Department of
Housing Preservation
& Development
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March 26, 2025

NEGATIVE DECLARATION

Project Identification

Name/Location: **Claremont House**
1640 Anthony Avenue (Block 2888, Lots 23, 21, and parts of Lots 28, 50, 58)
Bronx, New York
Community District 4
CEQR No. 23HPD093X
SEQRA Classification: Unlisted
ULURP Nos.: 250220HAX, 250221ZMX, 250222ZRX

Name and Description of Proposed Action

Claremont House:

The New York City Department of Housing Preservation and Development ("HPD"), on behalf of Claremont House LLC (the "Project Sponsor"), is requesting several discretionary actions (the "Proposed Actions") subject to City Planning Commission ("CPC") approval, to facilitate the development of a new 13-story (130-foot tall) approximately 82,759-gross square foot (gsf) residential building, containing 66 dwelling units (DUs) (the "Proposed Project") at 1640 Anthony Avenue (Bronx Block 2888, Lot 23; the "Project Site") in the Claremont neighborhood of Bronx Community District (CD) 4. The Proposed Project would introduce 65 cooperative housing units, which would be targeted for moderate-income households (i.e., targeting households with incomes between 60 to 80 percent of Area Median Income (AMI)) and one set aside dwelling unit (DU) for a live-in superintendent.

HPD is requesting the following discretionary actions: (1) a zoning map amendment to rezone an approximately 14,688 square foot (sf) portion of Bronx Block 2888, including Lots 21, 23, and parts of 28, 50, and 58 ("Rezoning Area") from R7-1 to R8; (2) a zoning text amendment to map a Mandatory Inclusionary Housing (MIH) Area over the proposed rezoning area; (3) site disposition of City-owned Lot 23 on Block 2888; and (4) Urban Development Action Area (UDAA) designation and Urban Development Action Area Project (UDAAP) approval of Lot 23. In addition to the above actions, the Project Sponsor is seeking discretionary funding, through

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HPD's Open Door program and the New York State Division of Housing and Community Renewal (NYSHCR), to facilitate the proposed affordable housing development.

The Project Site (Block 2888, Lot 23) is located on the east side of Anthony Avenue between Belmont Street to the south and East 173rd Street to the north. The Site measures approximately 10,237 gsf and is currently vacant. The Site is currently owned by the City of New York, under the jurisdiction of the Department of Education. In total, the Proposed Project includes approximately 82,759 gsf of residential floor area and 65 units of affordable cooperative housing (plus one superintendent's unit), which would be targeted for moderate-income households. No parking would be provided as part of the Proposed Project.

The New York City Council adopted the City of Yes for Housing Opportunity 'CHO' on December 5, 2024. The adopted CHO would increase the maximum floor area permitted for affordable housing buildings on the development site. The Project Sponsor does not intend to take advantage of the proposed text amendment as the project has already completed HPD's review process. Any changes in project scope beyond what is currently contemplated would require additional HPD review, including further environmental review of the new proposed development.

Absent the Proposed Actions (the 'No-Action condition'), it is assumed that the vacant and underutilized City-owned lot would remain unchanged. The other lots within the Project Area would also remain unchanged and all existing buildings and uses would remain. Assuming completion of the ULURP process in 2025, and a period of no more than approximately 20-months of construction, completion and occupancy of the Proposed Project is expected to occur by 2028, according to the EAS dated February 4, 2025.

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) dated February 4, 2025 and has determined that the proposed actions will have no significant effect on the quality of the environment.

Supporting Statement:
The above determination is based on an EAS dated February 4, 2025 which finds that the Proposed Action would not have a significant adverse impact on the environment. Reasons supporting these determinations are noted below:

Hazardous Materials:

A Hazardous Materials analysis is included in the EAS. ALC Environmental performed a Phase I Environmental Site Assessment (Phase I) of the Project Site in September 2022, in conformance with the guidelines described in ASTM International's Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process – E1527-13. Based on the Phase I, recognized environmental conditions (RECs) were identified and therefore a detailed Hazardous Materials analysis was warranted.

In May 2024, ALC Environmental prepared a Phase II Environmental Investigation Report (Phase II) in connection with the Proposed Development and submitted to the New York City Department of Environmental Protection ("DEP") for review and approval. In a letter dated July 30, 2024, DEP recommended that the Project Site would require remedial measures which should be monitored through an institutional control. Therefore, an (E) Designation for hazardous materials was placed on the Project 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 through oversight by the Mayor's Office of Environmental Remediation (OER). Further hazardous materials assessments will be coordinated through OER.

On October 2, 2024, the NYC Department of City Planning (DCP) assigned the Project Site (Block 2888, Lot 23) (E) designation, E-809. The requirements for the (E) designation (E-809) for hazardous materials are as follows:

Task 1-Sampling Protocol:

> The applicant submits to OER, for review and approval, a Phase I and Phase II 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 nonpetroleum 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 reviewing sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.
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> Task 2-Remediation Determination and Protocol:
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> 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.
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> 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 so that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and should 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.

With the requirements of the (E) Designation to be met before any construction activity or new development could occur at the Project Site, there would be no impact from the potential presence of Hazardous Materials. The (E) Designation will ensure that testing and remediation will be provided as necessary before any future development and/or soil disturbance at the Project Site. Issuance of the Notice to Proceed (NTP) by OER will be required and provided to HPD prior to closing.

Noise

Since the Proposed Actions would add new sensitive receptors to the site, a noise analysis was conducted to determine the level of building attenuation required. Noise from vehicular traffic on Anthony Avenue resulted in L_{10} values below the 70 dBA CEQR threshold for attenuation. However, the Project Site is adjacent to an existing outdoor play area, which was studied in the noise analysis.

The analysis found that in order to satisfy CEQR Technical Manual standards for interior noise levels, noise attenuation would be required as part of the Proposed Project. The Proposed Project would experience predicted L_{10} play area noise levels of up to 73.9 dBA at the building's western (Anthony Avenue) façade within 50 feet of the play area, and up to 66.8 dBA at the building's western façade beyond 50 feet of the play area. Therefore, a minimum of 31 dBA of composite window/wall attenuation, and an alternate means of ventilation (AMV), will be required at the Project Site for any residential or community facility uses on the southern-facing facade and on any western-facing (Anthony Avenue) frontages within 50 feet of the existing play area at 1638 Anthony Avenue.

The specific attenuation and AMV requirements will be memorialized through the provisions included in the Land Disposition Agreement (LDA) and Regulatory Agreement between HPD and the Project Sponsor. In addition, prior to closing on the land disposition and project financing, HPD would require a professional certification from the Proposed Project's Architect of Record for review and approval. This professional certification should include details on the affected façade construction, including the anticipated window brand/model and acoustical transmission loss ratings verified with an ASTM E-90 testing report. With implementation of the measures outlined above, the Proposed Project would provide sufficient attenuation to achieve the CEQR Technical Manual interior noise level guidelines. Therefore, the Proposed Actions would not result in any significant adverse impacts related to noise.

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.



03.26.25

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Date

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