Kew Gardens Hills Rezoning

Community Board 8
Queens, NY

CEQR #19DCP089Q

April 19, 2019

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME Kew Gardens Hills Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
19DCP089Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
190299ZMQ, 190301ZRQ	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			Queens Community Board 8		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader			Hiram A Rothkrug, Environmental Studies Corp		
ADDRESS 120 Broadway			ADDRESS 55 Water Mill Road		
CITY New York	STATE NY	ZIP 10271	CITY Great Neck	STATE NY	ZIP 11021
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 718-343-0025	EMAIL hrothkrug@environmentalstudiescorp.com	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): changes in the allowable uses within a zoning district, affecting 25 or more acres

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☐ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☒ GENERIC ACTION

4. *Project Description*

The Applicant, Queens Community Board 8, seeks a zoning map amendment from an R2 zoning disrict to an R2X zoning district, as well as a zoning text amendment to allow R2X zoning districts to be mapped within the Rezoning Area (the "Proposed Actions") in the Kew Gardens Hills section of Queens Community District 8. The Proposed Actions would rezone two separate areas (Area A and Area B) made up of 16 blocks, 377 lots (the "Rezoning Area"). Area A includes 283 lots and is bounded by Main Street, 72nd Road, Park Drive East and 77th Avenue. Area B includes 94 lots and is bounded by Vleigh Place, 78th Road, Park Drive East and Union Turnpike. The Proposed Actions would facilitate the continuation of the exisitng residential single-family character of the neighborhood, while allowing enlarged footprints and providing height restrictions to the exisitng homes. No specific development has been proposed.

Project Location

BOROUGH	COMMUNITY DISTRICT(S)	STREET ADDRESS
Queens	8	See Appendix A
TAX BLOCK(S) AND LOT(S) See Appendix A		ZIP CODE 11367

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Area A: Main Street, 72nd Road, Park Drive East and 77th Avenue. Area B: Vleigh Place, 78th Road, Park Drive East and Union Turnpike.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY	ZONING SECTIONAL MAP NUMBER
R2	14a and 14c

5. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☐ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO
☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)
☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

6. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)
Total directly affected area (sq. ft.): 1,821,331 total rezoning area
Waterbody area (sq. ft.) and type:
Roads, buildings, and other paved surfaces (sq. ft.):
Other, describe (sq. ft.):

7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): No specific development proposed, varies by development site
NUMBER OF BUILDINGS: 264
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): varies
HEIGHT OF EACH BUILDING (ft.): varies
NUMBER OF STORIES OF EACH BUILDING: varies

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 0
The total square feet not owned or controlled by the applicant: 1,821,331 total rezoning area

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length)
VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2034

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: varies

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO IF MULTIPLE PHASES, HOW MANY? varies

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)
☒ RESIDENTIAL ☐ MANUFACTURING ☐ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures	1-2 family homes	1-2 family homes	1-2 family homes	
No. of dwelling units	264	264	264	0
No. of low- to moderate-income units	0	0	0	0
Gross floor area (sq. ft.)	476,492	476,492	1,195,385	718,893* (*Individual expansions of exisitng homes ranging from 114 gsf to 9,573 gsf are projected to occur as result of the proposed rezoning, but would not facilitate an increase in residential units.)
Commercial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type (retail, office, other)				
Gross floor area (sq. ft.)				
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type	medical/religious	medical/religious	medical/religious	
Gross floor area (sq. ft.)	3,324	3,324	3,324	0
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Operating hours				
Other (includes street parking)	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," describe:	1 off-street space/lot	1 off-street space/lot	1 off-street space/lot	
POPULATION				
Residents	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify number:	913	913	913	0
Briefly explain how the number of residents was calculated:	average family size 3.46 for Kew Gardens Hills (NYCDCP Population Fact Finder)			
Businesses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. and type				
No. and type of workers by business				
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:				
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	R2	R2	R2X	
Maximum amount of floor area that can be developed	590,577	590,577	1,204,777	614,200
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Res R4, R4-1, R4B, R3-2, R2; Comm C1-2	Res R4, R4-1, R4B, R3-2, R2; Comm C1-2	Res R4, R4-1, R4B, R3-2, R2; Comm C1-2	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☐
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	☐	☐

	YES	NO
enhance, or otherwise protect it?		
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☒	☐
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☒
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☐
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
○ If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5	☐	☐

	YES	NO
percent?		
○ If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☐
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year.		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10.		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Attached	☐	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒

	YES	NO
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week):		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs):		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☐	☒
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☒
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-	☐	☒

	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☐	☒
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Kathleen M Feeney		4/19/18

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project 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? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Acting Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Olga Abinader	4/19/2019

SIGNATURE

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 project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

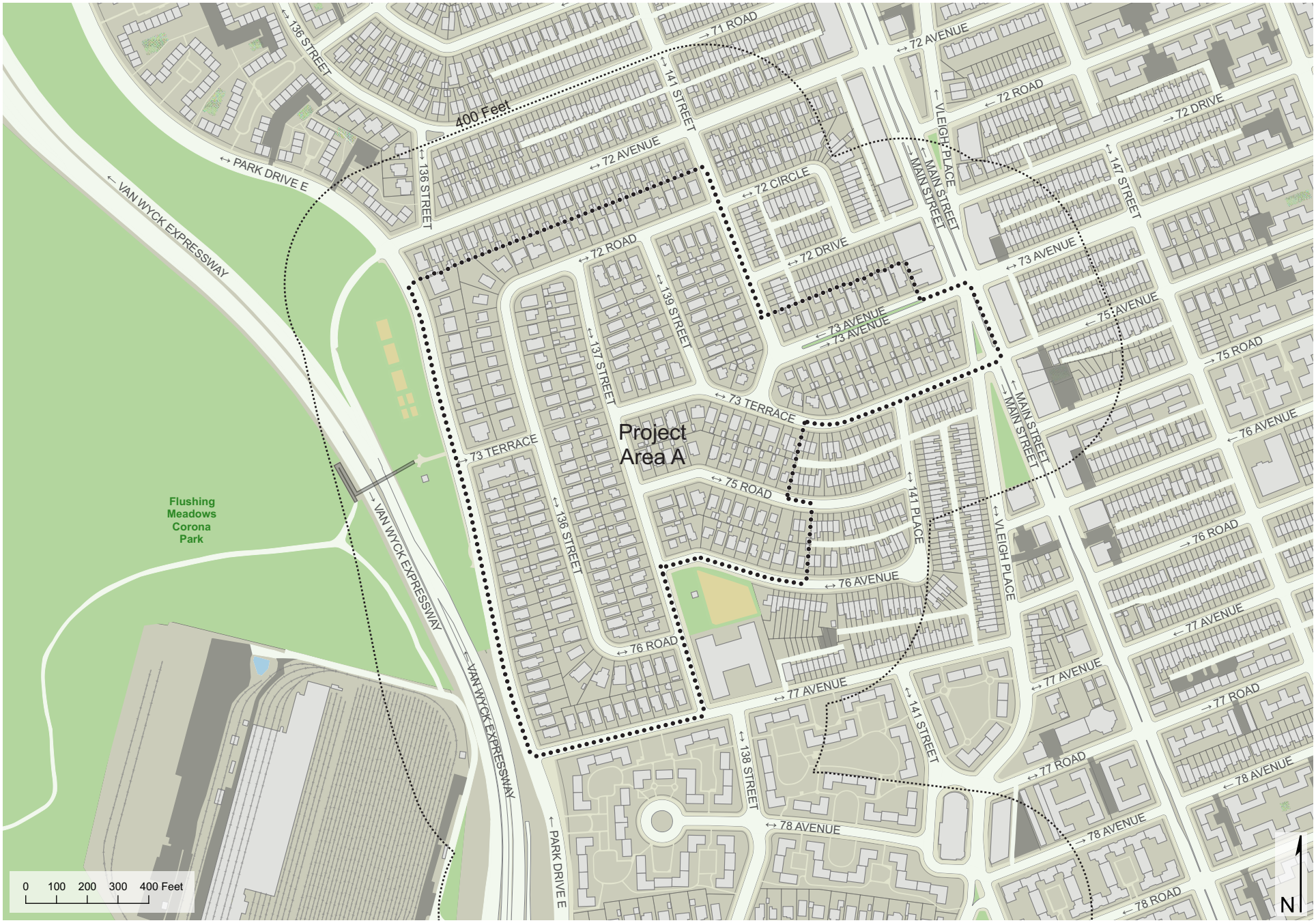
The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

The EAS includes a detailed Land Use, Zoning and Public Policy section. The analysis concludes that the proposed rezoning from R2 to R2X would not result in significant adverse impacts related to land use, zoning, or public policy. The proposed actions would facilitate an increase in allowable residential floor area from 0.5 FAR for the existing R2 zoning district to 1.02 (with attic allowance) FAR for the proposed R2X zoning district. The proposed zoning would permit the enlargement of residential building footprints while maintaining the single-family residential character of the neighborhood. Under the proposed rezoning, permitted Use Groups, community facility FAR, front yard requirements, and parking requirements would remain unchanged. As such, the proposed actions would not generate new land uses that would be incompatible with existing land uses within the study area. The analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed actions.

TITLE	LEAD AGENCY
Acting Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE 4/19/2019
SIGNATURE	

TITLE	
Chair, City Planning Commission	
NAME Marisa Lago	DATE 4/22/2019
SIGNATURE	


Project Area A
400 Feet
Flushing Meadows Corona Park
VAN WYCK EXPRESSWAY
PARK DRIVE E
136 STREET
141 STREET
71 ROAD
72 AVENUE
72 ROAD
72 DRIVE
72 CIRCLE
VLEIGH PLACE
MAIN STREET
73 AVENUE
75 AVENUE
75 ROAD
73 TERRACE
139 STREET
137 STREET
141 PLACE
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76 ROAD
77 AVENUE
77 ROAD
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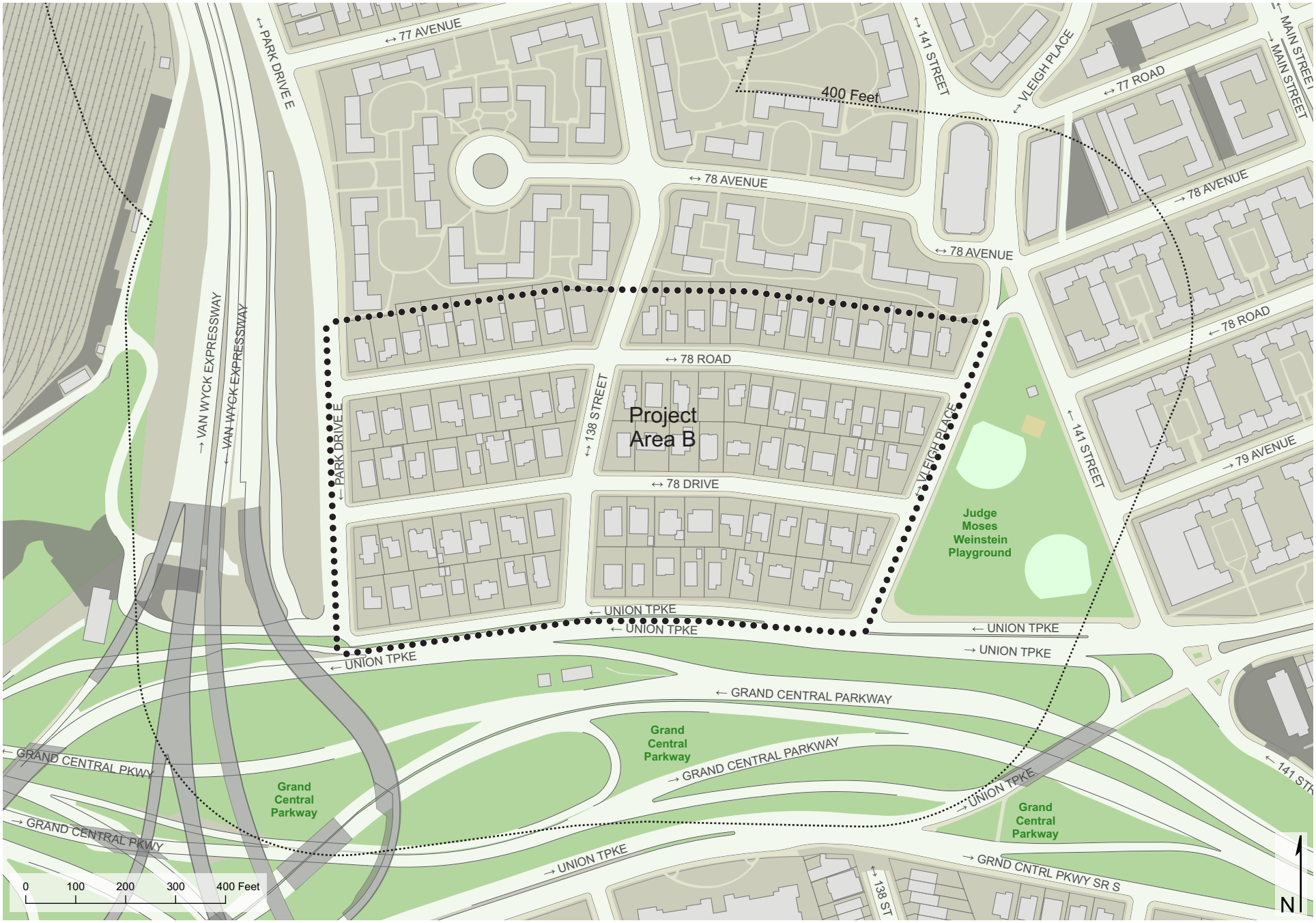
138 STREET
0 100 200 300 400 Feet
N


400 Feet
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↔ 77 AVENUE
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↔ 141 STREET
VLEIGH PLACE
↔ 77 ROAD
→ MAIN STREET
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→ 78 AVENUE
← 78 AVENUE
← 78 ROAD
↔ 78 ROAD
→ VAN WYCK EXPRESSWAY
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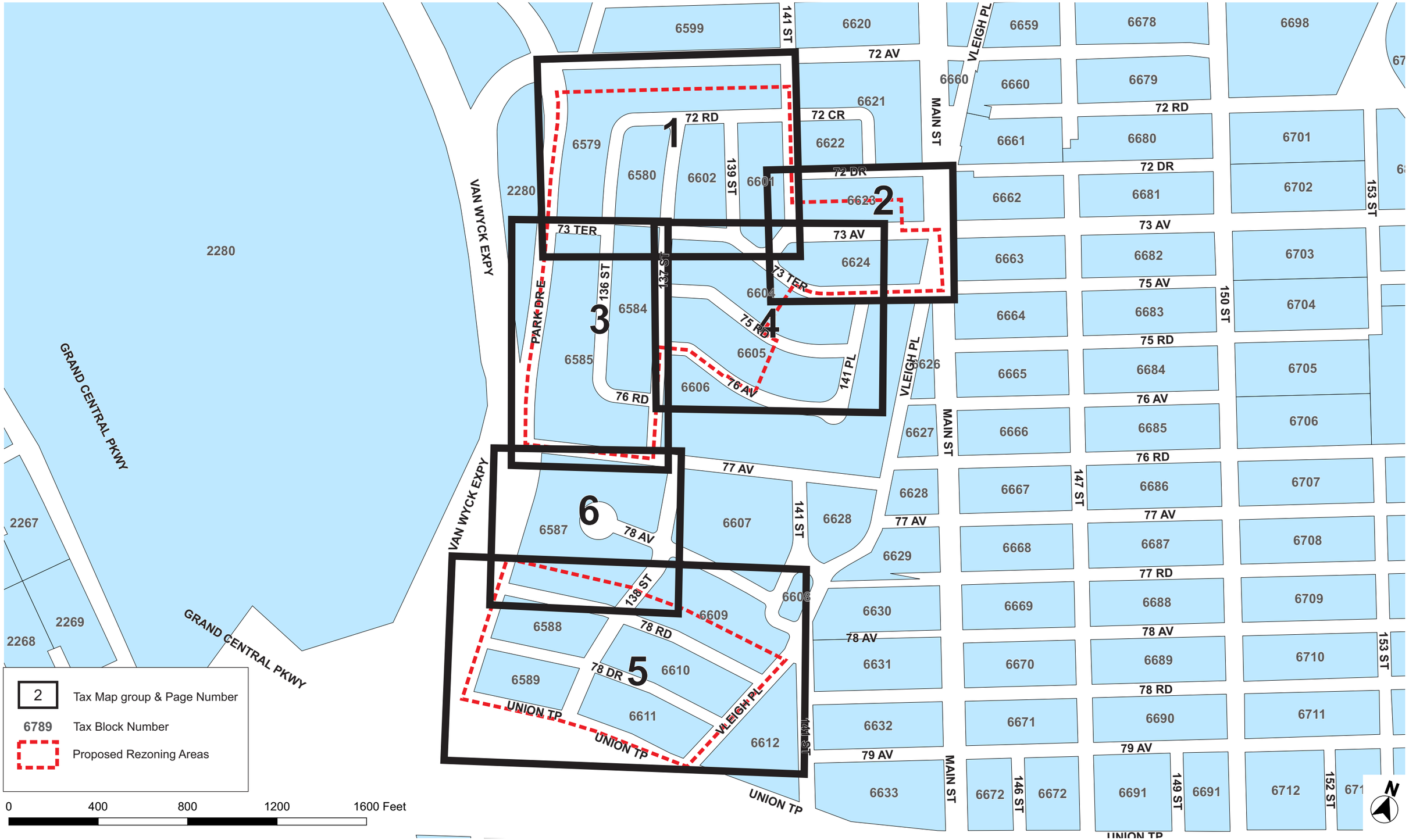
→ UNION TPKE
Grand Central Parkway
→ GRAND CENTRAL PKWY
Grand Central Parkway
→ UNION TPKE
→ GRND CNTRL PKWY SR S
↔ 138 ST
0 100 200 300 400 Feet
N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2
3
4
5
6
2
Tax Map group & Page Number
6789
Tax Block Number
Proposed Rezoning Areas
0
400
800
1200
1600 Feet
N
VAN WYCK EXPY
GRAND CENTRAL PKWY
MAIN ST
VLEIGH PL
PARK DR E
72 AV
72 RD
72 CR
72 DR
73 TER
73 AV
75 RD
75 AV
76 RD
76 AV
77 AV
77 RD
78 AV
78 RD
78 DR
79 AV
UNION TP
136 ST
137 ST
138 ST
139 ST
141 ST
141 PL
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6711
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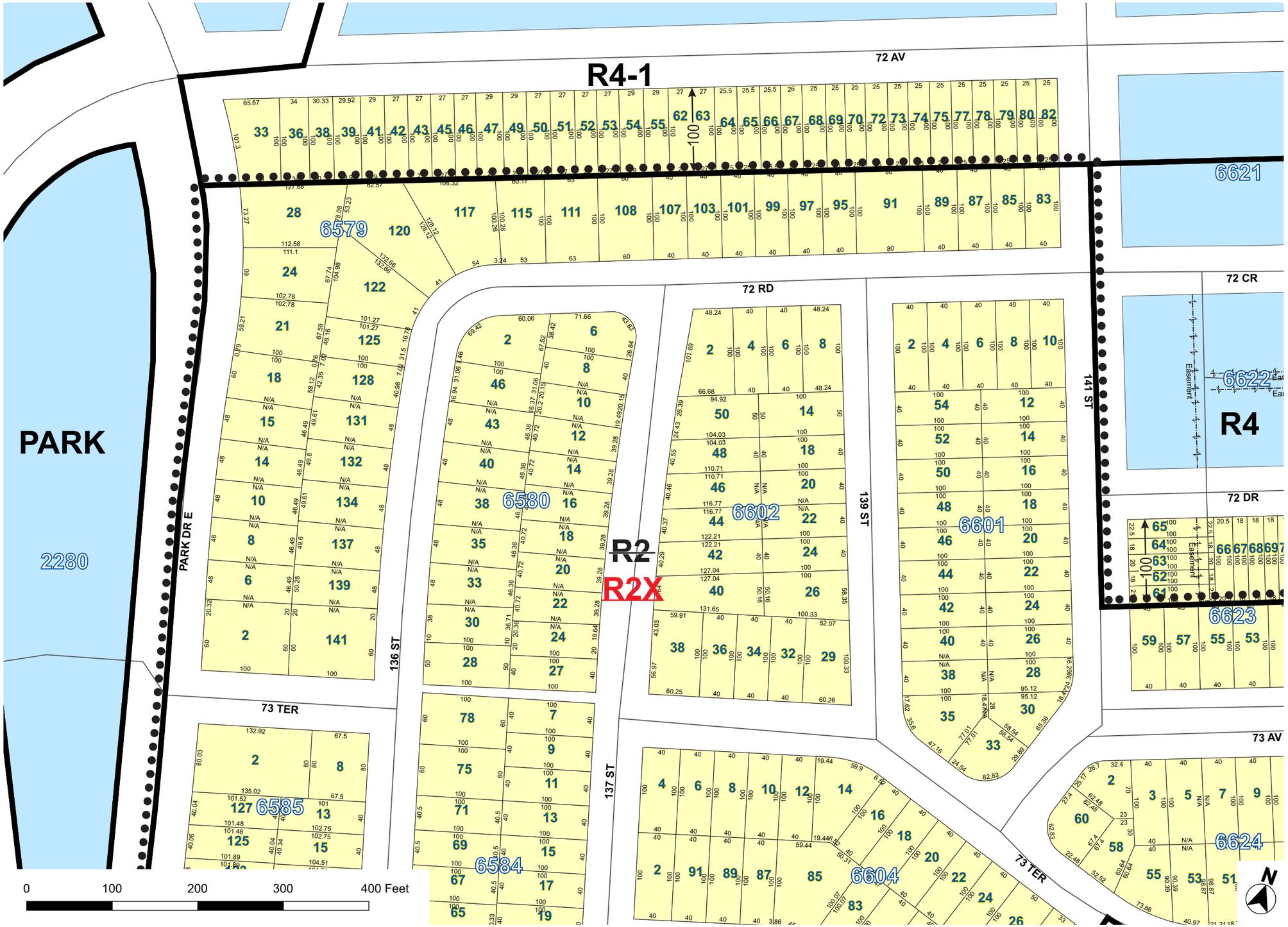
Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- 6789 Tax Block Number
- 123 Tax Lot Number
- Zoning District Line
- Area Proposed to be Rezoned
- R2 Existing Zoning District labels
- ~~R2~~ Zoning District Proposed to be Eliminated
- R2X Proposed Zoning District
- Existing C1-2 Overlay



