

May 24, 2024

NEGATIVE DECLARATION

Project Identification

Name/Location: **South Jamaica Gateway**
Development Site A: 106-01 Guy R. Brewer Boulevard (Block 10161, Lots 1, 3 and 9)
Development Site B: 162-02 Tuskegee Airmen Way (Block 10129, Lots 1, 3 and 4)
Queens, New York
CEQR No. 22HPD058Q
SEQRA Classification: Unlisted

Name and Description of Proposed Action

South Jamaica Gateway:

The New York City Department of Housing Preservation and Development (HPD), on behalf of the project sponsors, Fulcrum Properties, LLC; The Briarwood Organization LLC; and Moses Sole Realty LLC, is seeking City Planning Commission (CPC) approval of discretionary actions (the “Proposed Actions”) including a zoning map amendment, a zoning text amendment, and the Urban Development Action Area (“UDAA”) designation and approval of an Urban Development Action Area Project (“UDAAP”) and disposition of City-owned property. These actions would facilitate the development of two mixed-use residential and community facility buildings (the “Proposed Development”) with a total of 145 affordable residential units (including two superintendent units) located at 106-01 Guy R. Brewer Boulevard (Block 10161, Lots 1, 3 and 9 - the “Development Site A”) and 162-02 Tuskegee Airmen Way (Block 10129, Lots 1, 3 and 4 - the “Development Site B”) in the South Jamaica neighborhood of Queens, Community District 12. The project sponsor will also seek construction financing through HPD’s Senior Affordable Rental Apartments (SARA), Neighborhood Construction Program (NCP), and Low-Income Housing Tax Credit (LIHTC).

The Proposed Development is comprised of two development sites. Development Site A would contain a nine-story mixed use building with approximately 58,586 gross square feet (gsf) of floor area including approximately 79 Affordable Independent Residences for Seniors (AIRS) (including one superintendent unit) and approximately 4,353 gsf of community facility space for the faith-based Godian Fellowship. Development Site B would contain a nine-story mixed use building with approximately 64,885 gsf of floor area, including approximately 66 dwelling units (one of which is a superintendent unit) and approximately 11,949 gsf of community facility space for the non-profit Thomas White Jr. Foundation. In addition, 16 parking spaces would be provided on site.



The Development Sites would be developed in accordance with the proposed R7A/C1-4 zoning, and would be constructed in a single phase, and is expected to be complete and operational by 2026.

The Proposed Development would be implemented in conformance with the following provisions in order to ensure that there are no significant adverse environmental impacts. The provisions are as follows:

Noise

As part of the Downtown Jamaica Redevelopment Plan (the “Jamaica Plan”) Environmental Impact Statement (CEQR No. 05DCP081Q), a noise analysis was conducted for Potential Development Sites in that study area. The Jamaica Plan EIS determined that a minimum 35 OITC was required for these blocks and lots and implemented an (E) Designation (E-175) to ensure that acceptable interior noise conditions would be provided for potential developments. The Jamaica Plan Potential Development Sites 477-Q and 478-Q include Block 10161 Lots 1, 3, and 9. These lots are located within the Project Area and make up Development Site A. For Development Site B, a new (E) designation, E-768, will ensure that the required window/wall attenuation to maintain an interior noise level of 45 dBA.

The following (E) designation noise text would apply for both Development Site A and Development B:

“In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dBA window/wall attenuation on all façades in order to maintain an interior noise level of 45 dBA. 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.”

This commitment would be included in the Regulatory Agreement and/or Land Disposition Agreement between HPD and the Applicants to ensure that the developments would not result in any significant noise impacts from existing ambient sound.

A Notice to Proceed (NTP) will be obtained from New York City Office of Environmental Remediation (NYC OER) and be submitted to HPD prior to closing on financing.

With this commitment, no significant adverse impacts related to noise are expected.

Hazardous Materials

The Phase I Environmental Site Assessment (Phase I) for Development Sites A and B dated March 2020, the Phase II Remedial Investigation Workplan (Phase II Work Plan) and Site-Specific Health and Safety Plan (HASP) for Development Site A dated May 2023, the Phase II Remedial Investigation Workplan (Phase II Work Plan) and Site-Specific Health and Safety Plan (HASP) for Development Site B dated August 2023 prepared by Tenen Environmental LLC, on behalf of the project sponsors, revealed historical on-site and



adjacent area land uses consisted of a variety of residential, commercial, and industrial activities for both Development Sites. Due to these conditions, New York City Department of Environmental Protection (DEP) in a letter dated September 1, 2023, determined that a DEP-approved Phase II Subsurface Investigation and remediation is required.

Further, an (E) Designation for hazardous materials (E-768) will be mapped on both development sites. Applying an (E) Designation for hazardous materials provides a mechanism for regulatory oversight for future remedial action as a post-demolition and/or pre-construction requirement that would reduce, or eliminate, the potential for future risk or exposure as it relates to hazardous materials and the conditions identified in this assessment. Compliance in association with the hazardous materials (E) Designation on the Development Sites would be conducted under the administration of OER. The applicable text for the (E) Designation to be applied to the Development Sites would be as follows:

Task 1: Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I for 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.

A NTP will be submitted to HPD prior to closing on financing and the provisions detailed above will be required in the Land Disposition Agreement and/or Regulatory Agreement between HPD and the project sponsors. With implementation of these measures, no significant adverse impacts related to hazardous materials would occur during or following construction of the Proposed Development.

Statement of No Significant Effect:

Pursuant to the CEQR rules adopted on June 6, 1991, Executive Order 91, HPD has completed its technical review of an Environmental Assessment Statement (EAS) and has determined that the Proposed Actions will have no significant effect on the quality of the environment.

Supporting Statement:

The measures described above related to hazardous materials and noise will be implemented as part of the Proposed Development through the Land Disposition Agreement and/or Regulatory Agreement(s) between HPD and the project sponsors, Fulcrum Properties, LLC; The Briarwood Organization LLC; and Moses Sole Realty LLC.

The EAS is on file with HPD and available for public review. This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR Part 617.



Anthony Howard
Director, Environmental Planning
Division of Building and Land Development Services (BLDS)
NYC Department of Housing Preservation and Development

May 24, 2024
Date

