Action Comparison (Development Site)

	No-Action Condition	With-Action Condition	Increment
Residential (GSF)	0	68,200	+68,200
Residential (DUs)	0	80	+80
Community Facility (GSF)	9,000	0	-9,000
Commercial Retail (GSF)	0	9,282	+9,282
Parking (GSF)	4,800	14,142	+9,342
Parking (Spaces)	12	26	+14
Total GSF	**13,800**	**91,624**	**+77,824**

Construction

The Proposed Project is anticipated to be completed and in operation by 2028. This accounts for an approximately six-month Environmental Review and pre-certification process, seven-month Uniform Land Use Review Procedure (ULURP) process, and an 18-month construction period for the Proposed Project.

The Proposed Project would be approximately 91,624 gsf in total. Therefore, based on the assumption of a three-month period for excavation and foundation, a six-month period for superstructure, and a nine-month or less period for interior fit-out and finishes, the Proposed Project is anticipated to be completed within 18 months of construction.

Accordingly, the environmental review will assume a 2028 build year for the purposes of a conservative analysis.

Air Quality

The proposed building would be fully electric or steam and would not use fossil fuels locally for heating or hot water. To ensure that there are no significant adverse impacts related to the buildings' heating and hot water systems, an E-Designation for air quality would be placed on the Development Site . The E-Designation (E-896) text would be as follows:

> *Block 5277, Lot 16 (Development Site)*
>
> Any new residential and/or commercial development on the above referenced property must ensure the heating, ventilation and air conditioning (HVAC) system and hot water equipment are powered by electricity or steam only with no venting or stacks, to avoid any potential significant adverse air quality impacts.

Additionally, no vent structure for a tunnel was found near the Project Area, as indicated in the Fast Tracker. The Project Area is not located adjacent to any arterial highway identified in Appendix H of the ZR.

Surrounding Air Emission Source

A review of with the NYCDEP CATS and Fast Tracker websites found no industrial permits within 400 feet of the Project Area. Additionally, based on the Air Quality data on Fast Tracker and the NYSDEC's Permit Database (DECInfo Locator), the Project Area is not located within 1,000 feet of an emissions source with either a New York State Air Facility permit or a Clean Air Act Title V permit.

Noise

A noise assessment was conducted to determine whether the Proposed Actions have the potential to result in significant adverse noise impacts. Noise monitoring was conducted following the guidance in the 2025 *CEQR Technical Manual* to assess existing ambient sound levels representative of the Project Area.

Noise monitoring took place over 24 hours between June 3 and 4, 2025. Three attended short-term measurements (20 minutes each) were completed at ground level in locations representative of the With-Action development facades. Each location was measured three times during different periods: the AM, midday, and PM peak periods. An unattended long-term (24-hour) monitor was also positioned on the rooftop of the existing two-story medical facility at the Development Site (Block 5277, Lot 16). The monitor was placed at least five feet above the rooftop and six feet from the edge for safety (see **Table 2** and **Figure 2**).

Observations during the noise monitoring showed that the three short-term monitors, representing the northern, western, and eastern facades, were dominated by vehicular noise from Northern Boulevard. The long-term monitor, representing the southern facade, was primarily affected by train noise from the elevated Long Island Rail Road.

According to *CEQR Technical Manual* Chapter 19, acceptable noise levels depend on land use type. For residential buildings, the goal is to maintain interior noise levels (L_{dn}) of 45 dBA or lower. Commercial properties follow the same daytime guidance as residential uses. Exterior sound levels are evaluated to determine if receptors would experience acceptable ambient conditions. Without specific building construction details, a standard 25 dBA outdoor-to-indoor noise reduction is assumed.

To determine if enhanced window and wall attenuation is required, exterior ambient sound levels are compared to noise thresholds based on the dominant noise source. For building facades facing Northern Boulevard (eastern, northern, and western sides), exterior ambient sound levels (L_{10}) exceeding 70 dBA are considered **Marginally Unacceptable**. Along the southern facade where train noise dominates, exterior ambient sound levels (L_{dn}) should not exceed 65 dBA for residential uses (equivalent to 45 dBA interior levels) and are also considered **Marginally Unacceptable**. When exterior levels are Marginally Unacceptable, adequate window and wall attenuation must be specified to achieve acceptable interior sound levels.