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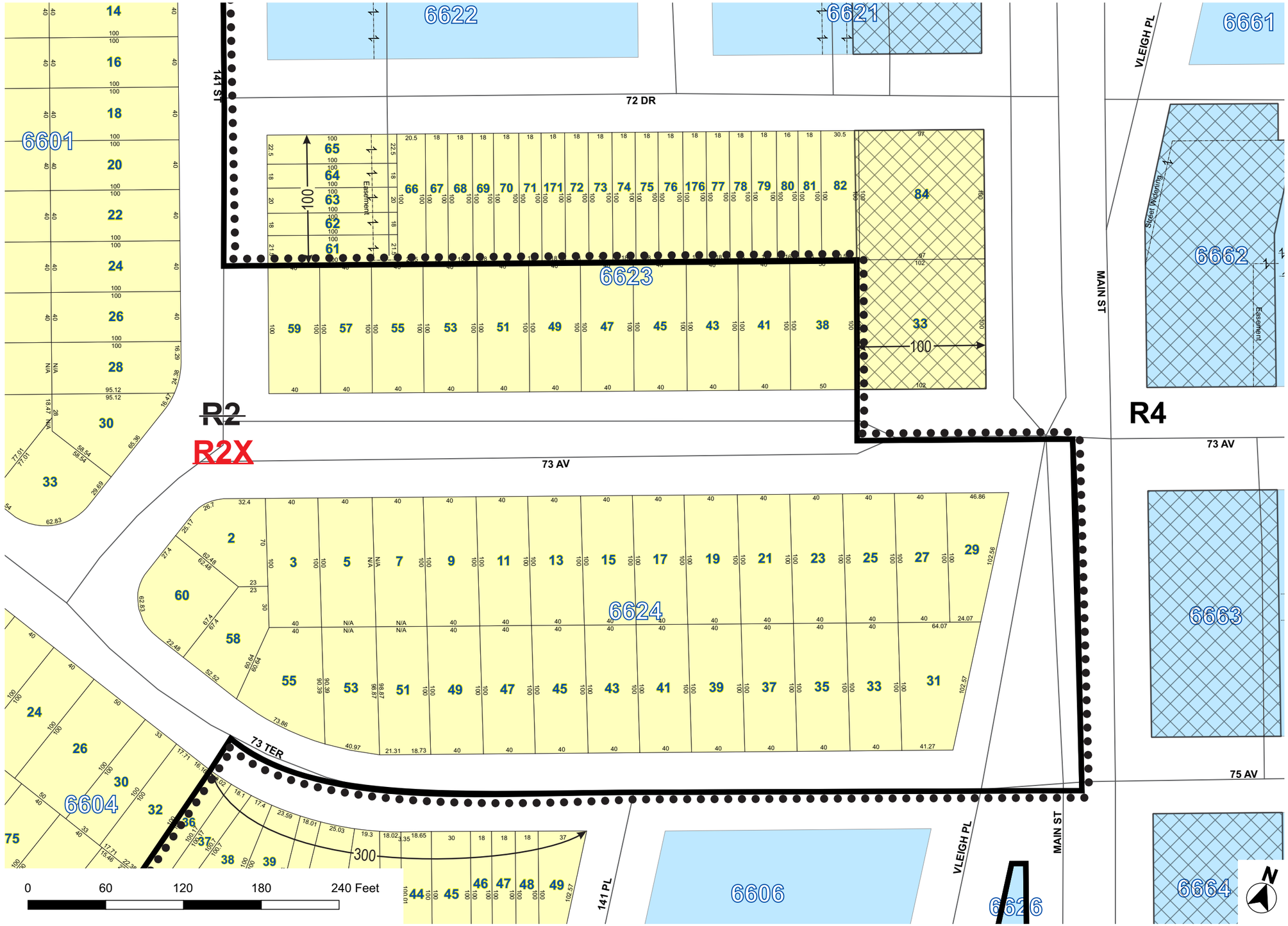

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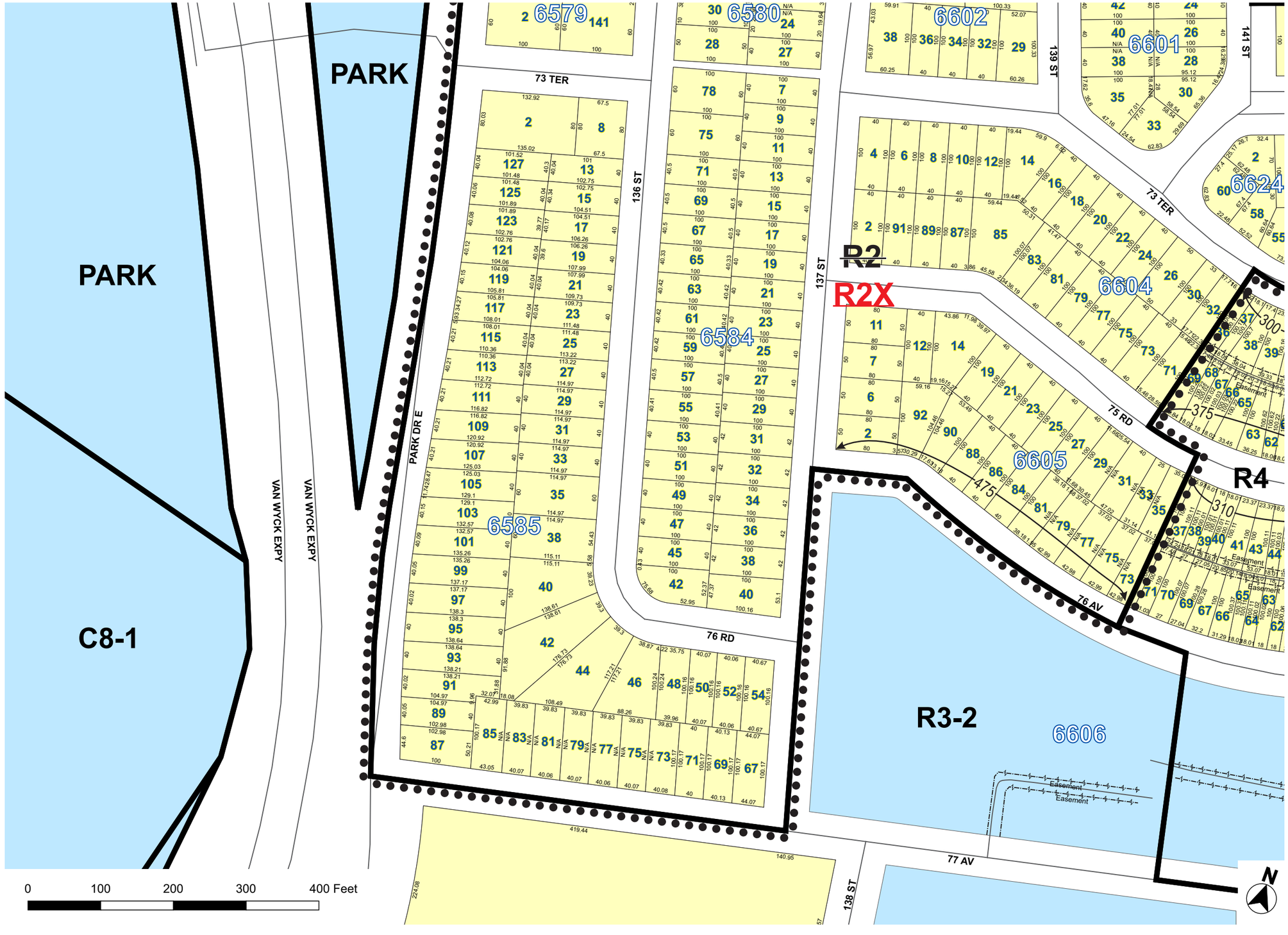

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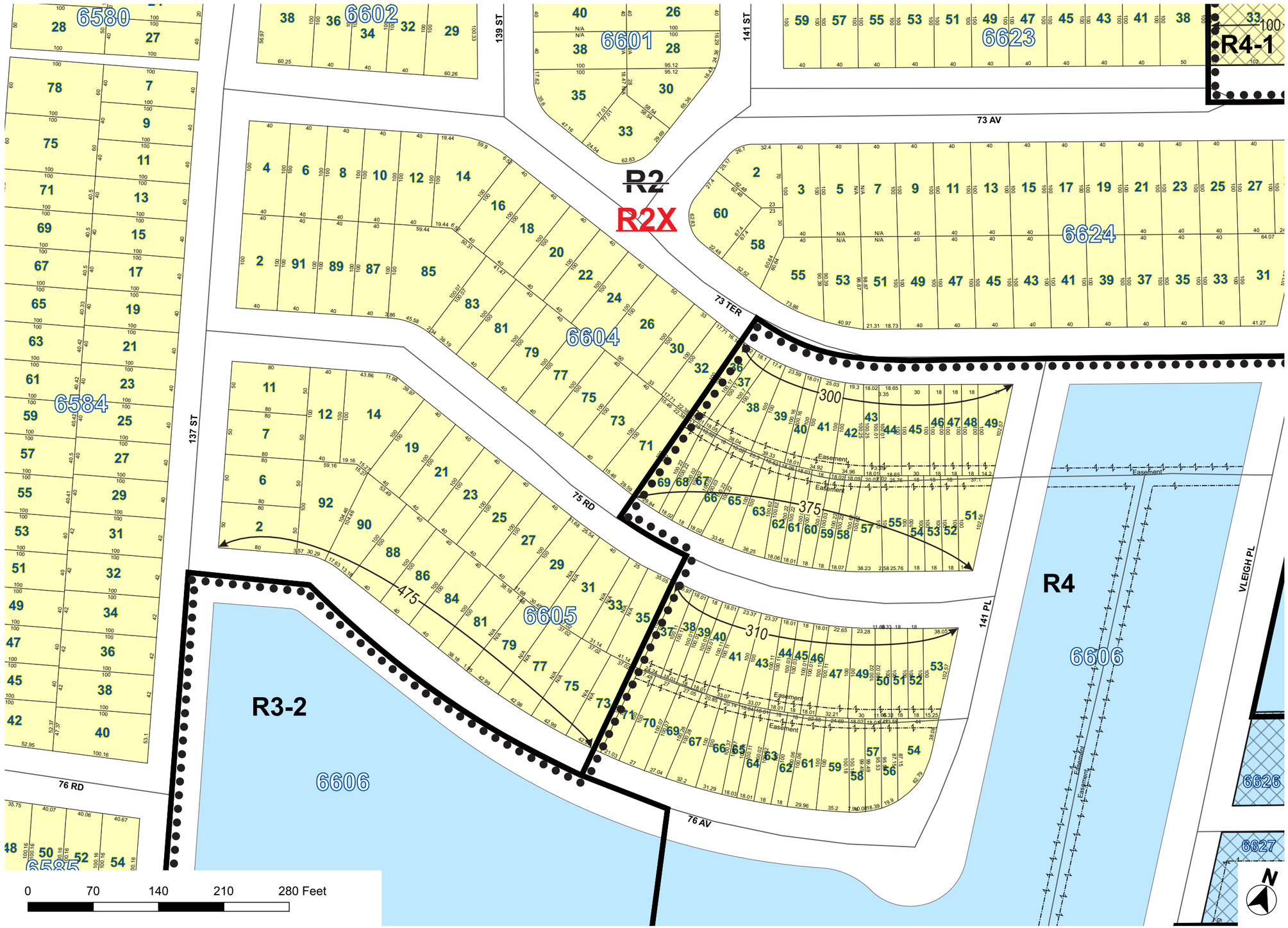

