NYC PLANNING

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Anita Laremont, *Director*
Department of City Planning

Dharminder Singh
c/o Richard Lobel
Sheldon Lobel, PC
18 East 41st Street
New York, NY 10017

Re:	**146-93 Guy Brewer Blvd Rezoning**
CEQR No.	20DCP163Q
ULURP No(s).	200246ZMQ, N200247ZRQ
SEQRA Classification:	Unlisted
Queens Community District:	QN13

Dear Dharminder Singh,

Under City Environmental Quality Review, the lead agency is required to determine whether a proposed action may have a significant adverse impact on the environment. In accordance with this regulation, the City Planning Commission has determined that the proposed action would not have a significant adverse impact on the environment.

Enclosed is the Negative Declaration for CEQR No. 20DCP163Q, 146-93 Guy Brewer Blvd Rezoning, including supporting statements for the finding that the proposed actions would not have a significant adverse impact on the environment. The Negative Declaration was issued on November 1, 2021.

Sincerely,

Stephanie Shellooe, AICP, *Deputy Director*

November 1, 2021
Date

cc: Project File
Anita Laremont, Chair
City Planning Commissioners
Raju Mann, Director, City Council Land Use Division
Donovan Richards, Queens Borough President
Queens Community Board QN13

NEGATIVE DECLARATION

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 actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions 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 not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The applicant requests approval of a zoning map and zoning text amendment to facilitate the development of Block 13354, Lot 12 with an eight-story, 37,475-gross-square-foot (gsf) mixed commercial and residential building (Projected Development Site 1)) in the Springfield Gardens neighborhood of Queens, Community District 13. The zoning map amendment would rezone Block 13354, Lots 12, 19, 21, 22, 23, and p/o Lots 10 and 25 (the Affected Area) from an R3-2 zoning district to an R6A/C2-2 zoning district. The zoning text amendment to Appendix F would establish an area coterminous with the rezoning area as a Mandatory Inclusionary Housing (MIH) area. The Proposed Actions would also facilitate development on one non-Applicant owned site, with and eight-story, 35,556 gsf mixed commercial and residential building, located on Block 13354, Lots 19, 21, 22 and 23 (Projected Development Site 2). The proposed action would establish medium-density mixed-use residential districts that would mandate provision of a substantial amount of affordable housing. The proposed action would not introduce new uses that differ from the surrounding area, nor would the uses be incompatible with surrounding uses. The development resulting from the proposed action would not result in significant adverse impacts; therefore, no further analysis is required.

Open Space

A detailed analysis related to open space is included in this EAS. Under the existing, No-Action, and With-Action conditions, the OSR in the area would be 4.48 acres per 1,000 residents, well above 1.5 acres per thousand residents, which is the citywide average. Per the CEQR Technical Manual, projects that exceed the 1.5 acres per thousand resident threshold would not be expected to have significant adverse impacts if they reduce the OSR by less than 5 percent. The Proposed Actions would reduce the OSR by 4.1 percent, which is below thresholds requiring further analysis, and further assessment is not required and no significant adverse impacts would occur.

Shadows

A detailed analysis related to shadows is included in this EAS. The analysis shows that the Proposed Actions would cast shadows on a sunlight sensitive open space resource, P.S. 52 Playground (Block 13353, Lot 20; Resource 1) for a duration of up to 8 hours and 22 minutes on the March/September analysis day. The shadows would affect a narrow ribbon area at its southern boundary, which is mainly a grass patch and benches. Since the shadows cast by the Proposed Development buildings would be constantly moving across the narrow ribbon area throughout the day, the use of the benches and the growth of the grass are not expected to be significantly impacted by the project-induced shadows in March/September. In addition, other areas within the playground with access to direct sunlight for the whole day contain benches that would provide sufficient opportunities for using the outdoor space with access to sunlight in March/September. Therefore, no adverse impact is expected on the Vegetation or Open Space Utilization of the playground on any analysis day and no further analysis is warranted.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-646) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

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). Should you have any questions pertaining to this Negative Declaration, you may contact Stephanie Shellooe at +1 212-720-3328.

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME	DATE
Stephanie Shellooe, AICP	October 29, 2021
SIGNATURE	

Project Name: 146-93 Guy Brewer Blvd Rezoning
CEQR # 20DCP163Q
SEQRA Classification: Unlisted

TITLE Chair, City Planning Commission	
NAME Anita Laremont	DATE November 1, 2021
SIGNATURE 	

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Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	Block 13354, Lot 12
Projected Development Site 2	Queens	Block 13354, Lots 19, 21, 22 and 23

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-646**) would be established as part of approval of the proposed actions on **Projected Development Site 1 and Projected Development Site 2** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1 and 2** for hazardous materials would apply 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.

Air Quality

The (E) designation requirements for air quality would apply as follows:

***Block 13354, Lot 12 (Projected Development Site 1**): Any new residential/commercial development on the above-referenced property must ensure that the heating, ventilation, and air conditioning (HVAC) system and hot water equipment stack is located at the building's highest level and at a minimum of 88 feet above grade to avoid any potential significant adverse air quality impacts.*

***Block 13354, Lots 19, 21, 22, 23 (Projected Development Site 2):** Any new residential/commercial development on the above-referenced property must ensure that the heating, ventilating, air conditioning (HVAC) system, and hot water equipment stack is located at the building's highest level and at least 88 feet above grade, and is at least 20 feet from the southern lot line facing 147th Avenue, to avoid any potential significant adverse air quality impacts.*

Noise

The (E) designation requirements for noise would apply as follows:

***Block 13354, Lot 12 (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 31 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 13354, Lots 19, 21, 22, and 23 (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 31 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.*