Since the Proposed Actions would introduce residential and commercial uses, the L_{10} values for areas with vehicular traffic and L_{dn} values for train noise are used to evaluate noise acceptability and determine the attenuation needed for acceptable interior levels.

As shown in **Table 2**, the measured sound levels from the short-term ambient monitoring are presented. The existing L_{10} at street level around the Project Area ranges from 59 dBA to 75 dBA. The existing L_{dn} level at the rooftop of the existing building at the Development Site is 66 dBA.

Based on the noise exposure guidance in Table 19-3 of the *CEQR Technical Manual*, noise impacts were assessed to determine the level of acceptability for new sensitive receptors at the Project Area. Noise exposure limits were compared to the Future With-Action noise levels, considering L_{10} or L_{dn} depending on whether vehicular traffic or train noise was the dominant source.

As shown in **Table 2**, the maximum measured L_{10} level along the Project Area's northern, eastern, and western facades was 75 dBA during the AM peak period. According to the noise exposure guidelines in the *CEQR Technical Manual*, the existing L_{10} sound level of 75 dBA at the Project Area is considered **Marginally Unacceptable**.

Additionally, **Table 2** shows that existing noise levels representative of the southern facade of the Project Area result in an L_{dn} of 66 dBA. According to the noise exposure guidelines in the *CEQR Technical Manual*, this existing L_{dn} sound level of 66 dBA at the Project Area is considered **Marginally Unacceptable**.

Table 2 Existing Ambient Sound Level Measurements (dBA)

Site	Monitoring Location	Duration	Time of Day	L_{eq}	L_{10}	L_{90}
1	158th Street	20-min	AM	67	70	59
		20-min	MD	65	67	58
		20-min	PM	67	67	61
2	Northern Blvd	20-min	AM	71	75	59
		20-min	MD	71	75	56
		20-min	PM	67	70	57
3	159th Street	20-min	AM	62	66	51
		20-min	MD	61	59	48
		20-min	PM	60	61	52
4	Rooftop of Existing Building	24-hr	AM	66	68	57
			MD	63	64	58
			PM	62	64	59
			L_{dn}	66		

For the time of day "AM", measurements were taken between 8:00 AM and 9:00 AM.
"MD" time of day refers to measurements taken between 12:00 PM and 2:00 PM.
"PM" time of day refers to measurements taken between 4:00 PM and 6:00 PM.

The composite outdoor-to-indoor transmission classification (OITC) value of the window-wall structure determines the necessary sound attenuation. Sound attenuation measures would be achieved through construction materials and techniques with sufficient OITC-rated windows and walls. The minimum composite window/wall attenuation requirements for the Development Site is: northern façade facing Northern Blvd (maximum L10 of 75 dBA) requires 26 dBA for commercial office spaces and 31 dBA for residential spaces; all other facades (maximum L10 of 70 dBA, Ldn of 66 dBA) require 23 dBA for commercial office spaces and 28 dBA for residential spaces.

To implement these attenuation requirements, an (E)-Designation for noise would be applied to the Development Site, specifying the appropriate amount of window/wall attenuation and the need for alternate means of ventilation. The text for the (E)-Designation (E-896) would be as follows:

Block 5277, Lot 16 (Development Site)

"In order to ensure an acceptable interior noise environment, future residential and/or commercial office uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on façades facing Northern Boulevard and 50 feet wrap around on the western façade facing 158th Street and a minimum of 28 dBA window/wall attenuation on façades facing 158th Street, 159th Street, and LIRR right-of-way in order to ensure an interior L_{10} noise level not greater than 45 dB(A) for residential or not greater than 50 dB(A) for commercial office uses and an interior L_{dn} noise level not greater than 40 dB(A) for residential 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, package-terminal air conditioning, or well-sealed air conditioners."

With implementation of the noise attenuation requirements described above, the Proposed Actions would not result in any significant adverse noise impacts on project-generated receptors at the Development Site.

Additionally, it is assumed that the building mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels.

Figure 2 Ambient Noise Measurement Locations



Hazardous Materials

A Phase I Environmental Site Assessment (ESA) was prepared on January 29, 2025 by Middleton Environmental Inc (MEI). The Phase I ESA did not identify any Recognized Environmental Conditions (RECs). The following business environmental risk (BER) was presented in the Phase I ESA:

› This assessment has revealed evidence of a BER in connection with the subject property in the form of potential asbestos-containing material (ACM)_present in the existing structures. According to the Phase I ESA, MEI determined no action was necessary in regards to this condition.