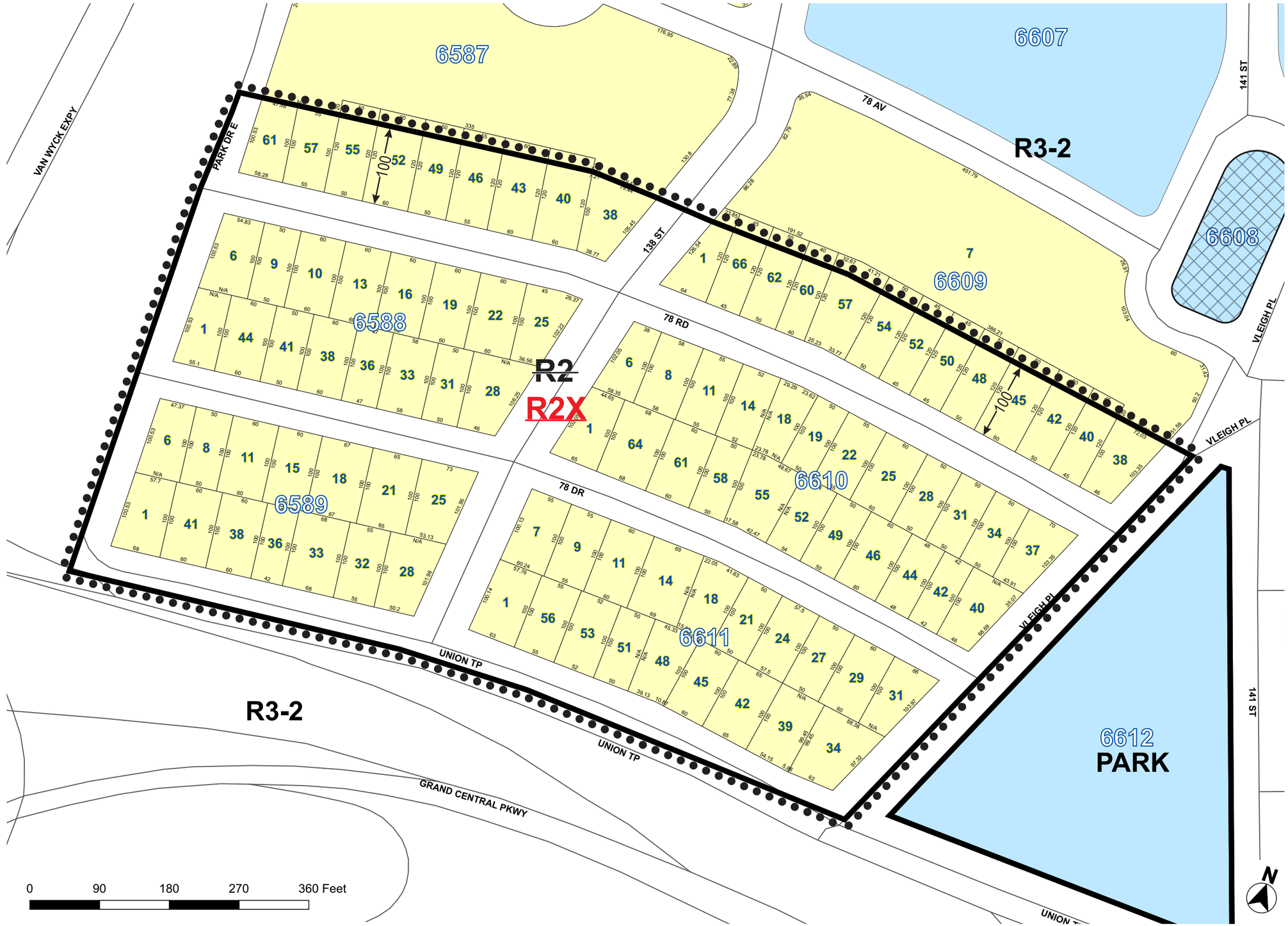

Legend

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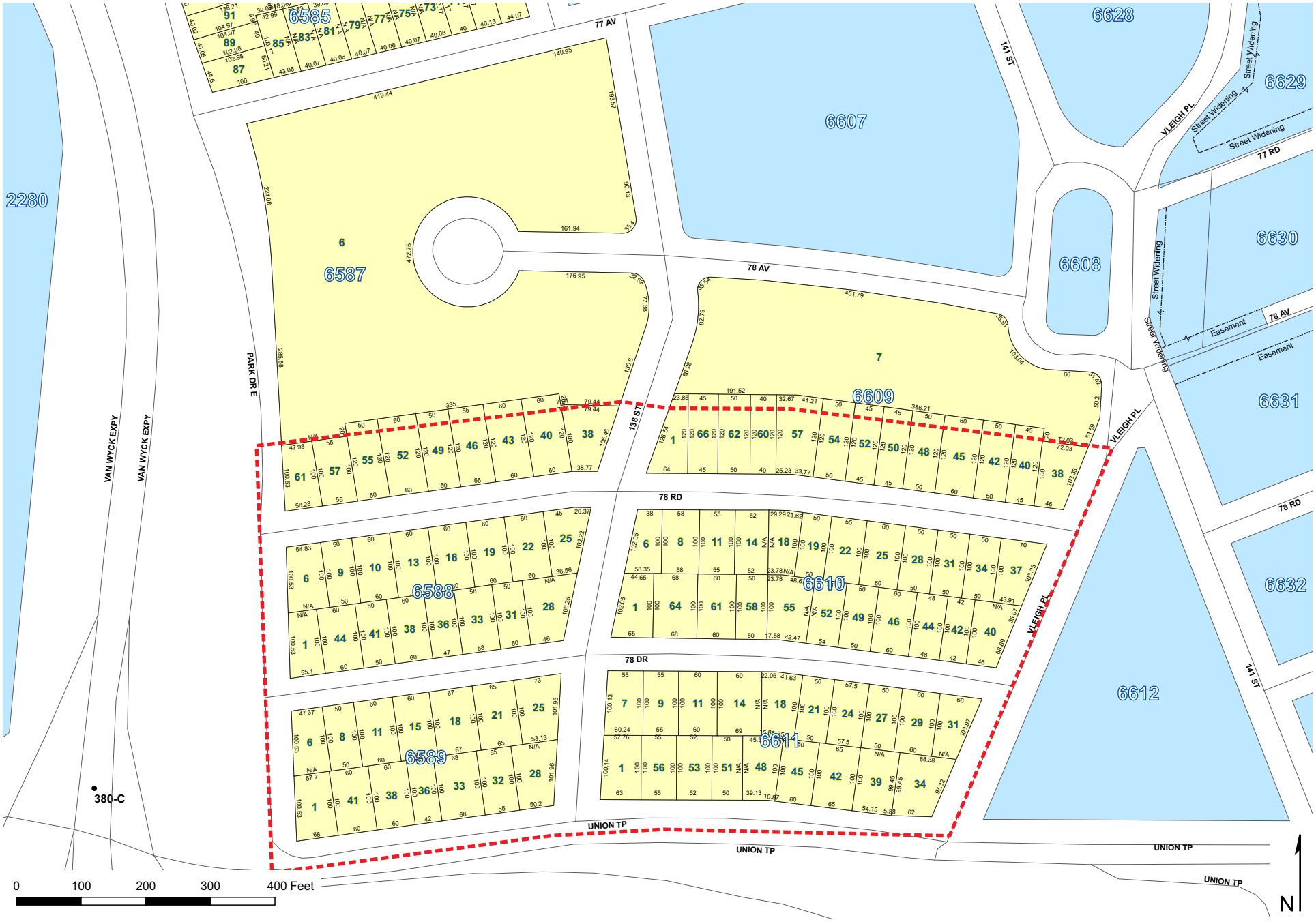
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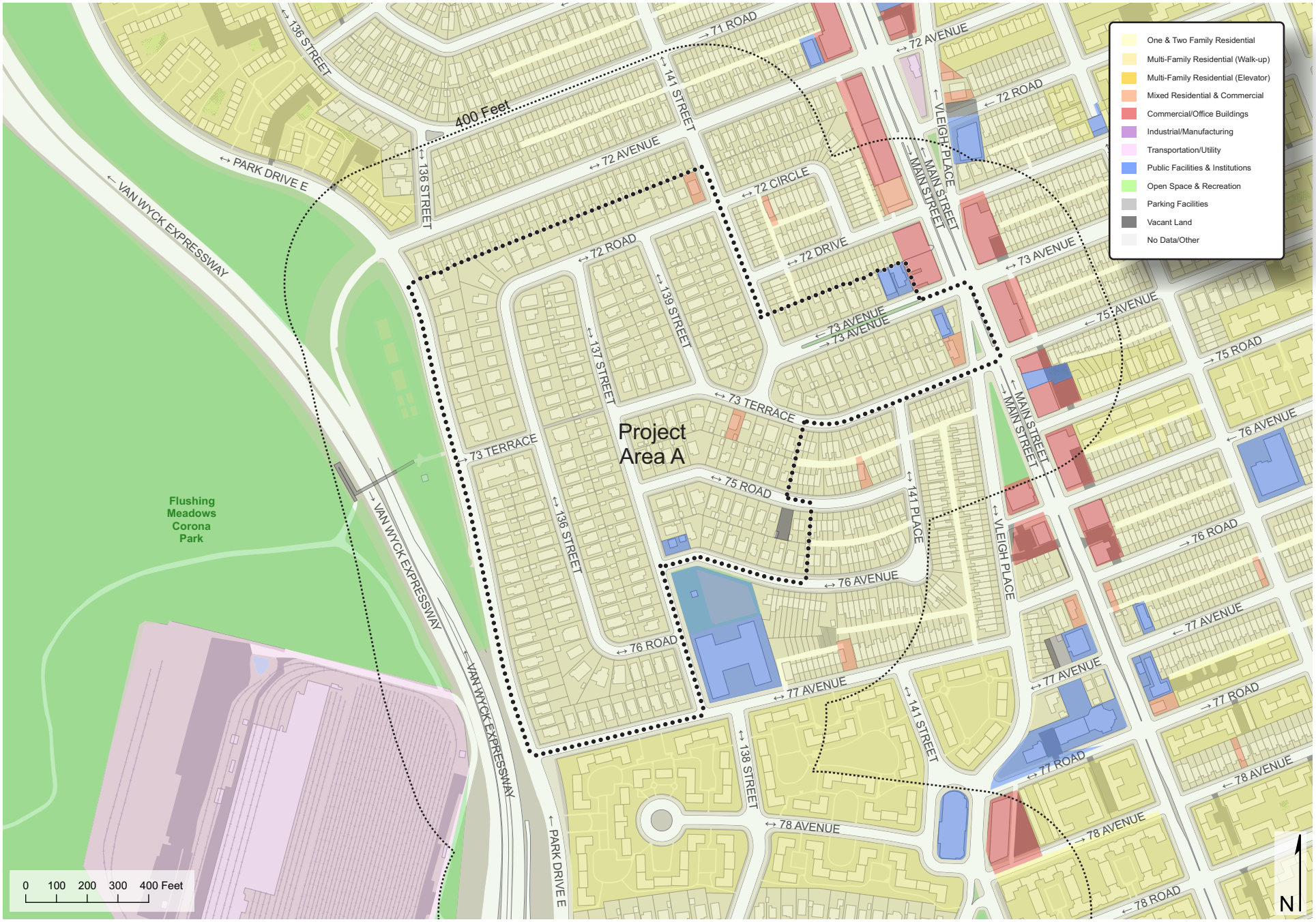
One & Two Family Residential
Multi-Family Residential (Walk-up)
Multi-Family Residential (Elevator)
Mixed Residential & Commercial
Commercial/Office Buildings
Industrial/Manufacturing
Transportation/Utility
Public Facilities & Institutions
Open Space & Recreation
Parking Facilities
Vacant Land
No Data/Other
400 Feet
Project Area A
Flushing Meadows Corona Park
VAN WYCK EXPRESSWAY
PARK DRIVE E
136 STREET
137 STREET
138 STREET
139 STREET
141 STREET
141 PLACE
VLEIGH PLACE
MAIN STREET
71 ROAD
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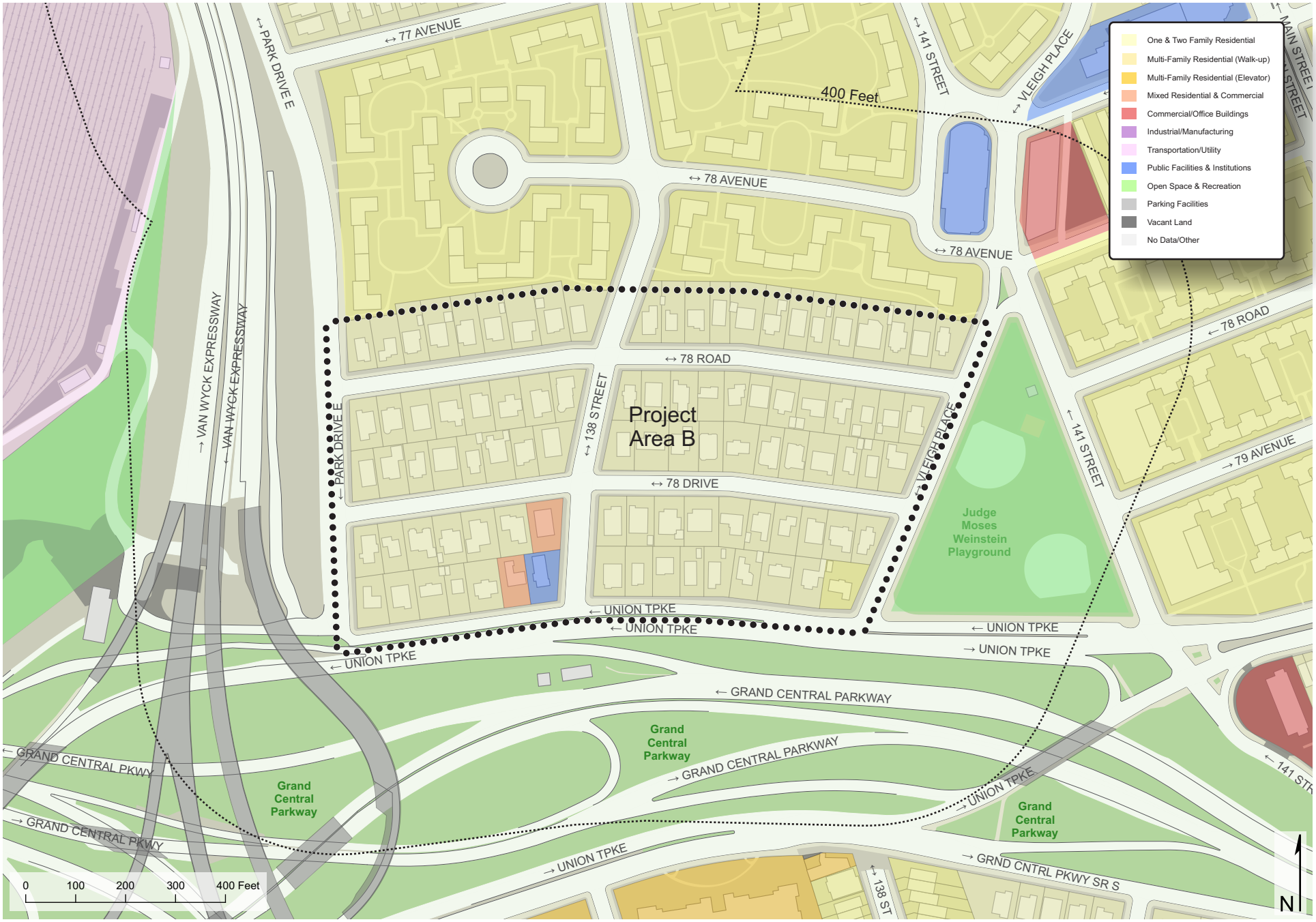
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Multi-Family Residential (Walk-up)
Multi-Family Residential (Elevator)
Mixed Residential & Commercial
Commercial/Office Buildings
Industrial/Manufacturing
Transportation/Utility
Public Facilities & Institutions
Open Space & Recreation
Parking Facilities
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Project Area B
↔ 77 AVENUE
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↔ 78 ROAD
↔ 78 DRIVE
↔ PARK DRIVE E
↔ 138 STREET
↔ 141 STREET
↔ VLEIGH PLACE
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← VAN WYCK EXPRESSWAY
→ VAN WYCK EXPRESSWAY
← 78 ROAD
→ 79 AVENUE
Judge Moses Weinstein Playground
← UNION TPKE
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← GRAND CENTRAL PARKWAY
→ GRAND CENTRAL PARKWAY
← GRAND CENTRAL PKWY
→ GRAND CENTRAL PKWY
Grand Central Parkway
→ GRND CNTRL PKWY SR S
0 100 200 300 400 Feet
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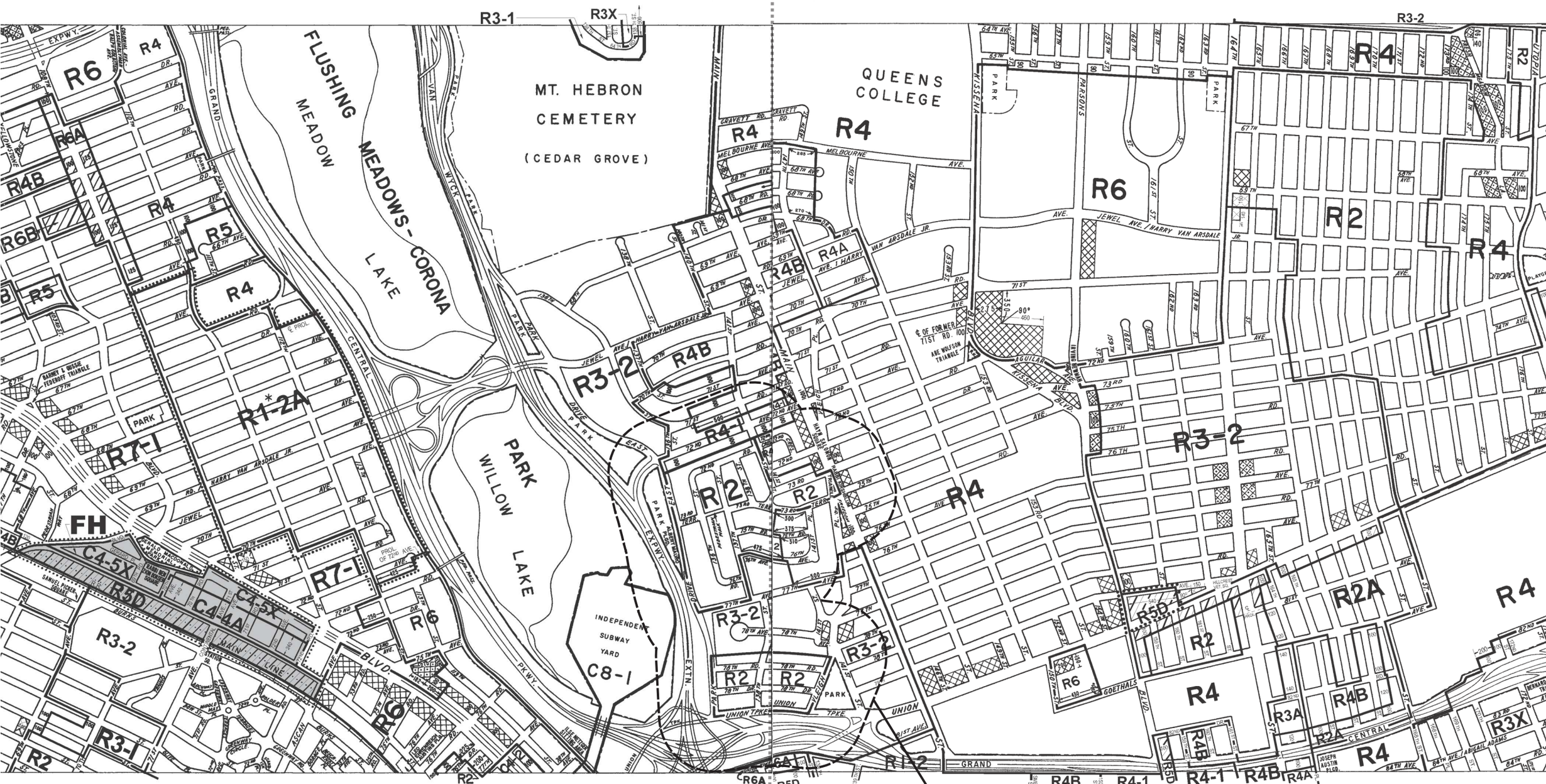
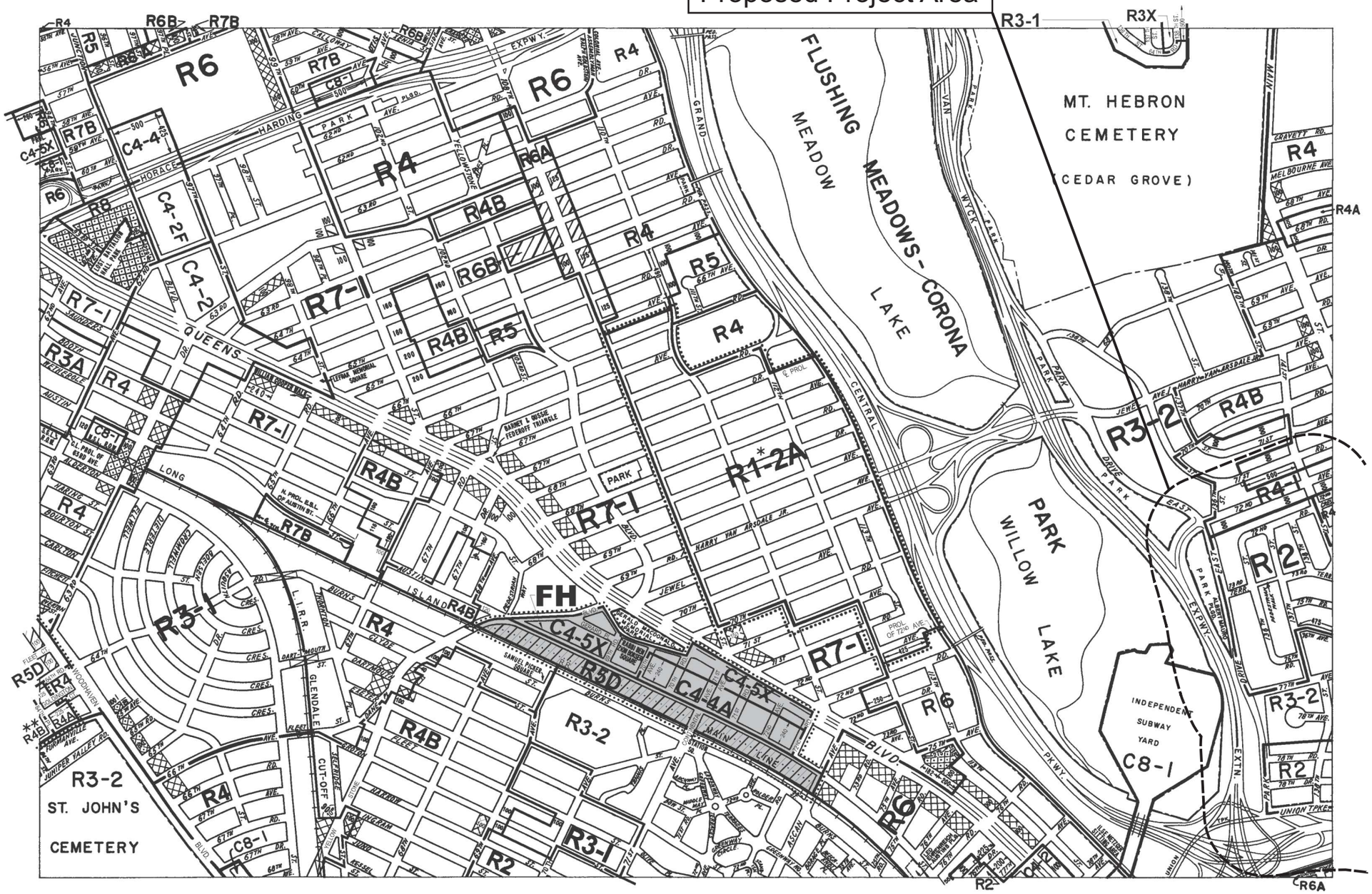
Kew Gardens Hills, Queens

Map 14a Map 14c



Kew Gardens Hills, Queens

Proposed Project Area



600 0 600 1200 1800 FEET

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an **R**, **C** or **M** District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

** 07-29-2009 C 090382 ZMQ
* 06-30-2009 C 090283 ZMQ
03-24-2009 C 090104 ZMQ

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

MAP KEY

N

9d	10b	10d
13c	**14a**	14c
13d	14b	14d

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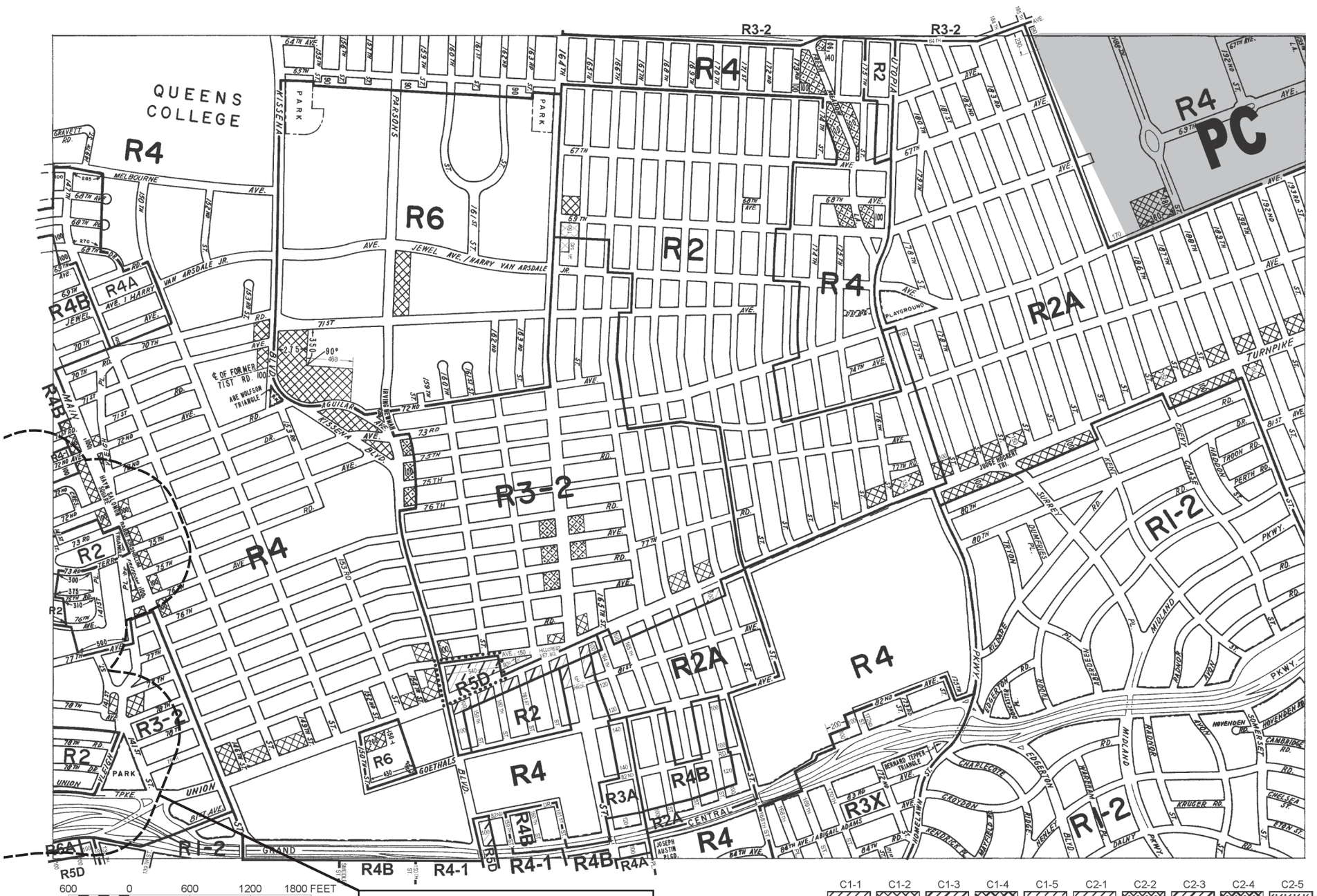
ZONING MAP **14a**

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.

Kew Gardens Hills, Queens



C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an **R**, **C** or **M** District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

03-12-2014 C 120178 ZMQ

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

MAP KEY

N

10b	10d	11b
14a	**14c**	15a
14b	14d	15b

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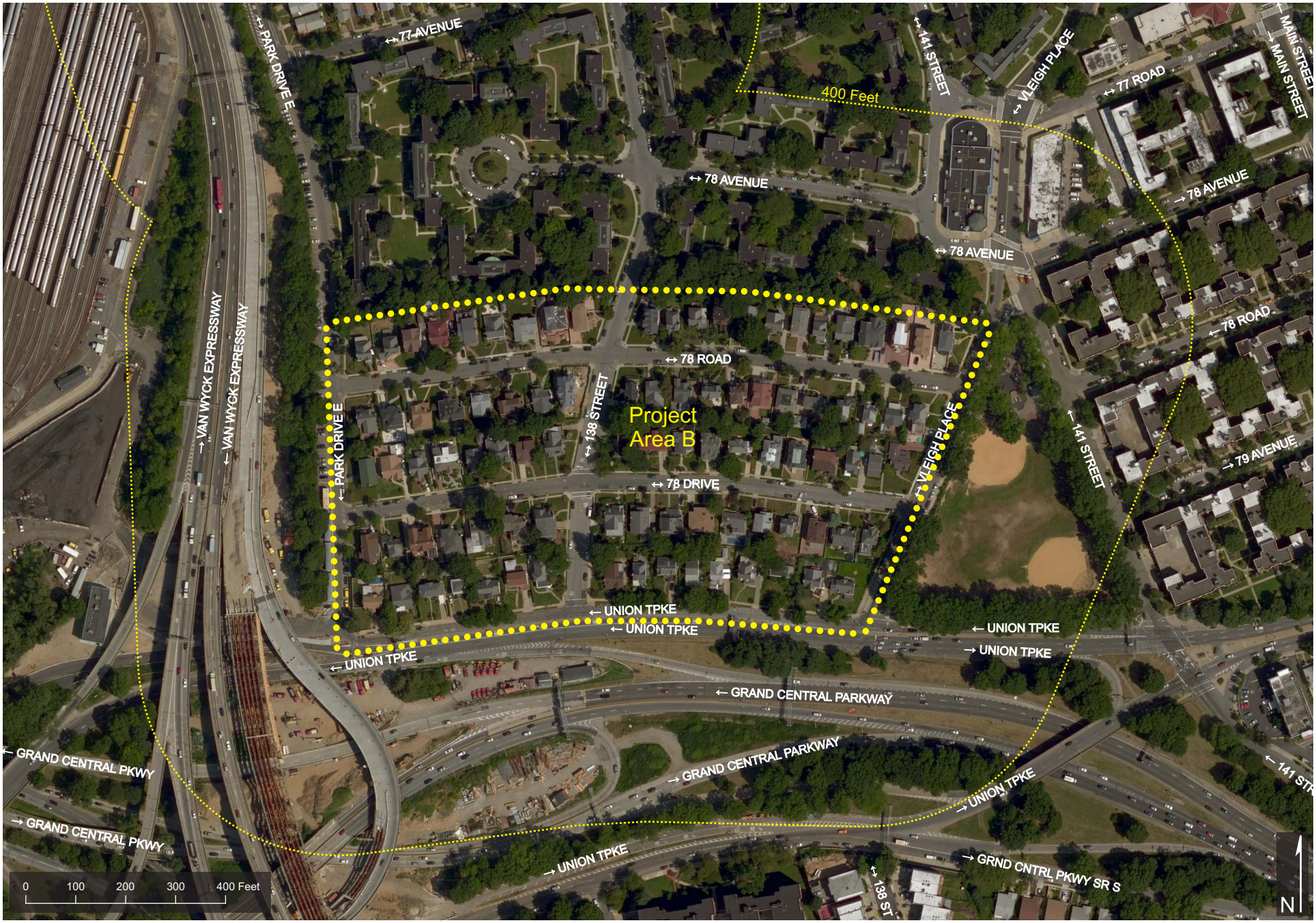
ZONING MAP **14C**

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.


Project Area A
400 Feet
136 STREET
PARK DRIVE E
VAN WYCK EXPRESSWAY
71 ROAD
72 AVENUE
141 STREET
72 ROAD
72 DRIVE
VLEIGH PLACE
MAIN STREET
147 STREET
72 CIRCLE
72 ROAD
139 STREET
72 DRIVE
73 AVENUE
75 AVENUE
73 AVENUE
73 AVENUE
137 STREET
75 ROAD
73 TERRACE
MAIN STREET
73 TERRACE
76 AVENUE
75 ROAD
136 STREET
141 PLACE
VLEIGH PLACE
76 ROAD
VAN WYCK EXPRESSWAY
76 AVENUE
77 AVENUE
76 ROAD
VAN WYCK EXPRESSWAY
77 AVENUE
77 AVENUE
141 STREET
77 ROAD
138 STREET
77 ROAD
78 AVENUE
PARK DRIVE E
78 AVENUE
78 ROAD
0 100 200 300 400 Feet
N


Project Area B
400 Feet
77 AVENUE
78 AVENUE
78 ROAD
78 DRIVE
79 AVENUE
PARK DRIVE E
VAN WYCK EXPRESSWAY
138 STREET
141 STREET
VLEIGH PLACE
77 ROAD
MAIN STREET
UNION TPKE
GRAND CENTRAL PARKWAY
GRAND CENTRAL PKWY
GRND CNTRL PKWY SR S
138 ST
0 100 200 300 400 Feet
N



1. View of 137-36 75th Road.



2. View of 73-43 136th Street.



3. View of 73-74 136th Street.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.



4. View of of 141-23 73rd Avenue.



5. View of 72-11 137th Street.



6. View of 72-11 139th Street.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.



7. View of 72-32 136th Street.



8. View of 72-38 137th Street.



9. View of 137-20 73rd Terrace.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.



10. View of Park Drive East facing southeast from 73rd Terrace.



11. View of 73rd Terrace facing east from Park Drive East.



12. View of 72nd Road facing east from 136th Street.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.



13. View of 75th Road facing southeast between 137th Street and 141st Place.



14. View of 73rd Terrace facing northwest from 141st Street.



15. View of 141st Street facing south from 72nd Road.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.



16. View of 136th Street facing north from 76th Road.



17. View of 136th Street facing south from 73rd Terrace.



18. View of 73rd Avenue facing east from 141st Street.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.



19. View of 141-39 73rd Avenue.



20. View of 141-43 73rd Avenue.



21. View of 141-56 73rd Avenue.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.



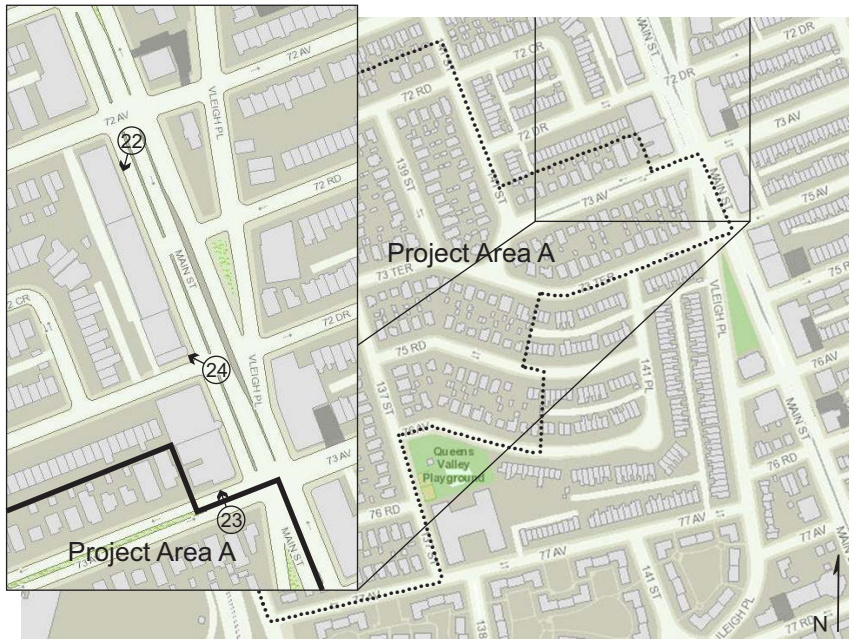
22. View of retail along Main Street facing southwest from 72nd Avenue.



23. View of retail along 73rd Avenue facing north, to the west of Main Street.



24. View of retail along Main Street facing northwest from 72nd Drive.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.



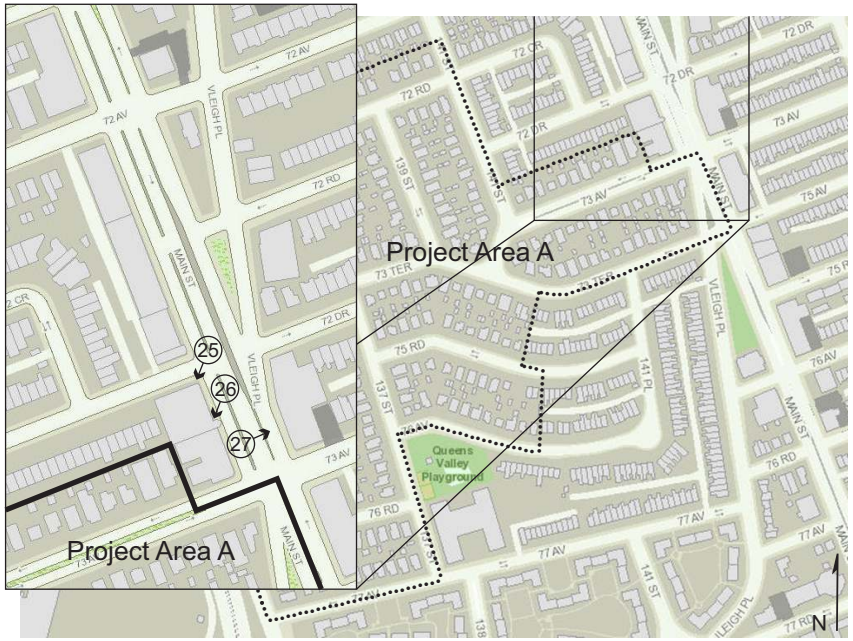
25. View of retail along Main Street facing southwest from 72nd Drive.



26. View of retail along Main Street facing southwest, to the south of 72nd Drive.



27. View of retail along Main Street facing east, to the north of 73rd Avenue.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.



28. View of 78th Road facing west from 138th Street.



29. View of 78th Drive facing west from Vleigh Place.



30. View of Union Turnpike facing west from Vleigh Place.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.



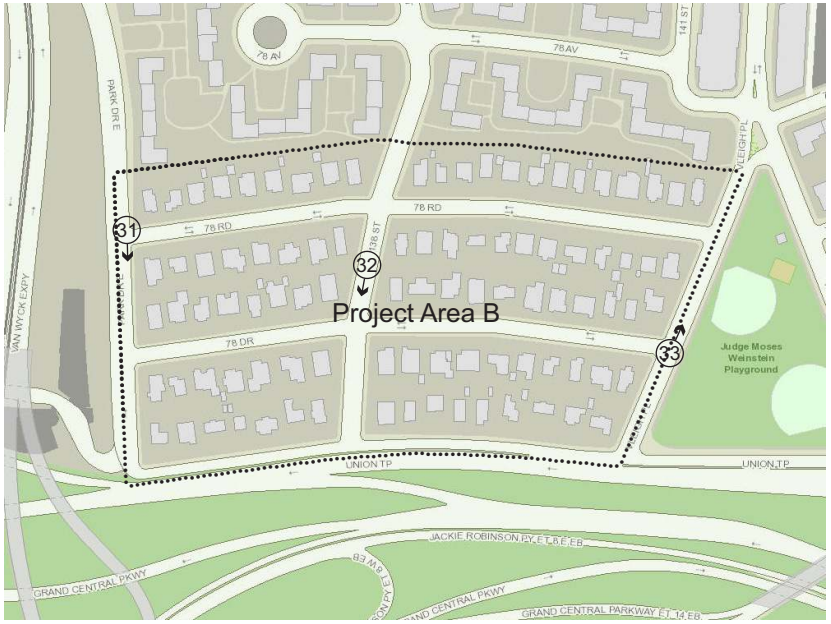
31. View of Park Drive East facing south from 78th Road.



32. View of 138th Street facing south from 78th Road.



33. View of Vleigh Place facing north from 78th Drive.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.



34. View of 135-41 78th Road.



35. View of 138-39 78th Drive.



36. View of YAI-NY League for Early Learning facility at 135-39 Union Turnpike.



The above photographs show the different building types and land uses (primarily detached single-family homes) in the project area, and provide a representative sample that reflects the neighborhood's character. Photographs taken May 18, 2018.

PROJECT DESCRIPTION
KEW GARDENS HILLS REZONING, QUEENS, NY

Introduction

The Applicant, Queens Community Board 8, (the "Applicant"), seeks a zoning map amendment to zoning maps 14a and 14c as well as a zoning text amendment (ZR 21-12) in the Kew Gardens Hills section of Queens, Community District 8.

The Rezoning Area is made up of two separate areas. Area A is bounded by Main Street, 72nd Road, Park Drive East and 77th Avenue. Area B is bounded by Vleigh Place, 78th Road, Park Drive East and Union Turnpike (the "Rezoning Area"). The total rezoning area is 1,821,331 square feet.

The total number of sites fall within, or partially within, the Rezoning Area is 377. A screening process was used to eliminate sites that would not be affected by the proposed rezoning. This included sites that were not currently residential Use Group 1 or 2, sites that were too small (less than 2,850 sf) and sites that were already overbuilt. Overbuilt sites included sites with an existing FAR of 1.02 or greater, a building height greater than 35 feet or where rear yards were already 20 feet or less.

The remaining Rezoning Area includes a total of 247 Projected Lots: 194 in Area A and 53 in Area B. The total lot area is 1,175,195 square feet within the Rezoning Area.

The proposed zoning map and text amendment (the "Proposed Actions") would rezone the entire Rezoning Area from an R2 zoning district to an R2X zoning district. An R2X zoning district would maintain the existing residential single-family home character of the neighborhood while allowing for an increase in floor area by increasing the buildings' permitted footprint. Currently, the R2X zoning district may be mapped only within the Special Ocean Parkway District and Community District 14 in the Borough of Queens. The proposed zoning text amendment would allow R2X zoning district to be mapped within the Rezoning Area.

Existing Conditions

As stated above, the Rezoning Area is made up of two separate areas. Area A and Area B which include 377 lots, 247 of which are considered projected development sites. See **Appendix A** for a detailed list of properties.

The existing Rezoning Area contains 264 residential units on 247 individually-owned lots. There is a total of 479,806 gross square feet (gsf) (Area A: 366,100 gsf/Area B: 113,706 gsf) of residential floor area with an existing floor area ratio (FAR) ranging from 0.12 to 1.00. The existing R2 zoning district permits a maximum FAR of 0.50 for residential and 1.0 for community facility uses. There are currently 63 lots within the Rezoning Area with residential FAR greater than 0.50, making them non-complying. There are four lots that include mixed residential-community facility uses. The existing community facility FARs range from 0.14 to 0.19.

The Rezoning Area is not located within any special planning area. Surrounding land uses are predominately single-family residential with some community facility uses among the residential uses and commercial use along Main Street to the east.

Proposed Actions

The following actions are necessary to facilitate the Proposed Actions,

R2 zoning district to an R2X zoning district (Rezoning Area)
Zoning Text amendment (ZR 21-12) to include the Rezoning Area as an R2X zoning district

The proposed R2X zoning district would permit a residential FAR up to 1.02 (with an attic allowance). There would be no change to the community facility FAR 1.0.

Rezoning Area

The applicant seeks to rezone the Rezoning Area to permit increased footprints that allow for expansions to the existing single-family homes located within Area A and Area B.

Existing Conditions

The Rezoning Area is entirely within a R2 zoning district which permits residential uses (Use Group 1) and community facility uses (Use Groups 3 and 4). The maximum residential FAR is 0.50 and the maximum community facility FAR is 1.0. Commercial use is not permitted as-of-right.

The Rezoning Area has 1,175,195 square feet of lot area and is improved with a total of 465,412 sf (479,806 gsf) of residential use and 3,214 sf (3,315 gsf) of community facility use. FAR varies from 0.12 to 1.0 for residential use and 0.14 to 0.19 for community facility use. These are individually owned homes built between 1930 and 2007. Most of these homes pre-date the enactment of the 1961 Zoning Resolution, making some of them legally non-complying.

Future No-Action Scenario

Absent the Proposed Actions, the Rezoning Area is assumed to remain in its existing condition. The existing buildings within the Rezoning Area are individual privately-owned and occupied residential homes, some of which are non-complying. Therefore, in the future No-Action scenario, the Rezoning Area is expected to remain in its current partially non-complying condition.

Future With-Action Scenario

In the future with the Proposed Actions, the Rezoning Area could be redeveloped.

With the Proposed Actions, the existing residential single-family home character of the neighborhood would be maintained while allowing for an increase in allowable FAR from 0.5 for the existing R2 zoning district to a maximum of 1.02 (with attic allowance) FAR for the proposed R2X zoning district. It would permit the enlargement of footprints while limiting the heights of the homes. No specific development has been proposed.

Purpose and Need

Within the existing R2 zoning district, very little new floor area would be permitted. Within the proposed R2X zoning district, the residential homes could add additional floor area while maintaining the residential, single-family character of the neighborhood. Permitting an increase in floor area would accommodate the needs of the existing home owners who wish to expand their homes. The Proposed Actions would also resolve the existing non-complying bulk issues within the Rezoning Area.

Build Year

For area rezoning, where the build-out depends on market conditions and other variables, the build year cannot be determined with precision. A build year ten (10) years in the future is generally considered reasonable for these projects as it captures a typical cycle of market conditions and generally represents the outer timeframe within which predictions of future development may usually be made without speculation; however, generic actions like this that would facilitate development over a significant geographic area may sometimes warrant build years beyond a ten-year horizon. For the purpose of this analysis, the build year is assumed to be 2034.

KEW GARDENS HILLS REZONING
QUEENS, NEW YORK

INTRODUCTION

Based on the analysis and the screens contained in the Environmental Assessment Statement Full Form, the analysis areas that require further explanation include land use, zoning, and public policy; open space; historic and cultural resources; urban design and visual resources and hazardous materials, as further detailed below. The subject heading numbers below correlate with the relevant chapters of the *CEQR Technical Manual*

The Applicant seeks a zoning map amendment which would rezone the Rezoning Area from an R2 zoning district to an R2X zoning district, as well as a zoning text amendment to The New York City Zoning Resolution (ZR 21-12) which would designate the Rezoning Area an R2X zoning district ("Proposed Actions") to facilitate the redevelopment of individually owned homes within the Rezoning Area. This would allow for an increase in the total existing residential floor area from 465,412 sf (479,806 gsf) with FARs varying from 0.12 to 1.0. The renovations and expansion to individual homes would primarily consist of modifications to the footprint to allow for additional floor area, while limiting the height of the buildings.

4. LAND USE, ZONING AND PUBLIC POLICY

I. Introduction

The analysis of land use, zoning and public policy characterizes the existing conditions of the Rezoning Area and the surrounding study area; anticipates and evaluates those changes in land use, zoning and public policy that are expected to occur independently of the proposed project; and identifies and addresses any potential impacts related to land use, zoning and public policy resulting from the Proposed Actions. Various sources have been used to prepare a comprehensive analysis of land use, zoning and public policy characteristics of the area, including field surveys, studies of the neighborhood, census data, and land use and zoning maps.

Land Use Study Area

In order to assess the potential for project related impacts, the land use study area has been defined as the area located within a 400-foot radius of the Rezoning Area, which is an area within which the Proposed Actions have the potential to affect land use or land use trends. The 400-foot radius study area is bounded roughly by 71st Road to the north, Main Street to the east, the Grand Central Parkway to the south and the Van Wyck Expressway to the west.

II. Land Use

Area Description (Existing Conditions)
The Rezoning Area has 1,175,195 square feet of total lot area and is improved with primarily single-family residential buildings with a total of 465,412 square feet of floor area (Area A: 355,117 sf/Area B 110,295 sf) with FAR ranging from 0.12 to 1.0 FAR.

The study area surrounding the Rezoning Area is primarily single-family residential buildings, with community facility uses among the residential uses and commercial uses along Main Street.

Future No-Action (No-Build) Scenario
In the future and absent the Proposed Actions, no land use changes would be made to the Rezoning Area and the study area would continue to remain in its existing condition.

The Rezoning Area is assumed to remain in its existing condition with some non-complying (bulk) buildings.

With-Action (Build) Scenario
In the future with the Proposed Actions, the existing bulk of the non-complying buildings would be permitted in the Rezoning Area. This would resolve the non-complying status of the existing

buildings that are overbuilt and facilitate the renovation and expansion of underbuilt residential buildings within the Rezoning Area.

The proposed R2X zoning district permits a maximum of 0.85 FAR up to 1.02 FAR (with an attic allowance) for residential and 1.0 FAR for community facility uses. Commercial uses are not permitted as-or-right.

The Proposed Actions would increase the total allowable residential square footage within the Rezoning Area to 1,162,738 sf (1,198,699 gsf). Area A would increase to 864,885 sf (891,634 gsf) and Area B would increase to 297,853 sf (307,065 gsf), maximizing the permitted residential FAR of 1.02.

Community facility uses are permitted as-of- right in both the existing R2 zoning district and proposed R2X zoning district. The existing community facility uses are expected to remain the same.

Conclusion

The Proposed Actions are not anticipated to result in any new land uses or uses that are significantly different from surrounding uses. The Proposed Actions would not be a departure from existing land use and would not be incompatible with the land uses in the surrounding area.

No potentially significant adverse impacts related to land use are expected to occur as a result of the Proposed Actions. Therefore, further analysis of land use is not warranted.

III. Zoning

Existing Conditions

The Rezoning Area is currently zoned R2, which permits a maximum FAR of 0.50 for residential and 1.0 for community facilities, (Use Groups 1, 3 and 4). Residential development in R2 zoning districts is limited to single-family detached houses. The smaller lot area and lot width requirements in R2 zoning districts allow a higher density than in R1 zoning districts, although the maximum floor area ratio (FAR) of 0.5 is the same. The minimum lot width is 40 feet. The maximum height of buildings is not fixed but is governed by a sky exposure plane. R2 zoning districts require a minimum front yard of 15 feet, a minimum rear yard of 30 feet and minimum side yards of a total of 13 feet (2 side yards required, minimum 5 feet each). One off-street parking space is required for each dwelling unit.

The Rezoning Area is currently improved with 264 residential dwelling units over 247 lots (1,175,195 square feet) within Area A (194 lots, 874,151 sf) and Area B (53 lots, 301,044 sf). Four of these lots include mixed residential and community facility uses.

Residential FAR ranges from 0.12 to 1.00, with varying side, front and rear yards. Building heights range from 15 to 30 feet. One off-street parking space is provided for each dwelling unit. The homes within the proposed Rezoning Area were built between 1930 and 2007. Approximately 63 of the 247 lots within the Rezoning Area have an FAR greater than 0.50. making them non-complying. Of those non-complying homes, those built after the enactment of the 1961 Zoning Resolution, would be illegally non-complying.

R2 zoning district is the only zoning district within the Rezoning Area. The surrounding study area includes R4, R4-1, R3-2, R2 and C1-2 zoning districts.

Future No-Action (No-Build) Scenario

In the future and absent the Proposed Actions, development of the Rezoning Area would continue to be governed by the provisions of the existing R2 zoning district. The Rezoning Area is assumed to remain in its existing condition. Subsequently, the Rezoning Area is anticipated to continue to contain 63 lots that remain non-complying (some illegally non-complying) in the future without the Proposed Actions.

Therefore, in the future No-Action scenario, the Rezoning Area is anticipated to remain as 465,412 sf of residential use (FAR ranging from 0.12 to 1.0) and 3,214 sf of community facility use (FAR ranging from 0.15 to 0.19).

No changes are anticipated to the zoning districts and zoning regulations relating to the Rezoning Area or the surrounding study area by the project build year of 2034.

Future With-Action (Build) Scenario

In the future with the Proposed Actions, the Rezoning Area would be zoned to an R2X zoning district which permits a maximum FAR of 1.02 for residential and 1.0 for community facilities, (Use Groups 1, 3 and 4). R2X zoning districts allow large single-family detached houses on lots

with a minimum width of 30 feet. The higher FAR and permitted rear yard encroachment in R2X zoning districts produce buildings with greater bulk than in any other single-family residence district. The 0.85 FAR is considerably higher than in other R2 zoning districts and may be increased up to 1.02 by an attic allowance for the inclusion of space beneath a pitched roof. The perimeter wall may rise to 21 feet before sloping or being set back to a maximum building height of 35 feet. Although other residence districts require a 30-foot rear yard, houses in R2X zoning districts may extend 10 feet into the rear yard. R2X zoning districts require a minimum front yard of 15 feet and minimum side yards of a total of 10 feet (2 side yards required, minimum 2 feet each). As with R2 zoning districts, the R2X zoning districts requires one off-street parking space for each dwelling unit.

The Applicant seeks a zoning map amendment that would serve to resolve the non-complying status of some of the existing overbuilt residential uses, as well as allow for the possibility of the enlargement of the footprints and floor area of underbuilt residential buildings. While no specific development has been proposed, it would allow the redevelopment of an additional 697,326 sf (718,893 gsf) for a total of 1,162738 sf (1,195,385 gsf) of residential use with the maximum permitted FAR of 1.02.

In addition to the zoning map amendment, a zoning text amendment to the New York City Zoning Resolution (ZR 21-12) is proposed which would include the proposed Rezoning Area in its designated R2X zoning district.

ZR 21-12:

> ***This district is designed to provide for large single-family detached dwellings on narrow zoning lots. This district also includes community facilities and open uses that serve the residents of the district or benefit from a residential environment. This district may be mapped only within the Special Ocean Parkway District and Community District 14 in the Borough of Queens.***

Therefore, the Future With-Action Scenario would facilitate the modest enlargement of existing underbuilt residences and would also resolve the non-complying zoning status of existing overbuilt residences.

Conclusion

No significant impacts to zoning patterns in the area would be expected. The Proposed Actions would result in a zoning map amendment that creates new R2X zoning district. The proposed 718,893 gsf residential increment (FAR of 1.02 FAR) would be the maximum additional square footage permitted within the R2X zoning district. The allowable building height, which was governed by sky-exposure plane, would be a limited to 35 feet, which would be consistent with neighborhood buildings. Rear yard minimum requirements would be reduced to 20 feet and side yards would be reduced to a total of 10 feet, allowing for an increased footprint for underbuilt residences. Use Groups, community facility FAR (1.0), front yard requirements and parking requirements would remain unchanged.

In addition to the zoning map amendment, the Proposed Actions also includes a zoning text amendment to the New York City Zoning Resolution (ZR 21-12) which would designate the Rezoning Area as an R2X zoning district.

While the Proposed Actions would facilitate enlargements to existing homes within the proposed Rezoning Area, the Proposed Actions are not intended to facilitate additional dwelling units, residents or workers but instead support the existing use and preserve the single-family residential character of the neighborhood while meeting the growing needs of the existing residents.

Therefore, the Proposed Actions will not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties.

Potentially significant adverse impacts related to zoning are not expected to occur as a result of the Proposed Actions, and further assessment of zoning is not warranted.

IV. Public Policy

Existing Conditions
The Proposed Rezoning Area is within the Kew Gardens Hills section of Queens, Community District 8.

No specific public policy relates to the Rezoning Area. Along the western boundary of the study area, across the Van Wyck Expressway is Flushing Meadows Corona Park which is within the Coastal Zone Boundary.

No other public policies relate to the Rezoning Area or to the surrounding 400-foot radius study area. The site and the 400-foot radius area are not located within an Historic District and do not contain any designated historic resources and are therefore not subject to any historic regulations. Neither the Rezoning Area nor the study area are located within a Federal Empowerment Zone, nor is it covered by any 197-a Community Development Plans and is not located within a critical environmental area.

Future No-Action (No-Build) Scenario
No new public policy initiatives or changes to existing initiatives are anticipated to affect the Rezoning Area or the surrounding 400-foot study area by the analysis year of 2034.

Future With-Action (Build) Scenario
The future with the Proposed Actions would result in a zoning map amendment to the existing R2 zoning district, creating a new R2X zoning district. It would also result in a zoning text amendment to ZR 21-12 to include this area as an R2X zoning district. This R2X zoning district would facilitate an increase in residential square footage within the Rezoning Area. The R2X zoning district permits a maximum FAR of 1.02 for residential use (with attic allowance) and 1.0 FAR for community facility use. As noted within the land use analysis above, the proposed uses would be compatible with the existing land uses within a 400-foot radius of the Rezoning Area.

The Proposed Actions are required in order to allow the Rezoning Area to be redeveloped. The Proposed Actions would meet The City's public policy goals by reducing the degree of non-compliance with zoning in the Rezoning Area. The land use and zoning would be consistent with the those in the neighborhood.

The zoning text amendment to the New York City Zoning Resolution (ZR 21-12) is required to include the Proposed Rezoning Area as a designated R2X zoning district.

In addition, the Proposed Actions would not increase the number of dwelling units, residents, workers or traffic within the Rezoning Area or study area.

No adverse impact to public policies would occur as a result of the Proposed Actions.

Conclusion

The Proposed Actions, which would facilitate the enlargement of floor area to underbuilt residences within the Rezoning Area, would not be inconsistent with the goals of the existing public policies for the area, as discussed above.

No potentially significant adverse impacts related to public policy are anticipated to occur as a result of the Proposed Actions, and further assessment of public policy is not warranted.

V. Conclusion

No significant adverse impacts related to land use, zoning, and public policy are anticipated to occur as a result of the Proposed Actions. Therefore, the Proposed Actions are not expected to result in any of the conditions that warrant the need for further assessment of land use, zoning, or public policy.

7. OPEN SPACE

Under *CEQR*, an analysis of open space is conducted to determine whether or not a proposed project would have a direct impact resulting from the elimination or alteration of open space and/or an indirect impact resulting from overtaxing available open space. Open space is defined as publicly or privately-owned land that is publicly accessible and available for leisure, play, or sport, or is set aside for the protection and/or enhancement of the natural environment. An open space analysis focuses on officially designated existing or planned public open space.

The Proposed Rezoning Area is located within a well-served area of Queens, Community Board 8.

The Proposed Actions are not expected to add any additional dwelling units, residents or workers to the neighborhood. Additionally, it will not take away any existing open space.

Therefore, the Proposed Actions will not have any significant adverse impacts to open space in the study area and no further analysis is warranted.

9. HISTORIC AND CULTURAL RESOURCES

Historic and cultural resources include both architectural and archaeological resources. Architectural resources generally include historically important buildings, structures, objects, sites, and districts. They may include bridges, canals, piers, wharves, and railroad transfer bridges that may be wholly or partially visible above ground. Archaeological resources are physical remains, usually subsurface, of the prehistoric, Native American, and historic periods—such as burials, foundations, artifacts, wells, and privies. As a general rule, archaeological resources do not include 20th and 21st Century artifacts.

According to the *CEQR Technical Manual*, a historic and cultural resources assessment is required if a project has the potential to affect either archaeological or architectural resources. Archaeological resources usually need to be assed for actions that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site.

With the Proposed Actions, individual privately-owned homes could enlarge their existing footprints, although no specific development has been proposed. The attached letter dated December 4th, 2018 from the New York City Landmarks Preservation Commission (NYC LPC) affirms that the Proposed Actions would have no architectural or archaeological significance (See **Appendix B**).

Based on the above, there is no potential for significant adverse impacts related to architectural historic resources or archaeological historic resources as a result of the Proposed Actions, and further analysis is not required.