Despite no RECs being identified, the January Phase I ESA identified historical land uses including residential and commercial activities, and highlighted multiple environmental concerns such as spills and former gasoline filling stations within varying distances from the subject property. Based on prior on-site and/or surrounding area land uses which could result in environmental contamination, an (E) Designation for hazardous materials should be placed on the Development Site (Block 5277, Lot 16) pursuant to Section 11-15 of the New York City Zoning Resolution. The (E) Designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance occurs, as well as to ensure the maintenance and oversight of any required engineering controls through oversight by the Mayor's Office of Environmental Remediation (OER). Further hazardous materials assessments should be coordinated through OER. The text for the (E)-Designation (E-896) would be 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 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 the 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 Remedial Action Work Plan (RAWP) must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER in accordance with the approved RAWP. The applicant should then provide proper documentation that remedial action has been satisfactorily completed.*
>
> *An OER-approved construction-related Health and Safety Plan (CHASP) 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.*

By implementing regulatory requirements relating to ACM, LBP, and PCB-containing building materials as part of standard demolition and site redevelopment practices, as well as conducting future testing and

mitigation in coordination with OER in accordance with the (E) Designation, any potential significant hazardous materials impacts will be avoided.

Historic Resources

The Landmarks Preservation Commission (LPC) confirmed in a letter dated July 22, 2025 (see **Appendix A**), that there is one historic resource within 400-feet of the Project Area—the State and National Register (S/NR)-Listed Broadway-Flushing Historic District (NR No.: 05NR05505). The historic district is an almost exclusively residential use, consisting of mostly single-family homes on the noter side of Flushing, in northeast Queens County, New York City. The district is generally bounded by 29th and 32nd Avenues on the north, 192th streets on the west. It includes approximately 74 residential blocks, the Bowne Park, the St. Andrew Avellino Roman Catholic Church Complex, and the Richell Building. Many buildings were constructed in the Colonial Revival style and Tudor Revival style.

The St. Andrew Avellino Roman Catholic Church Complex (Block 5273, Lots 1 and 69) is a sunlight-sensitive architectural resource. However, it is not considered substantially contiguous due to the presence of a wide street separating it from the Project Area.

According to the LPC correspondence letter dated July 22, 2025 (see **Appendix A**), there are no significant or sensitive archaeological resources located within the Project Area. The Development Site does not contain any architecturally or archaeologically significant resources and no significant architectural resources are located within 90 feet of the site.

Shadows

The Proposed Actions would allow for the development of a 115-foot tall (up to 130-foot w/ bulkhead) mixed-use residential commercial building on the Development Site. The permitted maximum height of 115 feet is lower than the 250-foot height threshold for Type II eligibility. Additionally, the Green Fast Tracker report confirmed that none of the sites within the Project Area are considered substantially contiguous to sunlight-sensitive open space, historic, or natural resources.

In a letter from LPC dated July 22, 2025 (see **Appendix A**), LPC confirmed that of the architectural resources found within the S/NR-listed Broadway-Flushing Historic District, the St. Andrew Avellino Roman Catholic Church Complex at 35-60 158th Street may contain sunlight-sensitive features (i.e., the parish building's rose window fronting Northern Boulevard and stained glass windows found on other building facades). However, The Project Area is located on the opposite side of the Northern Boulevard, a wide street, from the St. Andrew Avellino Roman Catholic Church Complex. As such, the Project Area is not considered substantially contiguous to a sunlight-sensitive source.

Natural Resources

According to the Green Fast Tracker, the Project Area does not contain protected natural resources, it is not located within a wetland check zone, and it does not contain any unmapped natural resources. Additionally, there are no known unmapped natural resources near the Project Area.

Appendix A: LPC Correspondence

NYC Landmarks Preservation Commission

253 Broadway
11th Floor
New York, NY 10007

Voice (212) 669-7700
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-Q
Project: GREEN FAST TRACK 158-06 NORTHERN BLVD.
Date Received: 7/8/2025

Properties with no Architectural or Archaeological significance:

1) 40-30 159 STREET, BBL: 4052770001
2) 158-06 NORTHERN BOULEVARD, BBL: 4052770016
3) 158-14 NORTHERN BOULEVARD, BBL: 4052770025

Comments:

S/NR LISTED BROADWAY-FLUSHING HISTORIC DISTRICT WITHIN 400' RADIUS; S/NR LISTED (AS PART OF BROADWAY-FLUSHING HISTORIC DISTRICT) ST. ANDREW AVELLINO ROMAN CATHOLIC CHURCH COMPLEX, 35-60 158 STREET WITHIN 559' SHADOW RADIUS.