10. URBAN DESIGN AND VISUAL RESOURCES

According the *CEQR Technical Manual*, no assessment of urban design is warranted when an action may have an effect on any of the elements that contribute to the pedestrian experience of public space. A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. An assessment would be appropriate for the following:

1. Projects that permit the modification of yard, height, and setback requirements; and
2. Projects that result in an increase in built floor area beyond what would be allowed 'as-of-right'.

The Applicant seeks a zoning map amendment from an R2 zoning district to an R2X zoning district. If approved, the amendment would maintain the existing residential single-family home character of the neighborhood while allowing for an increase in allowable FAR from 0.5 for the existing R2 zoning district to a maximum of 1.02 for the proposed R2X zoning district. It would also allow the enlargement of footprints and limit the heights of the homes. Although no specific development has been proposed, the R2X zoning district allows for a decrease in rear yard requirements. It can be concluded that the increased footprint and floor area would be to the rear of the residences, unseen from the street level. The Proposed Actions would also limit building heights to 35 feet, which is comparable to buildings within the neighborhood. The surrounding land use in the area is primarily residential with some community facility uses mixed in with the residential uses, and commercial use along Main Street.

The Proposed Actions will not alter the essential character of the neighborhood, impair the appropriate use or development of the adjacent properties, or be detrimental to the public welfare.

Therefore, the Proposed Actions would be consistent with the character of the neighborhood.

Based on the above, a detailed urban design assessment is not warranted and no urban design or visual resources impacts would occur.

12. HAZARDOUS MATERIALS

Introduction

A hazardous materials assessment is conducted to determine whether the Proposed Actions could increase the exposure of people or the environment to hazardous materials and, if so, whether this increased exposure would result in potential significant public health or environmental impacts.

The Rezoning Area is divided into two areas, Area A and Area B. The complete Phase I Environmental Assessment for each area is included in **Appendix C**.

Area A

The subject property referred to as the Kew Gardens Hills Rezoning Area A is bounded by 72nd Road to the north, 77th Avenue to the south, Park Drive East to the west and by Main Street to the east, in the Kew Gardens Hills neighborhood of the Borough of Queens, New York. The property encompasses all of the lots on Blocks 6580, 6584, 6585, 6601, 6602, 6624, and all of the lots on the south sides of Blocks 6579 and 6623, and all of the lots on the west sides of Blocks 6604 and 6605. The property appears on the USGS 7.5 Minute Series Topographic Jamaica, New York Quadrangle. Area A consists of 283 tax lots on ten adjoining city blocks, with an average lot size of 5,760 square feet. The site contains 276, 1- or 2-family dwellings, three multi-unit residences, two cultural institutions and two vacant properties.

Research into the history of Area A shows that it was primarily developed with 1- or 2-story residential dwellings beginning just after World War II. By 1947, the eastern half of the site was developed with residential dwellings, and by the mid-1950s, all of the subject lots contained residential dwellings. The uses of the site have remained residential (with two cultural institutions) since the 1950s.

From the 1920s to the early 1940s, the project site was part of the Queens Valley Golf Club and contained a clubhouse, pro shop, caddy shack, a small pump house and three small sheds/storage buildings. It is possible that pesticides were used as part of the operations of the Queens Valley Golf Course, however, the use of pesticides on golf courses prior to World War II was typically less intensive then the period after the war. In addition, a significant portion of the surface soils would have been excavated during the construction of the roads and buildings in the area. Given this information, and that it has been more than 70 years since the site was a functioning golf course, it is considered unlikely that the property would have been impacted by the former Queens Valley Golf Club.

Prior to the construction of the golf course in the 1920s, the property was made up of several large lots owned by private individuals and contained a few dwellings, stables and sheds.

There are four spill incidents identified at Area A in the New York State Department of Environmental Conservation (NYSDEC) Spills database. Three of the incidents involved the spill of small quantities of fuel oil (less than 5 gallons), and the fourth incident involved a spill of approximately 20 gallons of gasoline onto the roadway during a traffic accident. All of the spill

incidents have been closed by the NYSDEC. Based on the small quantities of materials spilled, and that cleanups were performed and the spills closed by the NYSDEC, it is considered unlikely that the identified spill incidents would have any impact on any Area A properties.

No properties in Area A appear in the remaining Federal or State environmental databases reviewed, including the USEPA's Superfund, CERCLIS or ERNS databases, the RCRA Hazardous Waste Generators or Treatment/Storage/Disposal Facilities lists, or the NYSDEC's Solid Waste Facilities database, Petroleum Bulk Storage database, Brownfield site database, Voluntary Cleanup Program list or the Registry of Inactive Hazardous Waste Disposal Sites.

Area A is adjoined to the north by residential uses. Adjacent and to the south of the site are residential uses, the Queens Valley Playground and Public School 164. Adjacent and to the east of the site are residential uses, and commercial/retail stores along Main Street and Vleigh Place. The property is adjoined to the west by Park Drive East, beyond which is the Mauro Playground.

Land uses in the immediate vicinity of the property (i.e., within approximately 500 feet of the site) are predominantly residential, with commercial/retail uses located along Main Street and Vleigh Place. To the west of the site is the New York City Transit Authority Jamaica Yard, and Flushing Meadows Park.

A review of Historical maps shows that land uses in the immediate area have been predominantly residential to the north, south and east, and the Jamaica Yard to the west, since at least the early 1950s. Historical maps from the early 1900s show land uses in the area to be predominantly large private lots occupied by a few dwellings, stables, sheds and other small structures.

There were not any potential off-site sources of contamination which are considered likely to have impacted the properties comprising Area A identified in the information reviewed for this report.

Conclusions

We have performed a Limited Scope Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of the Kew Gardens Hills Re-zoning Area A, Queens, N.Y., the property. This assessment has revealed no evidence of *Recognized Environmental Conditions, Controlled Recognized Environmental Conditions* or *Historical Recognized Environmental Conditions* in connection with the property.

Area B

The subject property referred to as the Kew Gardens Hills Rezoning Area B is bounded by Union Turnpike to the south, 78th Avenue to the north, Vleigh Place to the east, and Park Drive East to the west, in the Kew Gardens Hills neighborhood of the Borough of Queens, New York. The property encompasses all of the lots on Blocks 6588, 6589, 6610, 6611, and all the lots on the south side of Blocks 6587 and 6609. The property appears on the USGS 7.5 Minute Series Topographic Jamaica, New York Quadrangle. The properties consist of 94 tax lots on six adjoining city blocks, with an average lot size of 5,760 square feet. The site contains ninety-one (91), 1- or 2-story single-family dwellings, two multi-unit residences, and one cultural institution. There are not any vacant or undeveloped lots.

Research into the history of Area B shows that it was primarily developed with 1- or 2-story residential dwellings beginning in the mid-1930s. By the mid-1950s, all of the lots had been developed with residential dwellings. The uses of the site have remained residential since the construction of the dwellings. The 1983 through 2006 Sanborn maps show that there was also a commercial use in the dwelling located at 135-33 Union Turnpike (Block 6589, Lot 32), however, there are not any indications of the storage or use of hazardous substances or petroleum products shown on this lot on any of the Sanborn maps reviewed.

Prior to the construction of the existing dwellings, there were three small structures on the northern part of the site (dwelling, shed and stable), and the rest of the property was undeveloped. It is likely that the site was used for agricultural purposes or pasture land at some time in the past. There were not any past on-site uses or operations that typically involve the storage or use of hazardous substance identified in Area B in the information reviewed for this report.

There were three spill incidents identified in the New York State Department of Environmental Conservation (NYSDEC) Spills database. Two of the incidents involved the spill of small quantities of fuel oil (3 gallons and 9 gallons), and the third incident involved a spill of less than 1 gallon of mercury from a broken thermometer. The spill incidents were cleaned up and all three spills have been closed by the NYSDEC. Based on the small quantities of materials spilled, and that cleanups were performed and the spills closed by the NYSDEC, it is considered unlikely that the identified spill incidents would have any impact on any Area B properties.

No properties in Area B appear in the remaining Federal or State environmental databases reviewed, including the USEPA's Superfund, CERCLIS or ERNS databases, the RCRA Hazardous Waste Generators or Treatment/Storage/Disposal Facilities lists, or the NYSDEC's Spills database, Solid Waste Facilities database, Petroleum Bulk Storage database, Brownfield site database, Voluntary Cleanup Program list or the Registry of Inactive Hazardous Waste Disposal Sites.

Area B is adjoined to the north by the Kew Gardens Hills Apartments. Adjacent and to the south of the site is Union Turnpike, beyond which are residential apartment buildings. Adjacent and to the east is Vleigh Place, beyond which is the Judge Moses Weinstein Playground. Land uses in the immediate vicinity of Area B (i.e., within approximately 500 feet of the site) are predominantly comprised of residential to the north, south and east. Land uses to the west include the New York City Transit Authority Jamaica Yard, and Flushing Meadows Park. There were not any gasoline filling stations identified in the immediate vicinity of Area B.

A review of Historical maps shows that land uses in the immediate area of the site have been predominantly residential to the north, south and east, and the Jamaica Yard to the west, since at least the early 1950s. Historical maps from the early 1900s show land uses in the area to be predominantly large private lots occupied by a few dwellings, stables, sheds and other small structures.

There were not any potential off-site sources of contamination which are considered likely to have impacted the properties comprising Area B identified in the information reviewed for this report.

Conclusions

A Limited Scope Phase I Environmental Site Assessment was performed in conformance with the scope and limitations of ASTM Practice E 1527-13 of the Kew Gardens Hills Re-zoning Area B, Queens, N.Y., the property. This assessment has revealed no evidence of *Recognized Environmental Conditions, Controlled Recognized Environmental Conditions* or *Historical Recognized Environmental Conditions* in connection with the property.

Upon review of the Phase I report by the New York City Department of Environmental Protection (DEP), Bureau of Sustainability (See letter dated January 11, 2019, **Appendix D**), although the proposed project would involve soil disturbance for the expansion to the individual homes, no potential hazardous material concerns on-site or nearby were identified, the DEP has no objections to the proposed project.

APPENDIX A

Rezoning Area
Area A and Area B by Lot

KEW GARDENS HILLS DEVELOPMENT SITES

BLOCK	LOT	ADDRESS
6579	2	135-03 PARK DRIVE EAST
6579	6	72-55 PARK DRIVE EAST
6579	8	72-51 PARK DRIVE EAST
6579	10	72-45 PARK DRIVE EAST
6579	14	72-41 PARK DRIVE EAST
6579	15	72-35 PARK DRIVE EAST
6579	18	72-31 PARK DRIVE EAST
6579	21	72-25 PARK DRIVE EAST
6579	24	72-21 PARK DRIVE EAST
6579	28	72-15 PARK DRIVE EAST
6579	83	139-19 72 ROAD
6579	85	139-15 72 ROAD
6579	87	139-11 72 ROAD
6579	89	139-07 72 ROAD
6579	91	137-19 72 ROAD
6579	95	137-15 72 ROAD
6579	97	137-13 72 ROAD
6579	99	137-09 72 ROAD
6579	101	137-05 72 ROAD
6579	103	137-01 72 ROAD
6579	107	136-27 72 ROAD
6579	108	136-23 72 ROAD
6579	111	136-17 72 ROAD
6579	115	136-11 72 ROAD
6579	117	136-05 72 ROAD
6579	120	136-01 72 ROAD
6579	122	72-02 136 STREET
6579	125	72-06 136 STREET
6579	128	72-10 136 STREET
6579	131	72-14 136 STREET
6579	132	72-20 136 STREET
6579	134	72-24 136 STREET
6579	137	72-28 136 STREET
6579	139	72-32 136 STREET
6579	141	72-36 136 STREET
6580	2	72-01 136 STREET
6580	6	72-02 137 STREET
6580	8	72-06 137 STREET
6580	10	72-10 137 STREET
6580	12	72-14 137 STREET
6580	14	72-18 137 STREET
6580	16	72-22 137 STREET
6580	18	72-26 137 STREET
6580	20	72-30 137 STREET
6580	22	72-34 137 STREET

KEW GARDENS HILLS DEVELOPMENT SITES

BLOCK	LOT	ADDRESS
6580	24	72-38 137 STREET
6580	27	72-42 137 STREET
6580	28	72-37 136 STREET
6580	30	72-33 136 STREET
6580	33	72-29 136 STREET
6580	35	72-25 136 STREET
6580	38	72-19 136 STREET
6580	40	72-15 136 STREET
6580	43	72-11 136 STREET
6580	46	72-07 136 STREET
6584	7	72-46 137 STREET
6584	9	73-02 137 STREET
6584	11	73-06 137 STREET
6584	13	73-10 137 STREET
6584	15	73-14 137 STREET
6584	17	73-18 137 STREET
6584	19	73-22 137 STREET
6584	21	73-26 137 STREET
6584	23	75-02 137 STREET
6584	25	75-06 137 STREET
6584	27	75-10 137 STREET
6584	29	75-14 137 STREET
6584	31	75-18 137 STREET
6584	32	75-22 137 STREET
6584	34	76-02 137 STREET
6584	36	76-06 137 STREET
6584	38	76-10 137 STREET
6584	40	76-16 137 STREET
6584	42	73-71 136 STREET
6584	45	73-67 136 STREET
6584	47	73-63 136 STREET
6584	49	73-59 136 STREET
6584	51	73-55 136 STREET
6584	53	73-51 136 STREET
6584	55	73-47 136 STREET
6584	57	73-43 136 STREET
6584	59	73-39 136 STREET
6584	61	73-35 136 STREET
6584	63	73-31 136 STREET
6584	65	73-27 136 STREET
6584	67	73-23 136 STREET
6584	69	73-19 136 STREET
6584	71	73-15 136 STREET
6584	75	73-09 136 STREET
6584	78	73-03 136 STREET
6585	2	135-04 73 TERRACE
6585	8	135-16 73 TERRACE

KEW GARDENS HILLS DEVELOPMENT SITES

BLOCK	LOT	ADDRESS
6585	13	73-16 136 STREET
6585	15	73-20 136 STREET
6585	17	73-24 136 STREET
6585	19	73-28 136 STREET
6585	21	73-32 136 STREET
6585	23	73-36 136 STREET
6585	25	73-40 136 STREET
6585	27	73-44 136 STREET
6585	29	73-48 136 STREET
6585	31	73-52 136 STREET
6585	33	73-56 136 STREET
6585	35	73-60 136 STREET
6585	38	73-66 136 STREET
6585	40	73-70 136 STREET
6585	42	73-74 136 STREET
6585	44	136-02 76 ROAD
6585	46	136-06 76 ROAD
6585	48	136-10 76 ROAD
6585	50	136-14 76 ROAD
6585	52	136-18 76 ROAD
6585	54	136-22 136 STREET
6585	67	135-47 77 AVENUE
6585	69	135-43 77 AVENUE
6585	71	135-39 77 AVENUE
6585	73	135-35 77 AVENUE
6585	75	135-31 77 AVENUE
6585	77	135-27 77 AVENUE
6585	79	135-23 77 AVENUE
6585	81	135-19 77 AVENUE
6585	83	135-15 77 AVENUE
6585	85	135-11 77 AVENUE
6585	87	73-91 PARK DRIVE EAST
6585	89	73-87 PARK DRIVE EAST
6585	91	73-83 PARK DRIVE EAST
6585	93	73-79 PARK DRIVE EAST
6585	95	73-75 PARK DRIVE EAST
6585	97	73-71 PARK DRIVE EAST
6585	99	73-67 PARK DRIVE EAST
6585	101	73-63 PARK DRIVE EAST
6585	103	73-59 PARK DRIVE EAST
6585	105	73-55 PARK DRIVE EAST
6585	107	73-51 PARK DRIVE EAST
6585	109	73-47 PARK DRIVE EAST
6585	111	73-43 PARK DRIVE EAST
6585	113	73-39 PARK DRIVE EAST
6585	115	73-35 PARK DRIVE EAST
6585	117	73-31 PARK DRIVE EAST

KEW GARDENS HILLS DEVELOPMENT SITES

BLOCK	LOT	ADDRESS
6585	119	73-27 PARK DRIVE EAST
6585	121	73-23 PARK DRIVE EAST
6585	123	73-19 PARK DRIVE EAST
6585	125	73-15 PARK DRIVE EAST
6585	127	73-11 PARK DRIVE EAST
6587	38 (p/o)	78-30 138 STREET
6587	40 (p/o)	135-41 78 ROAD
6587	43 (p/o)	135-37 78 ROAD
6587	46 (p/o)	135-31 78 ROAD
6587	49 (p/o)	135-23 78 ROAD
6587	52 (p/o)	135-19 78 ROAD
6587	55 (p/o)	135-13 78 ROAD
6587	57	135-07 78 ROAD
6587	61	135-03 78 ROAD
6588	1	78-55 PARK DRIVE EAST
6588	6	78-45 78 ROAD
6588	9	135-10 78 ROAD
6588	10	135-14 78 ROAD
6588	13	135-20 78 ROAD
6588	16	135-28 78 ROAD
6588	19	135-34 78 ROAD
6588	22	135-40 78 ROAD
6588	25	78-32 138 STREET
6588	28	135-41 78 DRIVE
6588	31	135-37 78 DRIVE
6588	33	135-33 78 DRIVE
6588	36	135-27 78 DRIVE
6588	38	135-23 78 DRIVE
6588	41	135-11 78 DRIVE
6588	44	135-07 78 DRIVE
6589	1	135-03 UNION TURNPIKE
6589	6	135-04 78 DRIVE
6589	8	135-08 78 DRIVE
6589	11	135-12 78 DRIVE
6589	15	135-16 78 DRIVE
6589	18	135-20 78 DRIVE
6589	21	135-34 78 DRIVE
6589	25	135-40 78 DRIVE
6589	28	135-39 UNION TURNPIKE
6589	32	135-33 UNION TURNPIKE
6589	33	135-27 UNION TURNPIKE
6589	36	135-21 UNION TURNPIKE
6589	38	135-15 UNION TURNPIKE
6589	41	135-09 UNION TURNPIKE
6601	2	139-04 72 ROAD
6601	4	139-08 72 ROAD
6601	6	139-12 72 ROAD

KEW GARDENS HILLS DEVELOPMENT SITES

BLOCK	LOT	ADDRESS
6601	8	139-16 72 ROAD
6601	10	139-20 72 ROAD
6601	12	72-36 141 STREET
6601	14	72-40 141 STREET
6601	16	72-44 141 STREET
6601	18	72-48 141 STREET
6601	20	72-52 141 STREET
6601	22	72-56 141 STREET
6601	24	72-60 141 STREET
6601	26	72-66 141 STREET
6601	28	72-72 141 STREET
6601	30	72-76 141 STREET
6601	33	139-69 73 TERRACE
6601	35	72-47 73 TERRACE
6601	38	72-43 139 STREET
6601	40	72-39 139 STREET
6601	42	72-35 139 STREET
6601	44	72-31 139 STREET
6601	46	72-27 139 STREET
6601	48	72-23 139 STREET
6601	50	72-19 139 STREET
6601	52	72-15 139 STREET
6601	54	72-11 139 STREET
6602	2	137-04 72 ROAD
6602	4	137-08 72 ROAD
6602	6	137-12 72 ROAD
6602	8	137-16 139 STREET
6602	14	72-12 139 STREET
6602	18	72-16 139 STREET
6602	20	72-20 139 STREET
6602	22	72-24 139 STREET
6602	24	72-28 139 STREET
6602	26	72-32 139 STREET
6602	29	137-19 73 TERRACE
6602	32	137-15 73 TERRACE
6602	34	137-11 73 TERRACE
6602	36	137-07 73 TERRACE
6602	38	137-03 73 TERRACE
6602	40	72-33 137 STREET
6602	42	72-29 137 STREET
6602	44	72-23 137 STREET
6602	46	72-19 137 STREET
6602	48	72-15 137 STREET
6602	50	72-11 137 STREET
6604	2	137-03 75 ROAD
6604	4	137-04 73 TERRACE
6604	6	137-08 73 TERRACE

KEW GARDENS HILLS DEVELOPMENT SITES

BLOCK	LOT	ADDRESS
6604	8	137-12 73 TERRACE
6604	10	137-16 73 TERRACE
6604	12	137-20 73 TERRACE
6604	14	137-26 73 TERRACE
6604	16	139-04 73 TERRACE
6604	18	139-08 73 TERRACE
6604	20	139-12 73 TERRACE
6604	22	139-16 73 TERRACE
6604	24	139-20 73 TERRACE
6604	26	141-04 73 TERRACE
6604	30	141-08 73 TERRACE
6604	69 (p/o)	137-49 75 ROAD
6604	71	137-47 75 ROAD
6604	73	137-43 75 ROAD
6604	75	137-39 75 ROAD
6604	77	137-35 75 ROAD
6604	79	137-31 75 ROAD
6604	81	137-27 75 ROAD
6604	83	137-23 75 ROAD
6604	85	137-19 75 ROAD
6604	87	137-15 75 ROAD
6604	89	137-11 75 ROAD
6604	91	137-07 75 ROAD
6605	2	75-15 137 STREET
6605	6	75-09 137 STREET
6605	7	75-05 137 STREET
6605	11	75-01 137 STREET
6605	12	137-10 75 ROAD
6605	14	137-18 75 ROAD
6605	19	137-22 75 ROAD
6605	21	137-28 75 ROAD
6605	23	137-32 75 ROAD
6605	25	137-36 75 ROAD
6605	27	137-40 75 ROAD
6605	29	137-44 75 ROAD
6605	31	137-48 75 ROAD
6605	33	137-50 75 ROAD
6605	35 (p/o)	137-52 75 ROAD
6605	73 (p/o)	137-47 76 AVENUE
6605	75	137-43 76 AVENUE
6605	77	137-39 76 AVENUE
6605	79	137-35 76 AVENUE
6605	81	137-31 76 AVENUE
6605	84	137-27 76 AVENUE
6605	86	137-23 76 AVENUE
6605	88	137-19 76 AVENUE
6605	90	137-15 76 AVENUE

KEW GARDENS HILLS DEVELOPMENT SITES

BLOCK	LOT	ADDRESS
6605	92	137-11 76 AVENUE
6609	1 (p/o)	138-03 78 ROAD
6609	38 (p/o)	78-18 VLEIGH PLACE
6609	40 (p/o)	138-57 78 ROAD
6609	42 (p/o)	138-53 78 ROAD
6609	45 (p/o)	138-47 78 ROAD
6609	48 (p/o)	138-43 VLEIGH PLACE
6609	50 (p/o)	138-37 78 ROAD
6609	52 (p/o)	138-33 78 ROAD
6609	54 (p/o)	138-27 78 ROAD
6609	57 (p/o)	138-21 78 ROAD
6609	60 (p/o)	138-17 78 ROAD
6609	62 (p/o)	138-11 78 ROAD
6609	66 (p/o)	138-09 78 ROAD
6610	1	138-03 78 DRIVE
6610	6	138-02 78 ROAD
6610	8	138-06 78 ROAD
6610	11	138-14 78 ROAD
6610	14	138-20 78 ROAD
6610	18	138-24 78 ROAD
6610	19	138-28 78 ROAD
6610	22	138-34 78 ROAD
6610	25	138-40 78 ROAD
6610	28	138-46 78 ROAD
6610	31	138-52 78 ROAD
6610	34	138-56 78 ROAD
6610	37	138-62 78 ROAD
6610	40	138-59 78 DRIVE
6610	42	138-55 78 DRIVE
6610	44	138-51 78 DRIVE
6610	46	138-45 78 DRIVE
6610	49	138-39 78 DRIVE
6610	52	138-33 78 DRIVE
6610	55	138-27 78 DRIVE
6610	58	138-23 78 DRIVE
6610	61	138-17 78 DRIVE
6610	64	138-09 78 DRIVE
6611	1	138-05 UNION TURNPIKE
6611	7	138-02 78 DRIVE
6611	9	138-08 78 DRIVE
6611	11	138-14 78 DRIVE
6611	14	138-22 78 DRIVE
6611	18	138-28 78 DRIVE
6611	21	138-34 78 DRIVE
6611	24	138-40 78 DRIVE
6611	27	138-44 78 DRIVE
6611	29	138-50 78 DRIVE

KEW GARDENS HILLS DEVELOPMENT SITES

BLOCK	LOT	ADDRESS
6611	31	138-56 78 DRIVE
6611	34	138-49 UNION TURNPIKE
6611	39	138-43 UNION TURNPIKE
6611	42	138-37 UNION TURNPIKE
6611	45	138-29 UNION TURNPIKE
6611	48	138-25 UNION TURNPIKE
6611	51	138-19 UNION TURNPIKE
6611	53	138-15 UNION TURNPIKE
6611	56	138-09 UNION TURNPIKE
6623	33 (p/o)	72-76 MAIN STREET
6623	38	141-43 73 AVENUE
6623	41	141-39 73 AVENUE
6623	43	141-35 73 AVENUE
6623	45	141-31 73 AVENUE
6623	47	141-27 73 AVENUE
6623	49	141-23 73 AVENUE
6623	51	141-19 73 AVENUE
6623	53	141-15 73 AVENUE
6623	55	141-09 73 AVENUE
6623	57	141-07 73 AVENUE
6623	59	141-03 73 AVENUE
6624	2	141-02 73 AVENUE
6624	3	141-06 73 AVENUE
6624	5	141-08 73 AVENUE
6624	7	141-12 73 AVENUE
6624	9	141-16 73 AVENUE
6624	11	141-20 73 AVENUE
6624	13	141-24 73 AVENUE
6624	15	141-28 73 AVENUE
6624	17	141-32 73 AVENUE
6624	19	141-36 73 AVENUE
6624	21	141-40 73 AVENUE
6624	23	141-48 73 AVENUE
6624	25	141-52 73 AVENUE
6624	27	141-56 73 AVENUE
6624	29	141-60 73 AVENUE
6624	31	141-67 73 TERRACE
6624	33	141-63 73 TERRACE
6624	35	141-59 73 TERRACE
6624	37	141-51 73 TERRACE
6624	39	141-47 73 TERRACE
6624	41	141-43 73 TERRACE
6624	43	141-39 73 TERRACE
6624	45	141-35 73 TERRACE
6624	47	141-31 73 TERRACE
6624	49	141-27 73 TERRACE
6624	51	141-23 73 TERRACE

KEW GARDENS HILLS DEVELOPMENT SITES

BLOCK	LOT	ADDRESS
6624	53	141-19 73 TERRACE
6624	55	141-15 73 TERRACE
6624	58	141-07 73 TERRACE
6624	60	141-01 73 TERRACE

APPENDIX B

New York City Landmarks Preservation Commission

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 19DCP089Q
Project: KEW GARDENS HILLS REZONINGS
Date received: 12/4/2018

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 135-03 PARK DRIVE EAST, BBL: 4065790002
2) ADDRESS: 72-51 PARK DRIVE EAST, BBL: 4065790008
3) ADDRESS: 72-45 PARK DRIVE EAST, BBL: 4065790010
4) ADDRESS: 72-41 PARK DRIVE EAST, BBL: 4065790014
5) ADDRESS: 72-35 PARK DRIVE EAST, BBL: 4065790015
6) ADDRESS: 72-25 PARK DRIVE EAST, BBL: 4065790021
7) ADDRESS: 72-21 PARK DRIVE EAST, BBL: 4065790024
8) ADDRESS: 72-15 PARK DRIVE EAST, BBL: 4065790028
9) ADDRESS: 139-19 72 ROAD, BBL: 4065790083
10) ADDRESS: 139-15 72 ROAD, BBL: 4065790085
11) ADDRESS: 139-07 72 ROAD, BBL: 4065790089
12) ADDRESS: 137-09 72 ROAD, BBL: 4065790099
13) ADDRESS: 136-23 72 ROAD, BBL: 4065790108
14) ADDRESS: 136-01 72 ROAD, BBL: 4065790120
15) ADDRESS: 72-20 136 STREET, BBL: 4065790132
16) ADDRESS: 72-28 136 STREET, BBL: 4065790137
17) ADDRESS: 72-01 136 STREET, BBL: 4065800002
18) ADDRESS: 72-02 137 STREET, BBL: 4065800006
19) ADDRESS: 72-06 137 STREET, BBL: 4065800008
20) ADDRESS: 72-10 137 STREET, BBL: 4065800010
21) ADDRESS: 72-14 137 STREET, BBL: 4065800012
22) ADDRESS: 72-26 137 STREET, BBL: 4065800018
23) ADDRESS: 72-30 137 STREET, BBL: 4065800020
24) ADDRESS: 72-34 137 STREET, BBL: 4065800022
25) ADDRESS: 72-38 137 STREET, BBL: 4065800024
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246) ADDRESS: 141-01 73 TERRACE, BBL: 4066240060
247) ADDRESS: 72-36 136 STREET, BBL: 4065790141

Gina Santucci

12/13/2018

~~SIGNATURE~~ ~~DATE~~

Gina Santucci, Environmental Review Coordinator

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APPENDIX C

Phase I Environmental Assessments
Area A and Area B

PHASE I ENVIRONMENTAL SITE ASSESSMENT

A. INTRODUCTION

Environmental Studies Corporation has performed a limited scope Phase I Environmental Site Assessment (ESA) of the subject property referred to as the Kew Gardens Hills Rezoning Area A, located in the Kew Gardens Hills neighborhood of the Borough of Queens, New York City, New York. This Phase I ESA was prepared in accordance with the latest ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation E 1527-13).

The Standard Practice E 1527-13 defines good commercial and customary practice for conducting an environmental site assessment (ESA) of a parcel of commercial real estate with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and petroleum products. As such, the Practice is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability (referred to as landowner liability protections or LLPs); that is, the practice that constitutes all appropriate inquiries into the previous ownership and uses of the property consistent with good commercial and customary practice.

The goal of an ESA is to identify, to the extent feasible in accordance with ASTM E 1527-13, *recognized environmental conditions (RECs)* in connection with the property. The term *recognized environmental condition* means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not *recognized environmental conditions*. The term *de minimis* condition means a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. The presence or likely presence of hazardous substances or petroleum products at a site includes any form, such as solid or liquid at the surface or subsurface, and vapor in the subsurface.

The Practice also defines two additional *RECs*; *controlled recognized environmental conditions* and *historical recognized environmental conditions*. The term *controlled recognized environmental conditions* means a *recognized environmental condition* resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

The term *historical recognized environmental condition* means a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been address to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

Recognized environmental conditions for this limited scope Phase I ESA are identified through a review of pertinent records for the project site and nearby properties. The records review includes a review of the following *Standard Historical Sources* of information to determine the history of the property: historical aerial photographs, historical maps such as those published by the Sanborn Map Company, E. Belcher Hyde, and G.W. Bromley and Company, and historical topographic maps. The records review also includes regulatory agency lists and databases of documented hazardous waste sites, spill incidents, registered storage tanks and others at the project site an in the surrounding area.

Sanborn atlases and other pertinent figures are included in Attachment A. Regulatory agency database information from Environmental Data Resources, Inc. (EDR) is included in Attachment B.

B. EXECUTIVE SUMMARY

The subject property referred to as the Kew Gardens Hills Rezoning Area A is bounded by 72nd Road to the north, 77th Avenue to the south, Park Drive East to the west and by Main Street to the east, in the Kew Gardens Hills neighborhood of the Borough of Queens, New York. The property encompasses all of the lots on Blocks 6580, 6584, 6585, 6601, 6602, 6624, and all of the lots on the south sides of Blocks 6579 and 6623, and all of the lots on the west sides of Blocks 6604 and 6605. The property appears on the USGS 7.5 Minute Series Topographic Jamaica, New York Quadrangle. Area A consists of 283 tax lots on ten adjoining city blocks, with an average lot size of 5,760 square feet. The site contains 276, 1- or 2-family dwellings, three multi-unit residences, two cultural institutions and two vacant properties.

Research into the history of Area A shows that it was primarily developed with 1- or 2-story residential dwellings beginning just after World War II. By 1947, the eastern half of the site was developed with residential dwellings, and by the mid-1950s, all of the subject lots contained residential dwellings. The uses of the site have remained residential (with two cultural institutions) since the 1950s.

From the 1920s to the early 1940s, the project site was part of the Queens Valley Golf Club and contained a clubhouse, pro shop, caddy shack, a small pump house and three small sheds/storage buildings. It is possible that pesticides were used as part of the operations of the Queens Valley Golf Course, however, the use of pesticides on golf courses prior to World War II was typically less intensive then the period after the war. In addition, a significant portion of the surface soils would have been excavated during the construction of the roads and buildings in the area. Given this information, and that it has been more than 70 years since the site was a functioning golf course, it is considered unlikely that the property would have been impacted by the former Queens Valley Golf Club.

Prior to the construction of the golf course in the 1920s, the property was made up of several large lots owned by private individuals and contained a few dwellings, stables and sheds.

There are four spill incidents identified at Area A in the New York State Department of Environmental Conservation (NYSDEC) Spills database. Three of the incidents involved the spill of small quantities of fuel oil (less than 5 gallons), and the fourth incident involved a spill of approximately 20 gallons of gasoline onto the roadway during a traffic accident. All of the spill incidents have been closed by the NYSDEC. Based on the small quantities of materials spilled, and that cleanups were performed and the spills closed by the NYSDEC, it is considered unlikely that the identified spill incidents would have any impact on any Area A properties.

No properties in Area A appear in the remaining Federal or State environmental databases reviewed, including the USEPA's Superfund, CERCLIS or ERNS databases, the RCRA Hazardous Waste Generators or Treatment/Storage/Disposal Facilities lists, or the NYSDEC's Solid Waste Facilities database, Petroleum Bulk Storage database, Brownfield site database, Voluntary Cleanup Program list or the Registry of Inactive Hazardous Waste Disposal Sites.

Area A is adjoined to the north by residential uses. Adjacent and to the south of the site are residential uses, the Queens Valley Playground and Public School 164. Adjacent and to the east of the site are residential uses, and commercial/retail stores along Main Street and Vleigh Place. The property is adjoined to the west by Park Drive East, beyond which is the Mauro Playground.

Land uses in the immediate vicinity of the property (i.e., within approximately 500 feet of the site) are predominantly residential, with commercial/retail uses located along Main Street and Vleigh Place. To the west of the site is the New York City Transit Authority Jamaica Yard, and Flushing Meadows Park.

A review of Historical maps shows that land uses in the immediate area have been predominantly residential to the north, south and east, and the Jamaica Yard to the west, since at least the early 1950s. Historical maps from the early 1900s show land uses in the area to be predominantly large private lots occupied by a few dwellings, stables, sheds and other small structures.

There were not any potential off-site sources of contamination which are considered likely to have impacted the properties comprising Area A identified in the information reviewed for this report.

Conclusions

We have performed a Limited Scope Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of the Kew Gardens Hills Re-zoning Area A, Queens, N.Y., the property. This assessment has revealed no evidence of *Recognized Environmental Conditions, Controlled Recognized Environmental Conditions* or *Historical Recognized Environmental Conditions* in connection with the property.

Environmental Professional Statement

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in 312.1 of 40 CFR 312 and we have the specified qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquires in conformance with the standards and practices set forth in 40 CFR Part 312.

Respectfully Submitted,

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Hiram A. Rothkrug, Director
Environmental Studies Corp.

C. REPORT OF FINDINGS

Property Description

Property Address and Location

Subject Property:

Kew Gardens Hills Rezoning Area A

Block: 6579
Lots: 2, 6, 8, 10, 14, 15, 18, 21, 24, 28, 83, 85, 87, 89, 91, 95, 97, 99, 101, 103, 107, 108, 111, 115, 117, 120, 122, 125, 128, 131, 132, 134, 137, 139 & 141

Block: 6580
Lots: 2, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 27, 28, 30, 33, 35, 38, 40, 43 & 46

Block: 6584
Lots: 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 32, 34, 36, 38, 40, 42, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 75 & 78

Block: 6585
Lots: 2, 8, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 38, 40, 42, 44, 46, 48, 50, 52, 54, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103, 105, 107, 109, 111, 113, 115, 117, 119, 121, 123, 125 & 127

Block: 6601
Lots: 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 33, 35, 38, 40, 42, 44, 46, 48, 50, 52 & 54

Block: 6602
Lots: 2, 4, 6, 8, 14, 18, 20, 22, 24, 26, 29, 32, 34, 36, 38, 40, 42, 44, 46, 48 & 50

Block: 6604
Lots: 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 30, 32, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89 & 91

Block: 6605
Lots: 2, 6, 7, 11, 12, 14, 19, 21, 23, 25, 27, 29, 31, 33, p/o 35, p/o 73, 75, 77, 79, 81, 84, 86, 88, 90 & 92

Block: 6623
Lots: 38, 41, 43, 45, 47, 49, 51, 53, 55, 57 & 59

Block: 6624
Lots: 2, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 58 & 60

Queens, New York 11367

Area A is bounded by 72nd Road to the north, 77th Avenue to the south, Park Drive East to the west and by Main Street to the east, in the Kew Gardens Hills neighborhood of the Borough of Queens, New York City, New York. The property encompasses all of the lots on Blocks 6580, 6584, 6585, 6601, 6602, 6624, all of the lots on the south sides of Blocks 6579 and 6623, and all of the lots on the west sides of Blocks 6604 and 6605. The property appears on the USGS 7.5 Minute Series Topographic Jamaica, New York Quadrangle (see Attachment A).

Site Description

The Kew Gardens Hills Rezoning Area A consists of 283 tax lots on ten adjoining city blocks, with an average lot size of 5,760 square feet. The site contains 276, 1- or 2-family dwellings, three multi-unit residences, two cultural institutions and two vacant properties.

Site History

Information regarding site history was obtained from the following standard historical sources: historical land use/fire insurance atlases such as those produced by the Sanborn Map Company, E. Belcher Hyde, and the G.W. Bromley and Company, historical aerial photographs, historical topographic maps and New York City Buildings Department information for construction dates of existing buildings.

Historical Maps

The 1903, 1917, 1934, 1950, 1981, 1983, 1986, 1988, 1989, 1991, 1993, 1994, 1995, 1999, 2001, 2002, 2003, 2004, 2005, and 2006 Sanborn fire insurance/real estate maps were reviewed (see Attachment A). These maps provide information on the history of structures at the site, and may show property use including operations involving the storage or use of hazardous substances, and the presence of buried gasoline tanks. In addition, the 1904 Belcher Hyde map and 1909 Bromley map of the project site from the New York Public Library On-Line Collections were reviewed.

The 1903 Sanborn map shows four small structures on the central part of the site (dwelling, stable, wagon house and shed), and six small structures on the east side of the site (three dwellings and three sheds). The rest of the site appears undeveloped with no identified on-site uses or operations on the 1903 Sanborn map. The 1904 Belcher Hyde map shows three small structures (dwelling and two stables) on the south-central part of the site, and two structures (dwelling and stable) on the east side of the site. The remaining area appears undeveloped with no identified on-site uses or operations on the 1904 Belcher Hyde map. The 1909 Bromley map shows three small structures on the east side of the site (two dwellings and a stable) and three small structures (dwelling and two stables) on the south-central part of the site. The rest of the site appears undeveloped with no identified on-site uses or operations on the 1909 Bromley map. The 1904 Belcher Hyde map and the 1909 Bromley map show that the site consisted of several large private lots owned by Ada H. Meeker, Peter S. Meeker, John Broedler and others.

The 1917 Sanborn map shows two small structures on the east side of the site (dwelling and stable) and four small structures on the central part of the site (dwelling, stable and two sheds). The rest of the property appears undeveloped on the 1917 Sanborn map.

The 1934 Sanborn map shows that the property was then part of the Queens Valley Golf Club. The existing streets (not opened) and block numbers are shown overlain on top of the project site on this map. A clubhouse, a caddy shack, a pro shop and small shed are shown on the subject blocks 6585 and 6586. A small pump house appears on Block 6624 and two small sheds are shown on Block 6579.

The 1950 Sanborn map shows all but seven of the subject lots occupied by 1- or 2-story residential dwellings. The other seven lots (Block 6579, Lots 10, 14, 15, 18, 21, 24, and 28) appear as undeveloped with no identified on-site uses shown on the 1950 map. The remaining Sanborn maps reviewed show all of the subject lots occupied by 1- or 2-story residential dwellings, with the following exceptions:

- Block 6602, Lot 2 is shown as undeveloped with no on-site uses on the 2006 map.
- Block 6604, Lot 89 is shown as undeveloped with no on-site uses on the 2005 map, and occupied by a residential dwelling on the 2006 map.
- Block 6605, Lot 31 is shown as undeveloped with no on-site uses on the 2005 and 2006 maps.
- Block 6585, Lot 33 is shown as undeveloped with no on-site uses on the 2005 and 2006 maps.
- Block 6585, Lot 13 is shown as undeveloped with no on-site uses on the 2005 and 2006 maps.
- Block 6623, Lot 41 is shown as undeveloped with no on-site uses on the 1986, 1988 and 1989 maps. The 1991 through 2006 maps show this lot occupied by an institutional or public facility.
- Block 6624, Lot 39 is shown as vacant with no on-site uses on the 1993 map. All of the remaining maps show a residential dwelling on this lot.

Historical Aerial Photographs

Historical aerial photographs of the site for the years 1924, 1951, 1954, 1961, 1966, 1985, 1994, 2006, 2011, and 2015, provided by EDR, Inc, were reviewed (see Attachment A). Historical aerial photographs are another source for site history, and may show on-site development, excavations, debris piles, pits, lagoons, etc.

The 1924 aerial photograph shows the property as mostly cleared of trees. Features consistent with a golf course are visible at the site, including large, grass-covered fairways, sand bunkers, and several, small, putting greens with darker grass. Two objects that appear to be buildings appear on the northern part of the site and two objects that appear to be buildings are visible on the eastern part of the site.

The 1951 photograph shows all but one of the subject lots occupied by what appear to be residential dwellings. Lot 28 on Block 6579 appears as an undeveloped lot cleared of vegetation on this photograph. The 1954 through 2006 photographs show all of the lots occupied by what appear residential dwellings. The 2011 photograph shows what appears to be an undeveloped lot cleared of vegetation on Lot 91 of Block 6579. All of the subject lots appear to be developed with residential dwellings on the 2015 aerial photograph. There are not any obvious indications of debris piles,

excavations, pits, ponds or lagoons visible at the project site on any of the historical aerial photographs reviewed.

Historical Topographic Maps

Historical topographic maps of the site for the years 1897, 1898, 1900, 1947, 1957, 1966, 1979, 1994, and 2013, provided by EDR, Inc, were reviewed (see Attachment A). Historical topographic maps are another source for site history, and may show on-site structures, utilities, pipelines, rights-of-way, mining operations, filled areas, and others.

There are not any buildings, structures, utilities, pipelines, rights-of-way or other indications of previous site development or operations shown at the project site on the 1897, 1898 or 1900 topographic maps. The 1947 map shows the existing streets and buildings on the east side of the project site, and the west side of the site appears as vacant land. The 1957 through 2013 maps show the site as a built-up area, and no longer show the individual existing streets or structures. The general elevation and topography of the project site appears consistent on all historical topographic maps reviewed, which indicates that the site has not been significantly excavated or filled since the late 1800s.

Surrounding Land Use

The subject property is adjoined to the north by residential uses. Adjacent and to the south of the site are residential uses, the Queens Valley Playground and Public School 164. Adjacent and to the east of the site are residential uses, and commercial/retail stores along Main Street and Vleigh Place. The property is adjoined to the west by Park Drive East, beyond which is the Mauro Playground.

Land uses in the immediate vicinity of the property (i.e., within approximately 500 feet of the site) are predominantly residential, with commercial/retail uses located along Main Street and Vleigh Place. To the west of the site is the New York City Transit Authority Jamaica Yard, and Flushing Meadows Park.

A review of Historical maps shows that land uses in the immediate area have been predominantly residential to the north and south, residential and commercial/retail uses to the east, and the Jamaica Yard and Flushing Meadow Park to the west, since at least the early 1950s. Historical maps from the early 1900s show land uses in the area to be predominantly large private lots occupied by a few dwellings, stables, sheds and other small structures.

Site Topography and Hydrology

The subject property is mapped on the USGS 7.5 Minute Topographic Map Jamaica, N.Y. Quadrangle (2013). The map shows that the elevation of the project site generally slopes downward to the west. The east side of the site has an elevation of approximately 70 feet above mean sea-level and the west side has an elevation of generally 40 feet above mean sea-level. The topography in the area immediately surrounding the property generally slopes downward to the west, towards Flushing Meadow Park and Willow Lake. According to the U.S. Geological Survey (USGS) map titled *Water Table and Potentiometric-Surface Altitudes in the Upper Glacial, Magothy, and Lloyd Aquifers beneath Long Island, New York, March-April, 2006*, the general direction of groundwater flow below the project site is to the west, towards Willow Lake and Flushing Meadow Park. According to information in the

database report, a subsurface investigation was performed at the Brownfield Cleanup Program (BCP) site at 77-57 Vleigh Place, which is located approximately 1,000 feet southeast of the subject property. The geology of the subsurface was found to consists of medium to fine-grained sand with pebbles down to a depth of approximately 34 feet below grade. The depth to groundwater was found to be approximately 35 feet below grade and flows from southeast to northwest across the site.

Regulatory Agency Information and Databases

Regulatory agency environmental database information regarding known or suspected hazardous waste storage or disposal sites, reported spill incidents, registered petroleum storage tanks, solid waste facilities and landfills, etc. for the subject properties and surrounding area is obtained from Environmental Data Resources, Inc. (EDR) of Milford, Ct. These documented sites and incidents are listed in the following section for descriptive purposes. Their inclusion does not necessarily suggest any potential impacts to the subject property, but provides an indication of the potential for general groundwater and soil contamination in the larger area.

Federal Databases

Superfund Sites

The U.S. Environmental Protection Agency's (USEPA) National Priorities List identifies confirmed hazardous waste sites, (Superfund sites) that are ranked for clean-up under the federal Superfund program. This program was authorized by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA).

No properties within Area A are on the USEPA National Priorities List. There are not any USEPA Superfund sites identified within an approximate one-mile radius of Area A.

CERCLIS Sites

A check was made of the USEPA's CERCLA Information System (CERCLIS). The CERCLIS is a comprehensive database and management system that inventories and tracks sites addressed or needing to be addressed by the Superfund program. Sites that the USEPA decide do not warrant further evaluation under the Superfund program are delisted and given a No Further Remedial Action Planned (NFRAP) designation.

No properties within Area A are on the USEPA's CERCLA Information System (CERCLIS) list. There are not any CERCLIS sites identified within ½ mile of the site.

RCRA Treatment/Storage/Disposal Facilities

The USEPA's RCRA hazardous waste Treatment/Storage/Disposal (TSD) Facilities database includes facilities that transport, treat, store and/or dispose of hazardous wastes, or have engaged in these activities in the past. TSDF operators, as with hazardous waste transporters or generators, are regulated under the Resource Conservation and Recovery Act (RCRA).