Gina Santucci 7/22/2025

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 37678_FSO_DNP_07222025.docx

Appendix B: DEP Correspondence

Environmental Protection

Rohit T. Aggarwala
Commissioner

Angela Licata
Deputy Commissioner
Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
alicata@dep.nyc.gov

October 8, 2025

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

Re: 158-06 Northern Boulevard
Block 5277, Lots 1, 16, and 25
CEQR # 78DCP185Q

Dear Ms. Kohn:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the September 2025 Green Fast Track Eligibility Supplemental Materials and the January 2025 Phase I Environmental Site Assessment (Phase I) prepared by Middleton Environmental Inc., on behalf of Northern 158 Holding, LLC (applicant), for the above referenced project. It is our understanding that the applicant is seeking a zoning map amendment from the New York City Department of City Planning (DCP) to rezone a portion of the existing R5B and R2 districts to an R7A district, and map a C2-4 commercial overlay at a depth of 100 feet from Northern Boulevard and 100 feet from 159th Street; and a zoning text amendment to Appendix F of the Zoning Resolution to designate an Mandatory Inclusionary Housing (MIH) area coterminous with the Rezoning Area. The Proposed Actions would affect the Rezoning Area, which comprises a portion of the applicant-owned Projected Development Site (Block 5277, Lot 16) as well as the adjacent, non-applicant-owned Lots 1 and 25 in the Flushing neighborhood of Queens Community District 7. In the With-Action Condition, the Proposed Actions would facilitate the redevelopment of the Projected Development Site (14,142 square feet) with an eleven-story, 91,003-gross square feet (gsf) mixed-use residential and commercial building with 8,661 gsf of ground-floor retail and 68,200 gsf of residential space on the remaining floors. Assuming an average dwelling unit size of 850 gsf, the development under the With-Action Condition would contain approximately 80 units, of which 16 to 24 units would be designated as permanently affordable pursuant to MIH Options 1, 2, or 3 at an average of 40-80% area median income pursuant to MIH Option 1, 2, or 3. Additionally, there would be 26 accessory off-street parking spaces in the cellar level of the With-Action development. There are two existing curb cuts: one on 158th Street providing access to the parking lot and the existing building's loading dock and one along the Northern Boulevard. The non-applicant-owned Lot 25 will be analyzed as a potential development site (Potential Development Site). Lot 25 could include the construction of a mixed-use multi-family apartment building under the proposed R7A/C2-4 district.

The January 2025 Phase I report revealed that historical on-site and surrounding area land uses consisted of a variety of residential and commercial uses including commercial buildings, residential buildings, a plant nursery, a church, a rectory, a convent, a school, a theatre, etc. Regulatory databases identified 8 spills, 1 historical auto site, and 4 historical cleaner sites within 1/8 mile; 7 underground storage tank sites, 24 aboveground storage tank sites, and 2 dry cleaners within 1/4 mile; and 21 leaking storage tank sites, 1 voluntary cleanup program site, and 1 brownfield site within 1/2 mile of the subject property.

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

Projected Development Site (Block 5277, Lot 16) and Potential Development Site (Block 5277, Lot 25)

- Based on prior on-site and/or surrounding area land uses which could result in environmental contamination, an (E) Designation for hazardous materials should be placed on the Projected Development Site and the Potential Development Site pursuant to Section 11-15 of the New York City Zoning Resolution. The (E) Designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance occurs, as well as to ensure the maintenance and oversight of any required engineering controls by the Mayor's Office of Environmental Remediation (OER). Further hazardous materials assessments should be coordinated through OER.

Future correspondence and submittals related to this project should include the following CEQR # **78DCP185Q**. If DCP has any questions, you may contact me at weiy@dep.nyc.gov.

Sincerely,

Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
T. Estesen
M. Wimbish
J. Mitchell – DCP
S. Shellooe – DCP
E. Ulker-Kacar – DCP
M. Bertini – OER