No properties within Area A are on the USEPA's RCRA hazardous waste TSD Facilities database list. There are not any RCRA TSD facilities listed within ½ mile of the properties located in Area A.

RCRA CORRACTS

CORRACTS is a list of hazardous waste handlers with RCRA Corrective Action Activity. This report shows which nationally-defined corrective action core events have occurred for every handler that has had corrective action activity.

No properties within Area A are on the list. There are not any RCRA CORRACTS facilities identified within one-mile of the properties located in Area A.

RCRA Hazardous Waste Generators

RCRA Hazardous Waste Generators are regulated by the federal government under the Resource Conservation and Recovery Act (RCRA). An inventory of hazardous waste generators is useful to assess the kinds of hazardous substances/wastes that are handled, stored, and/or transported in the vicinity of the site, as well as on the subject property.

No properties within Area A are identified in the RCRA Hazardous Waste Generator database. There are six RCRA Hazardous Waste Generators identified adjacent to the project site (see Attachment B). Five of these are ConEd (electric utility) service boxes located below the streets. All five of these are currently listed as Non-Generators and there are not any Violations at these sites. These structures are electrical utility service vaults and it is likely that the listing was due to a one-time removal of hazardous waste from maintenance and repair operations, and not from on-going operations which generate hazardous waste.

The sixth RCRA Hazardous Waste Generator is S. Kohan French Cleaners at 73-17 Main Street. This business is listed as a Conditionally Exempt Small Quantity Generator of hazardous waste. There are not any RCRA Violation found for this site and there are not any NYSDEC-reported spill incidents identified at this adjacent property. Based on this information, it is considered unlikely that these sites would have impacted any of the properties located in Area A.

Emergency Response Notification System

USEPA's Emergency Response Notification System (ERNS) database contains information from federal agencies on CERCLA hazardous substance releases or spills in quantities greater than the reportable quantity.

There are no reported ERNS releases or spills listed on any of the properties located in Area A.

U.S. Institutional/Engineering Controls Lists

The U.S. Institutional Controls List is a database of sites with institutional controls in place, typically administrative controls such as groundwater use restrictions, construction restrictions, property use restrictions and post remediation care requirements intended to prevent exposure to contaminants remaining at a site. The U.S. Engineering Controls List is a database of site with engineering controls in place such as various forms of caps, building foundations, liners and/or treatment methods to prevent contaminants from entering environmental media or affect human health.

No properties located within Area A or adjoining properties are listed in the U.S. Institutional Controls or the U.S. Engineering Controls databases. There are not any facilities identified in the U.S. Institutional Controls or the U.S. Engineering Controls databases within ½ mile of the properties located in Area A.

State Databases

Inactive Hazardous Waste Disposal Sites

A NYSDEC's Inactive Hazardous Waste Disposal Sites Registry contains information on potentially hazardous waste sites in New York State.

No properties within Area A are included in the Registry. There are not any Inactive Hazardous Waste Disposal sites identified within one-mile of the properties located in Area A.

State Institutional/Engineering Controls Lists

The State Institutional Controls List is a database of sites with institutional controls in place, typically administrative controls such as groundwater use restrictions, construction restrictions, property use restrictions and post remediation care requirements intended to prevent exposure to contaminants remaining at a site. The State Engineering Controls List is a database of site with engineering controls in place such as various forms of caps, building foundations, liners and/or treatment methods to prevent contaminants from entering environmental media or affect human health.

No properties within Area A, or adjoining properties, are listed in the State Institutional Controls or the State Engineering Controls Lists. No State Institutional/Engineering Controls sites are identified within ½ mile of the properties located in Area A.

Spill Logs

The NYSDEC Spill Logs database for Region 2 (New York City) was checked for reported spills of toxic or hazardous substances (including petroleum products) within ½ mile of the subject properties. Spill incidents listed as "Active" indicate that the spill is either still undergoing remediation, or awaiting completion of paperwork for closure. Spill incidents listed as "Closed" indicate that the NYSDEC required no additional remedial measures at the time of spill closure. Spills listed as tank failures or tank test failures indicate the possibility of oil or gasoline seepage to the surrounding soils or groundwater. Other spills (i.e., accidents, sloppy housekeeping, equipment failures, etc.) may only affect surface soils.

There are four spill incidents identified within Area A in the NYSDEC Spill Logs database (see Attachment B). The first spill is listed at 73-48 136th Street and occurred on 2/14/95 (Spill Number 9500248). This spill incident was reported when a fuel oil mist was found in the house from an equipment failure. This incident was resolved by the oil company and the spill incident was closed by the NYSDEC on 12/31/97.

The second spill incident is identified at 137-48 75th Road and occurred on 1/22/96 (Spill Number 9513222). The Remarks section of the spill report states "Caller was notified by his

customer that she is leaking oil, but she doesn't know from where." This spill incident was closed by the NYSDEC on 1/22/96.

The third spill is identified at 72-19 137th Street and occurred on 9/12/2000 (Spill Number 0006937). This spill incident involved the spill of approximately 20 gallons of gasoline on the roadway during a traffic accident. The spill incident was closed by the NYSDEC on 5/21/03.

The fourth on-site spill incident is identified at 141-06 73rd Avenue and occurred on 2/29/96 (Spill Number 9515430). This incident involved the spill of approximately 1 quart of oil onto the basement floor of the house from an equipment failure. This spill incident was closed by the NYSDEC on 2/29/96. Based on the nature of the on-site spill incidents, and the small quantities of materials spilled, it is considered unlikely that these spill incidents would have impacted the project site.

In addition to the spill incidents identified within Area A, there are 77 leaking tank spill incidents identified within ½ mile of the property, 74 of which have been closed by the NYSDEC. The three leaking tank spill incidents all occurred approximately ¼ mile or more from the project site. Based on a review of these spill incidents, it is considered unlikely that they would have impacted the project site.

In addition to the Leaking Tank spill incidents, there are 65 spill incidents from other causes identified within approximately 1/8 mile of the property, 64 of which have been closed by the NYSDEC. The one spill incident that has not been closed by the NYSDEC occurred at 72-09 Main Street, which is located approximately 750 feet northeast of Area A. According to information in the spill report, this spill incident was reported on 8/18/17 when contaminated soil was discovered at a gasoline filling station during tank upgrade activities. An area of impacted soil approximately 50 feet by 40 feet wide by 17 feet deep was excavated and removed from the property for disposal. Groundwater was not encountered in the excavation. A total of 16 post-excavation samples were collected and submitted for laboratory analysis and the tank closure report was submitted to the NYSDEC. The investigation and remediation of this spill incident is being performed by the responsible party under the regulatory oversight of the NYSDEC.

Based on a review of the identified spill incidents from other causes, it is considered unlikely that they would have impacted the project site.

Petroleum Bulk Storage Facilities

A check was made of the most recent NYSDEC Petroleum Bulk Storage (PBS) database. Petroleum bulk storage facilities have petroleum storage capacities in excess of eleven hundred (1,100) gallons, and less than four hundred thousand (400,000) gallons.

No properties within Area A appear in the PBS database. The following adjacent properties are identified in the PBS database (see Attachment B):

The Kew Gardens Hills Apartments, located adjacent and to the south of Area A.

There are not any NYSDEC-reported spill incidents that have not been closed by the NYSDCEC identified at this adjacent location.

Major Oil Storage Facilities

The NYSDEC Major Oil Storage Facilities (MOSF) database, which lists all facilities (onshore facilities or vessels) with petroleum storage capacities of 400,000 gallons or greater, was reviewed.

No properties within Area A are identified in this database. There are not any NYSDEC MOSF sites identified within an approximate 1/2-mile radius of the properties located within Area A.

Chemical Bulk Storage Facilities

The NYSDEC Chemical Bulk Storage (CBS) database was reviewed. Chemical bulk storage facilities store regulated hazardous substances in aboveground tanks with capacities of one hundred eighty-five (185) gallons or greater, and/or in underground tanks of any size.

No properties within Area A or adjoining properties appear in the CBS database.

Solid Waste Facilities

A check was made of the NYSDEC database of solid waste facilities, including, but not limited to, landfills, incinerators, transfer stations, recycling centers.

No properties within Area A are identified in this database. There are not any Solid Waste Facility sites identified within ½ mile of the properties located within Area A.

Voluntary Cleanup Program Sites

The New York State database of sites with Voluntary Cleanup Agreements was reviewed. The Voluntary Cleanup Program (VCP) was established to address the environmental, legal and financial barriers that often hinder the re-development and re-use of contaminated properties. The VCP enhances private sector cleanup of contaminated sites by enabling parties to remediate sites using private rather than public funds.

No properties within Area A are on the VCP database. There are not any VCP sites listed within ½ mile of the properties located within Area A.

Brownfield Site List

The New York State list of Brownfield Cleanup Program (BCP) sites was reviewed. A Brownfield is any real property where re-development or re-use may be complicated by the presence of potential presence of a hazardous waste, petroleum, pollutant or contaminant.

No properties within Area A are on the list. There is one Brownfield site identified within ½ mile of Area A (see Attachment B). This is 77-57 Vleigh Place, which is located approximately 1,000 feet to southeast of Area A. According to information from the database report and from the NYSDEC Brownfield Cleanup Program Fact Sheet for the site, impacts to on-site soil, groundwater and soil vapors from past dry-cleaning operations on the property were found during investigations which concluded in 2017. In addition, impacts to off-site groundwater and soil vapors were also found during the investigations. The information reviewed states that the direction of groundwater flow below the site is from southeast to northwest, towards Willow Lake. Sub-slab vapor samples, indoor air samples and outdoor air samples were collected from the pre-school building at 77-40 Vleigh Place, which is located to the west of the site, across Vleigh Place. Based on the results, no further action is necessary to the pre-school to the west of the site. The remediation of the site is currently underway by the responsible party under the regulatory oversight of the NYSDEC. Given this information, and the distance of this site from Area A, it is considered unlikely that it would have impacted any properties located in Area A.

Radon

Radon, a naturally occurring radioactive gas, is the product of the decay of radium. It is found most frequently in relatively high concentrations in rock formations containing uranium, granite, shale, phosphate, and pitchblende. Radon may also be found in soils contaminated with industrial waste from uranium and phosphate mining. Radon as a gas can move through the soil and water, and into the atmosphere, and is a potential health concern if confined in sufficiently high concentrations in indoor environments. The U.S. Environmental Protection Agency (USEPA) has set an "action level" of 4.0 picocuries per liter for continuous long-term exposure to radon gas. If radon gas is measured above this level, USEPA suggests follow-up testing and remediation measures.

According to data compiled by the Bureau of Radiation Protection, New York State Department of Health, Queens County has an average basement level radon measurement of 1.24 picocuries per liter. Based on these low average basement radon levels for Queens County, it is unlikely that radon gas levels on the subject property exceed the USEPA action level of 4.0 picocuries per liter, and therefore radon testing is typically not recommended.

D. SCOPE OF WORK

This Limited Scope Phase I ESA included a review of historical maps, historical aerial photographs and historical Topographic maps; and a review of regulatory agency environmental database information for the project site and surrounding area. Historical site research is important in the

assessment of the likelihood of past releases of hazardous substances (which include petroleum products).

The following regulatory agency lists and databases of documented hazardous waste sites, waste handlers, and spills are checked for the vicinity of the subject property:

- U.S. Environmental Protection Agency for location of Superfund and CERCLIS sites, ERNS database, and RCRA Hazardous Waste Generators and Treatment/Storage/ Disposal Facilities (TSDF).
- New York State Department of Environmental Conservation, Region 2, for hazardous waste spill logs, Inactive Hazardous Waste Disposal Sites, and registered tank lists, Solid Waste Facilities.

Not all of the objectives described above are applied to every site; investigations are tailored to the particular nature of the site. It should be noted that information requested from regulatory agencies may be incomplete or unavailable within a reasonable time period.

E. QUALIFICATIONS

Environmental Studies Corp, Inc. is an environmental consulting firm that has undertaken environmental site assessment studies since 1987. These site evaluation studies have been prepared for major lenders, public corporations, businesses, and governmental agencies.

Individual qualifications of personnel, including specific credentials of persons involved in the preparation of this report, can be provided upon request.

F. DISCLAIMER

This report is for use by Community Board #8, and is only to be used as a guide in determining the potential for contamination by toxic or hazardous substances on the subject property at the time of the site visit. This Phase I Environmental (ESA) is based principally on the review of historic and regulatory records (made available within a reasonable time period), relating to past occupants and usage of the subject property, as well as activities at nearby sites, and upon a visual assessment of the subject property, and makes no determinations with respect to portions of the subject property and its structures which were not inspected.

This Phase I ESA does not involve any sampling, testing, or laboratory analysis of subsurface soils, groundwater or building materials or other substances on-site, but constitutes only the professional opinion of our staff based on established procedures and protocols. This Phase I ESA is not, and should not be construed as, a guaranty, warranty, or certification of the presence or absence of toxic or hazardous substances, which can be made only with testing, and contains no formal plans or recommendations to rectify or remediate the presence of any toxic or hazardous substances, which may be subject to regulatory approval.

Any and all liability shall be limited solely to the cost of this Environmental Site Assessment report. EPDSCO Inc., shall have no liability for any other damages, whether consequential, compensatory, punitive, or special, arising out of incidental to, or as a result of, this assessment. We assume no liability for the use of this report by any person or entity other than the institution and/or entities or persons for whom it has been prepared.

Kew Gardens Hills Rezoning Area A
Queens, New York 11367

A. INTRODUCTION 1
B. EXECUTIVE SUMMARY 3
C. REPORT OF FINDINGS 5
SITE HISTORY 6
REGULATORY AGENCY INFORMATION 9
D. SCOPE OF WORK 15
E. QUALIFICATIONS 15
F. DISCLAIMER 16

ATTACHMENT A – Figures

ATTACHMENT B – Environmental Data Resources, Inc. Radius Map Report

PHASE I ENVIRONMENTAL SITE ASSESSMENT

A. INTRODUCTION

Environmental Studies Corporation has performed a limited scope Phase I Environmental Site Assessment (ESA) of the subject property referred to as the Kew Gardens Hills Rezoning Area B, located in the Kew Gardens Hills neighborhood of the Borough of Queens, New York City, New York. This Phase I ESA was prepared in accordance with the latest ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation E 1527-13).

The Standard Practice E 1527-13 defines good commercial and customary practice for conducting an environmental site assessment (ESA) of a parcel of commercial real estate with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and petroleum products. As such, the Practice is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability (referred to as landowner liability protections or LLPs); that is, the practice that constitutes all appropriate inquiries into the previous ownership and uses of the property consistent with good commercial and customary practice.

The goal of an ESA is to identify, to the extent feasible in accordance with ASTM E 1527-13, *recognized environmental conditions (RECs)* in connection with the property. The term *recognized environmental condition* means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not *recognized environmental conditions*. The term *de minimis* condition means a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. The presence or likely presence of hazardous substances or petroleum products at a site includes any form, such as solid or liquid at the surface or subsurface, and vapor in the subsurface.

The Practice also defines two additional *RECs*; *controlled recognized environmental conditions* and *historical recognized environmental conditions*. The term *controlled recognized environmental conditions* means a *recognized environmental condition* resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

The term *historical recognized environmental condition* means a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been address to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

Recognized environmental conditions for this limited scope Phase I ESA are identified through a review of pertinent records for the project site and nearby properties. The records review includes a review of the following *Standard Historical Sources* of information to determine the history of the property: historical aerial photographs, historical maps such as those published by the Sanborn Map Company, E. Belcher Hyde, and G.W. Bromley and Company, and historical topographic maps. The records review also includes regulatory agency lists and databases of documented hazardous waste sites, spill incidents, registered storage tanks and others at the project site an in the surrounding area.

Sanborn atlases and other pertinent figures are included in Attachment A. Regulatory agency database information from Environmental Data Resources, Inc. (EDR) is included in Attachment B.

B. EXECUTIVE SUMMARY

The subject property referred to as the Kew Gardens Hills Rezoning Area B is bounded by Union Turnpike to the south, 78th Avenue to the north, Vleigh Place to the east, and Park Drive East to the west, in the Kew Gardens Hills neighborhood of the Borough of Queens, New York. The property encompasses all of the lots on Blocks 6588, 6589, 6610, 6611, and all the lots on the south side of Blocks 6587 and 6609. The property appears on the USGS 7.5 Minute Series Topographic Jamaica, New York Quadrangle. The properties consist of 94 tax lots on six adjoining city blocks, with an average lot size of 5,760 square feet. The site contains ninety-one (91), 1- or 2-story single-family dwellings, two multi-unit residences, and one cultural institution. There are not any vacant or undeveloped lots.

Research into the history of Area B shows that it was primarily developed with 1- or 2-story residential dwellings beginning in the mid-1930s. By the mid-1950s, all of the lots had been developed with residential dwellings. The uses of the site have remained residential since the construction of the dwellings. The 1983 through 2006 Sanborn maps show that there was also a commercial use in the dwelling located at 135-33 Union Turnpike (Block 6589, Lot 32), however, there are not any indications of the storage or use of hazardous substances or petroleum products shown on this lot on any of the Sanborn maps reviewed.

Prior to the construction of the existing dwellings, there were three small structures on the northern part of the site (dwelling, shed and stable), and the rest of the property was undeveloped. It is likely that the site was used for agricultural purposes or pasture land at some time in the past. There were not any past on-site uses or operations that typically involve the storage or use of hazardous substance identified in Area B in the information reviewed for this report.

There were three spill incidents identified in the New York State Department of Environmental Conservation (NYSDEC) Spills database. Two of the incidents involved the spill of small quantities of fuel oil (3 gallons and 9 gallons), and the third incident involved a spill of less than 1 gallon of mercury from a broken thermometer. The spill incidents were cleaned up and all three spills have been closed by the NYSDEC. Based on the small quantities of materials spilled, and that cleanups were performed and the spills closed by the NYSDEC, it is considered unlikely that the identified spill incidents would have any impact on any Area B properties.

No properties in Area B appear in the remaining Federal or State environmental databases reviewed, including the USEPA's Superfund, CERCLIS or ERNS databases, the RCRA Hazardous Waste Generators or Treatment/Storage/Disposal Facilities lists, or the NYSDEC's Spills database, Solid Waste Facilities database, Petroleum Bulk Storage database, Brownfield site database, Voluntary Cleanup Program list or the Registry of Inactive Hazardous Waste Disposal Sites.

Area B is adjoined to the north by the Kew Gardens Hills Apartments. Adjacent and to the south of the site is Union Turnpike, beyond which are residential apartment buildings. Adjacent and to the east is Vleigh Place, beyond which is the Judge Moses Weinstein Playground. Land uses in the immediate vicinity of Area B (i.e., within approximately 500 feet of the site) are predominantly comprised of residential to the north, south and east. Land uses to the west include the New York City Transit Authority Jamaica Yard, and Flushing Meadows Park. There were not any gasoline filling stations identified in the immediate vicinity of Area B.

A review of Historical maps shows that land uses in the immediate area of the site have been predominantly residential to the north, south and east, and the Jamaica Yard to the west, since at least the early 1950s. Historical maps from the early 1900s show land uses in the area to be predominantly large private lots occupied by a few dwellings, stables, sheds and other small structures.

There were not any potential off-site sources of contamination which are considered likely to have impacted the properties comprising Area B identified in the information reviewed for this report.

Conclusions

We have performed a Limited Scope Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of the Kew Gardens Hills Re-zoning Area B, Queens, N.Y., the property. This assessment has revealed no evidence of *Recognized Environmental Conditions, Controlled Recognized Environmental Conditions* or *Historical Recognized Environmental Conditions* in connection with the property.

Environmental Professional Statement

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in 312.1 of 40 CFR 312 and we have the specified qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquires in conformance with the standards and practices set forth in 40 CFR Part 312.

Respectfully Submitted,

_____

Hiram A. Rothkrug, Director
Environmental Studies Corp.

C. REPORT OF FINDINGS

Property Description

Property Address and Location

Subject Property:

Kew Gardens Hills Rezoning Area B
Block 6587 – Lots 38, 40, 43, 46, 49, 52, 55, 57 & 61
Block 6588 – Lots 1, 6, 9, 10, 13, 16, 19, 22, 25, 28, 31, 33, 36, 38, 41 & 44
Block 6589 – Lots 1, 6, 8, 11, 15, 18, 21, 25, 28, 32, 33, 36, 38 & 41
Block 6609 – Lots 38, 40, 42, 45, 48, 50, 52, 54, 57, 60, 62, 66 & 1
Block 6610 – Lots 1, 6, 8, 11, 14, 18, 19, 22, 25, 28, 31, 34, 37, 40, 42, 44, 46. 49. 52, 55, 58, 61 & 64
Block 6611 – Lots 1, 7, 9, 11, 14, 18, 21, 24, 27, 29, 31, 34, 39, 42, 45, 48, 51, 53 & 56
Queens, New York 11367

Area B is bounded by Union Turnpike to the south, 78th Avenue to the north, Vleigh Place to the east, and Park Drive East to the west, in the Kew Gardens Hills neighborhood of the Borough of Queens, New York City, New York. The property encompasses all of the lots on Blocks 6588, 6589, 6610, 6611, and all the lots on the south side of Blocks 6587 and 6609. The property appears on the USGS 7.5 Minute Series Topographic Jamaica, New York Quadrangle (see Attachment A).

Site Description

Area B consists of 94 tax lots on six adjoining city blocks, with an average lot size of 5,760 square feet. The site contains ninety- one (91), 1- or 2-story single-family dwellings, two multi-unit residences, and one cultural institution. There are not any vacant or undeveloped lots.

Site History

Information regarding site history was obtained from the following standard historical sources: historical land use/fire insurance atlases such as those produced by the Sanborn Map Company, E. Belcher Hyde, and the G.W. Bromley and Company, historical aerial photographs, historical topographic maps and New York City Buildings Department information for construction dates of existing buildings.

Historical Maps

The 1903, 1917, 1934, 1950, 1981, 1983, 1986, 1988, 1989, 1991, 1993, 1994, 1995, 1999, 2001, 2002, 2003, 2004, 2005, and 2006 Sanborn fire insurance/real estate maps were reviewed (see Attachment A). These maps provide information on the history of structures at the site, and may show property use including operations involving the storage or use of hazardous substances, and the presence of buried gasoline tanks. In addition, the 1904 Belcher Hyde map and 1909 Bromley map of the project site from the New York Public Library On-Line Collections were reviewed.

The 1903 Sanborn map shows three small structures long along the northern portion of Area B; a dwelling, a shed/stable and a market house. The rest of Area B appears undeveloped with no identified on-site uses or operations on this map. The 1904 Belcher Hyde map also shows three small structures on the north side of the site and the rest of the property appears as undeveloped. The owner is shown as the Cord Meyer Company, a real estate development firm. The 1909 Bromley map also shows three structures on the northern part of the site, and the rest of the property is shown as undeveloped. The owner of the property is shown as the Cord Meyer Company.

The 1917 Sanborn map coverage only includes the eastern part of Area B, and shows three small structures (i.e., dwelling, shed and stable) on the northern part of the site. The rest of the property is undeveloped. The owner of the property is indicated as the Cord Meyer Company. The 1934 Sanborn map shows the property as undeveloped and also shows the proposed streets overlain in the area.

The 1950 Sanborn map shows all but one of the subject lots occupied by 1- or 2-story residential dwellings. The lot at 78-55 Park Drive East (Block 6588, Lot 1) appears as undeveloped with no identified on-site uses on the 1950 Sanborn map. All of the subject lots are shown to be occupied by 1- or 2-story residential dwellings on the remaining Sanborn maps reviewed. The 1983 through 2006 Sanborn maps show that there was also a commercial use in the dwelling on the subject lot at 135-33 Union Turnpike (Block 6589, Lot 32), however, there are not any indications of the storage or use of hazardous substances or petroleum products shown on this lot any of the Sanborn maps reviewed.

Historical Aerial Photographs

Historical aerial photographs of the site for the years 1924, 1951, 1954, 1961, 1966, 1985, 1994, 2006, 2011, and 2015, provided by EDR, Inc, were reviewed (see Attachment A). Historical aerial photographs are another source for site history, and may show on-site development, excavations, debris piles, pits, lagoons, etc.

The 1924 aerial photograph shows the property as undeveloped land which is mostly cleared of mature trees and covered by low-lying vegetation such as grass or weeds, as would be typical of pasture land. There are not any row crops visible at the site and several mature trees are present on the northwestern part of the property. There are not any identifiable buildings or other structures visible at Area B on the 1924 aerial photograph.

The 1951 and 1954 aerial photographs show all but one of the subject lots occupied by buildings that appear to be single-family dwellings. The subject lot at 78-55 Park Drive East (Block 6588, Lot 1) appears as undeveloped, cleared of tress and covered by low-lying vegetation on the 1951 and 1954 aerial photographs. The 1961 through 2015 aerial photographs show all of the subject lots occupied by what appear to be single-family dwellings. There are not any obvious indications of debris piles, excavations, pits, ponds or lagoons visible at the project site on any of the historical aerial photographs reviewed.

Historical Topographic Maps

Historical Topographic maps of the site for the years 1897, 1898, 1900, 1947, 1957, 1966, 1979, 1994, and 2013, provided by EDR, Inc, were reviewed (see Attachment A). Historical Topographic maps are another source for site history, and may show on-site structures, utilities, pipelines, rights-of-way, mining operations, filled areas, and others.

There are not any buildings, structures, utilities, pipelines, rights-of-way or other indications of previous site development or operations shown at the project site on the 1897, 1898 or 1900 topographic maps. The 1947 map shows Area B in its current configuration with the existing streets and dwellings visible. The 1957 through 2013 maps show the site as a built-up area and no longer show the existing streets or structures. The general elevation and topography of the project site is consistent on all historical Topographic maps reviewed, which indicates that the site has not been significantly excavated or filled since the late 1800s.

Surrounding Land Use

Area B is adjoined to the north by the Kew Gardens Hills Apartments. Adjacent and to the south of is Union Turnpike, beyond which are residential apartment buildings. Adjacent and to the east is Vleigh Place, beyond which is the Judge Moses Weinstein Playground. Land uses in the immediate vicinity of the property (i.e., within approximately 500 feet of the site) are predominantly comprised of residential to the north, south and east. Land uses to the west include the New York City Transit Authority Jamaica Yard, and Flushing Meadows Park. There were not any gasoline filling stations identified in the immediate vicinity of Area B.

A review of Historical maps shows that land uses in the immediate area have been predominantly residential to the north, south and east, and the Jamaica Yard to the west, since at least the early 1950s. Historical maps from the early 1900s show land uses in the area to be predominantly large private lots occupied by a few dwellings, stables, sheds and other small structures.

Site Topography and Hydrology

Area B is mapped on the USGS 7.5 Minute Topographic Map Jamaica, N.Y. Quadrangle (2013). The map shows that the elevation of the project site generally slopes downward to the west. The east side of the site has an elevation of approximately 80 feet above mean sea-level and the west side has an elevation of generally 40 feet above mean sea-level. The topography in the area immediately surrounding the property generally slopes downward to the west, towards Flushing Meadow Park and Willow Lake. According to the U.S. Geological Survey (USGS) map titled *Water Table and Potentiometric-Surface Altitudes in the Upper Glacial, Magothy, and Lloyd Aquifers beneath Long Island, New York, March-April, 2006*, the general direction of groundwater flow below the project site is to the northwest, towards Willow Lake and Flushing Meadow Park. According to information in the database report, a subsurface investigation was performed at the Brownfield Cleanup Program (BCP) site at 77-57 Vleigh Place, which is located approximately 300 feet northeast of Area B. The geology of the subsurface was found to consists of medium to fine-grained sand with pebbles down to a depth of approximately 34 feet below grade. The depth to groundwater was found to be approximately 35 feet below grade and flows from southeast to northwest across the site.

Regulatory Agency Information and Databases

Regulatory agency environmental database information regarding known or suspected hazardous waste storage or disposal sites, reported spill incidents, registered petroleum storage tanks, solid waste facilities and landfills, etc. for the subject properties and surrounding area is obtained from Environmental Data Resources, Inc. (EDR) of Milford, Ct. These documented sites and incidents are listed in the following section for descriptive purposes. Their inclusion does not necessarily suggest any potential impacts to the subject property, but provides an indication of the potential for general groundwater and soil contamination in the larger area.

Federal Databases

Superfund Sites

The U.S. Environmental Protection Agency's (USEPA) National Priorities List identifies confirmed hazardous waste sites, (Superfund sites) that are ranked for clean-up under the federal Superfund program. This program was authorized by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA).

No properties within Area B are on the USEPA National Priorities List. There are not any USEPA Superfund sites identified within an approximate one-mile radius of Area B.

CERCLIS Sites

A check was made of the USEPA's CERCLA Information System (CERCLIS). The CERCLIS is a comprehensive database and management system that inventories and tracks sites addressed or needing to be addressed by the Superfund program. Sites that the USEPA decide do not warrant further evaluation under the Superfund program are delisted and given a No Further Remedial Action Planned (NFRAP) designation.

No properties within Area B are on the USEPA's CERCLA Information System (CERCLIS) list. There is one CERCLIS site identified within ½ mile (see Attachment B). This site, Parkway Village at 81-26 150th Street, is located approximately ½ mile east of Area B. The Parkway Village site involved a waste removal action only, and no site assessment work was needed. This site is not on the National Priorities List. Based on this information, and its distance from Area B, it is considered unlikely that the Parkway Village site would have impacted any of the properties located in Area B.

RCRA Treatment/Storage/Disposal Facilities

The USEPA's RCRA hazardous waste Treatment/Storage/Disposal (TSD) Facilities database includes facilities that transport, treat, store and/or dispose of hazardous wastes, or have engaged in these activities in the past. TSDF operators, as with hazardous waste transporters or generators, are regulated under the Resource Conservation and Recovery Act (RCRA).

No properties within Area B are on the USEPA's RCRA hazardous waste TSD Facilities database list. There are not any RCRA TSD facilities listed within ½ mile of the properties located in Area B.

RCRA CORRACTS

CORRACTS is a list of hazardous waste handlers with RCRA Corrective Action Activity. This report shows which nationally-defined corrective action core events have occurred for every handler that has had corrective action activity.

No properties within Area B are on the list. There are not any RCRA CORRACTS facilities identified within one-mile of the properties located in Area B.

RCRA Hazardous Waste Generators

RCRA Hazardous Waste Generators are regulated by the federal government under the Resource Conservation and Recovery Act (RCRA). An inventory of hazardous waste generators is useful to assess the kinds of hazardous substances/wastes that are handled, stored, and/or transported in the vicinity of the site, as well as on the subject property.

No properties within Area B are identified in the RCRA Hazardous Waste Generator database. There are four RCRA Hazardous Waste Generators identified adjacent to the project site (see Attachment B). All four of these are ConEd (electric utility) service boxes located below the streets. All four of these sites were formerly listed as Small Quantity Generators of hazardous waste and are currently listed as Non-Generators. There are not any Violations at these sites. These structures are electrical utility service vaults and it is likely that the listing was due to a one-time removal of hazardous waste from maintenance and repair operations, and not from on-going operations which generate hazardous waste. Based on this information, it is considered unlikely that these sites would have impacted any of the properties located in Area B.

Emergency Response Notification System

USEPA's Emergency Response Notification System (ERNS) database contains information from federal agencies on CERCLA hazardous substance releases or spills in quantities greater than the reportable quantity.

There are no reported ERNS releases or spills listed on any of the properties located in Area B.

U.S. Institutional/Engineering Controls Lists

The U.S. Institutional Controls List is a database of sites with institutional controls in place, typically administrative controls such as groundwater use restrictions, construction restrictions, property use restrictions and post remediation care requirements intended to prevent exposure to contaminants remaining at a site. The U.S. Engineering Controls List is a database of site with engineering controls in place such as various forms of caps, building foundations, liners and/or treatment methods to prevent contaminants from entering environmental media or affect human health.

No properties located within Area B or adjoining properties are listed in the U.S. Institutional Controls or the U.S. Engineering Controls databases. There are not any facilities identified in

the U.S. Institutional Controls or the U.S. Engineering Controls databases within ½ mile of the properties located in Area B.

State Databases

Inactive Hazardous Waste Disposal Sites

A NYSDEC's Inactive Hazardous Waste Disposal Sites Registry contains information on potentially hazardous waste sites in New York State.

No properties within Area B are included in the Registry. There are not any Inactive Hazardous Waste Disposal sites identified within one-mile of the properties located in Area B.

State Institutional/Engineering Controls Lists

The State Institutional Controls List is a database of sites with institutional controls in place, typically administrative controls such as groundwater use restrictions, construction restrictions, property use restrictions and post remediation care requirements intended to prevent exposure to contaminants remaining at a site. The State Engineering Controls List is a database of site with engineering controls in place such as various forms of caps, building foundations, liners and/or treatment methods to prevent contaminants from entering environmental media or affect human health.

No properties within Area B, or adjoining properties are listed in the State Institutional Controls or the State Engineering Controls Lists. No State Institutional/Engineering Controls sites are identified within ½ mile of the properties located in Area B.

Spill Logs

The NYSDEC Spill Logs database for Region 2 (New York City) was checked for reported spills of toxic or hazardous substances (including petroleum products) within ½ mile of the subject properties. Spill incidents listed as "Active" indicate that the spill is either still undergoing remediation, or awaiting completion of paperwork for closure. Spill incidents listed as "Closed" indicate that the NYSDEC required no additional remedial measures at the time of spill closure. Spills listed as tank failures or tank test failures indicate the possibility of oil or gasoline seepage to the surrounding soils or groundwater. Other spills (i.e., accidents, sloppy housekeeping, equipment failures, etc.) may only affect surface soils.

There were three spill incidents identified within Area B in the NYSDEC Spill Logs database (see Attachment B). The first spill is listed at 138-20 78th Road and occurred on 3/25/93 (Spill Number 9214156). This incident was reported following a spill of approximately 3 gallons of number 2 fuel oil caused by a tank overfill during a fuel delivery. According to the Remarks section of the spill report, the spill was contained on the pavement and a clean-up crew was on site. The NYSDEC closed this spill incident on 3/25/93.

The second spill is listed at 138-03 78th Road (Spill Number 9610659). This incident occurred on 11/25/96 and was reported following a spill of approximately 9 gallons of number 2 fuel oil caused by human error. According to the Remarks section of the spill report, the fuel

delivery driver went to the wrong house and started putting oil in a pipe that was dead-ended due to an illegal gas conversion. The spill was cleaned up by Milro Environmental. The DEC Memo portion of the report states "7/13/05 – Spill closed as per Closure Strategies. Close spill less than 25 gallons, reported over a year ago, and never inspected." This spill incident was closed by the NYSDEC on 7/13/05.

The third spill is listed at 138-49 Union Turnpike on 3/10/03 (Spill Number 0212123). This incident was reported when a homeowner dropped a thermometer and spilled less than 1-gallon of mercury. According to the Remarks section of the spill report, the cleanup was performed by ConEd and the spill was closed by the NYSDEC on 3/12/03.

In addition to the spill incidents identified within Area B, there are 59 leaking tank spill incidents identified within ½ mile of the property, 57 of which have been closed by the NYSDEC. The first leaking tank spill incident that has not been closed is identified at 77-30 Main Street, approximately 700 feet northeast of the project site. According to information in the spill report, this spill incident was caused by a tank tightness test failure of a 5,000-gallon underground fuel oil tank. The tank has been closed in place and the investigation of the spill incident is currently on-going by the responsible party under the regulatory oversight of the NYSDEC. Given the distance and direction of this spill incident from the project site, it is considered unlikely that it would have impacted any of the properties located in Area B.

The second incident that has not been closed occurred at the New York City Department of Corrections Queens House of Detention at 126-02 82nd Avenue, which is located approximately ¼ mile south/southwest of Area B. According to the spill report, this spill incident was reported due to a tank tightness test failure of a 5,000-gallon underground fuel oil tank. The investigation and remediation of the spill is currently on-going by the responsible party under the regulatory oversight of the NYSDEC. Given the distance of this spill incident from the project site, it is considered unlikely that it would have impacted the subject property.

In addition to the Leaking Tank spill incidents, there are nine spill incidents from other causes identified within approximately 1/8 mile of the property, all of which have been closed by the NYSDEC.

Petroleum Bulk Storage Facilities

A check was made of the most recent NYSDEC Petroleum Bulk Storage (PBS) database. Petroleum bulk storage facilities have petroleum storage capacities in excess of eleven hundred (1,100) gallons, and less than four hundred thousand (400,000) gallons.

No properties within Area B appear in the PBS database. The following adjacent properties

There are not any NYSDEC-reported spill incidents that have not been closed by the NYSDCEC identified at either of these adjacent locations

Major Oil Storage Facilities

The NYSDEC Major Oil Storage Facilities (MOSF) database, which lists all facilities (onshore facilities or vessels) with petroleum storage capacities of 400,000 gallons or greater, was reviewed.

No properties within Area B are identified in this database. There are not any NYSDEC MOSF sites identified within an approximate 1/2-mile radius of the properties located within Area B.

Chemical Bulk Storage Facilities

The NYSDEC Chemical Bulk Storage (CBS) database was reviewed. Chemical bulk storage facilities store regulated hazardous substances in aboveground tanks with capacities of one hundred eighty-five (185) gallons or greater, and/or in underground tanks of any size.

No properties within Area B or adjoining properties appear in the CBS database.

Solid Waste Facilities

A check was made of the NYSDEC database of solid waste facilities, including, but not limited to, landfills, incinerators, transfer stations, recycling centers.

No properties within Area B are identified in this database. There are not any Solid Waste Facility sites identified within ½ mile of the properties located within Area B.

Voluntary Cleanup Program Sites

The New York State database of sites with Voluntary Cleanup Agreements was reviewed. The Voluntary Cleanup Program (VCP) was established to address the environmental, legal and financial barriers that often hinder the re-development and re-use of contaminated properties. The VCP enhances private sector cleanup of contaminated sites by enabling parties to remediate sites using private rather than public funds.

No properties within Area B are on the VCP database. There are not any VCP sites listed within ½ mile of the properties located within Area B.

Brownfield Site List

The New York State list of Brownfield Cleanup Program (BCP) sites was reviewed. A Brownfield is any real property where re-development or re-use may be complicated by the presence of potential presence of a hazardous waste, petroleum, pollutant or contaminant.

No properties within Area B are on the list. There are two Brownfield sites identified within ½ mile of Area B (see Attachment B). The closest is 77-57 Vleigh Place, which is located approximately 300 feet to northeast of Area B. According to information from the database report and from the NYSDEC Brownfield Cleanup Program Fact Sheet for the site, impacts to on-site soil, groundwater and soil vapors from past dry-cleaning operations on the property were found during investigations which concluded in 2017. In addition, impacts to off-site

groundwater and soil vapors were also found during the investigations. The information reviewed states that the direction of groundwater flow below the site is from southeast to northwest, towards Willow Lake. Sub-slab vapor samples, indoor air samples and outdoor air samples were collected from the pre-school building at 77-40 Vleigh Place, which is located to the west of the site, across Vleigh Place. Based on the results, no further action is necessary to the pre-school to the west of the site. The remediation of the site is currently underway by the responsible party under the regulatory oversight of the NYSDEC. Given this information, and the distance and direction of this site from Area B, it is considered unlikely that it would have impacted any properties located in Area B.

The second BCP site is 124-22 Queens Boulevard, which is located approximately 1/3 mile southwest of Area B. According to information from the database report and from the NYSDEC Brownfield Cleanup Program Fact Sheet for the site, impacts to on-site soil from past dry-cleaning operations on the property were found during a subsurface investigation of the property. Groundwater elevations at the site are not available, but the depth to groundwater is expected to be approximately 60 feet below the surface. The investigation and remediation of this site is currently on-going by the responsible party under the regulatory oversight of the NYSDEC. Given this information, and the distance of this site from Area B, it is considered unlikely that it would have impacted any of the properties located in Area B.

Radon

Radon, a naturally occurring radioactive gas, is the product of the decay of radium. It is found most frequently in relatively high concentrations in rock formations containing uranium, granite, shale, phosphate, and pitchblende. Radon may also be found in soils contaminated with industrial waste from uranium and phosphate mining. Radon as a gas can move through the soil and water, and into the atmosphere, and is a potential health concern if confined in sufficiently high concentrations in indoor environments. The U.S. Environmental Protection Agency (USEPA) has set an "action level" of 4.0 picocuries per liter for continuous long-term exposure to radon gas. If radon gas is measured above this level, USEPA suggests follow-up testing and remediation measures.

According to data compiled by the Bureau of Radiation Protection, New York State Department of Health, Queens County has an average basement level radon measurement of 1.24 picocuries per liter. Based on these low average basement radon levels for Queens County, it is unlikely that radon gas levels on the subject property exceed the USEPA action level of 4.0 picocuries per liter, and therefore radon testing is typically not recommended.

D. SCOPE OF WORK

This Limited Scope Phase I ESA included a review of historical maps, historical aerial photographs and historical Topographic maps; and a review of regulatory agency environmental database

information for the project site and surrounding area. Historical site research is important in the assessment of the likelihood of past releases of hazardous substances (which include petroleum products).

The following regulatory agency lists and databases of documented hazardous waste sites, waste handlers, and spills are checked for the vicinity of the subject property:

- U.S. Environmental Protection Agency for location of Superfund and CERCLIS sites, ERNS database, and RCRA Hazardous Waste Generators and Treatment/Storage/ Disposal Facilities (TSDF).
- New York State Department of Environmental Conservation, Region 2, for hazardous waste spill logs, Inactive Hazardous Waste Disposal Sites, and registered tank lists, Solid Waste Facilities.

Not all of the objectives described above are applied to every site; investigations are tailored to the particular nature of the site. It should be noted that information requested from regulatory agencies may be incomplete or unavailable within a reasonable time period.

E. QUALIFICATIONS

Environmental Studies Corp, Inc. is an environmental consulting firm that has undertaken environmental site assessment studies since 1987. These site evaluation studies have been prepared for major lenders, public corporations, businesses, and governmental agencies.

Individual qualifications of personnel, including specific credentials of persons involved in the preparation of this report, can be provided upon request.

F. DISCLAIMER

This report is for use by Community Board 8, Queens and is only to be used as a guide in determining the potential for contamination by toxic or hazardous substances on the subject property at the time of the site visit. This Phase I Environmental (ESA) is based principally on the review of historic and regulatory records (made available within a reasonable time period), relating to past occupants and usage of the subject property, as well as activities at nearby sites, and upon a visual assessment of the subject property, and makes no determinations with respect to portions of the subject property and its structures which were not inspected.

This Phase I ESA does not involve any sampling, testing, or laboratory analysis of subsurface soils, groundwater or building materials or other substances on-site, but constitutes only the professional opinion of our staff based on established procedures and protocols. This Phase I ESA is not, and should not be construed as, a guaranty, warranty, or certification of the presence or absence of toxic or hazardous substances, which can be made only with testing, and contains no formal plans or recommendations to rectify or remediate the presence of any toxic or hazardous substances, which may be subject to regulatory approval.

Any and all liability shall be limited solely to the cost of this Environmental Site Assessment report. EPDSCO Inc., shall have no liability for any other damages, whether consequential, compensatory, punitive, or special, arising out of incidental to, or as a result of, this assessment. We assume no liability for the use of this report by any person or entity other than the institution and/or entities or persons for whom it has been prepared.

Kew Gardens Hills Rezoning Area B
Queens, New York 11367

A. INTRODUCTION 1
B. EXECUTIVE SUMMARY 3
C. REPORT OF FINDINGS 5
SITE HISTORY 5
REGULATORY AGENCY INFORMATION 8
D. SCOPE OF WORK 14
E. QUALIFICATIONS 15
F. DISCLAIMER 15

ATTACHMENT A – Figures

ATTACHMENT B – Environmental Data Resources, Inc. Radius Map Report

APPENDIX D

New York City
Department of Sustainability
Correspondence

NYC Environmental Protection

Vincent Sapienza, P.E.
Commissioner

Angela Licata
Deputy Commissioner of Sustainability

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January 11, 2019

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

Re: Kew Gardens Hills Rezoning
Area A: Block 6579, Lots 2, 12, 24, 21, 10, 28, 99, 8, 108, 83, 85, 89, 137, 141, 132, 15, and 120; Block 6580, Lots 6, 12, 24, 22, 38, 10, 33, 20, 8, 43, 27, 18, and 2; Block 6584, Lots 71, 59, 63, 69, 61, 67, 49, 53, 57, 51, 55, 21, 15, 25, 17, 13, 31, 23, 36, 7, 40, 29, 19, 11, 9, 47, and 78; Block 6585, Lots 8, 123, 125, 97, 19, 15, 21, 115, 107, 101, 93, 91, 121, 87, 109, 31, 2, 44, 113, 89, 105, 52, 71, 35, 50, 67, 95, 40, 54, 119, 23, 103, 117, 38, 111, 99, 25, and 33; Block 6601, Lots 54, 4, 44, 26, 10, 14, 16, 28, 42, 12, 18, 8, 6, 2, 22, 35, 52, 33, 46, 20, and 24; Block 6602, Lots 50, 6, 24, 46, 40, 29, 42, 44, 47, 38, 22, 20, and 8; Block 6604, Lots 12, 83, 2, 8, 24, 22, 14, 6, 75, 4, 87, 91, 73, 18, 81, 79, 10, 71, 26, 77, 16, and 20; Block 6605, Lots 2, 25, 11, 90, 89, 14, 21, 12, 29, 79, 35, 23, 81, 88, and 73; Block 6623, Lots 43, 53, 45, 57, 51, 49, and 59; Block 6624, Lots 49, 13, 23, 31, 2, 19, 43, 29, 11, 9, 3, 33, 21, 15, 7, 17, 5, 35, 60, 45, 41, and 47
Area B: Block 6587, Lots 46, 52, 38, 40, 43, 57, 61, 49, and 55; Block 6588, Lots 36, 16, 25, 28, 1, and 6; Block 6589, Lots 36, 38, 25, 6, 33, 8, and 1; Block 6609, Lots 54, 57, 38, 52, 50, 48, 62, 66, 40, 42, and 1; Block 6610, Lots 55, 25, 46, 40, 1, 6, 42, 37, 14, 31, 18, and 19; and Block 6611, Lots 48, 1, 34, 7, 31, 59, and 24
CEQR # 19DCP089Q

Dear Ms. Antelmi:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the November 2018 Environmental Assessment Statement (EAS) and the August 2018 Phase I Environmental Site Assessments (Phase I) prepared by Environmental Studies Corporation, on behalf of Queens Community Board 8 (applicant) for the above referenced project. It is our understanding that the applicant is seeking a zoning map amendment and zoning text amendment from the New York City Department of City Planning (DCP) to rezone the entire rezoning area from an R2 zoning district to an R2X zoning district. The rezoning area is located in the Kew Gardens Hills neighborhood of Queens Community District 8 and is made up of two separate areas. Area A is bounded by Main Street, 72nd Road, Park Drive East and 77th Avenue. Area B is bounded by Vleigh Place, 78th Road, Park Drive East and Union Turnpike. The Rezoning Area includes a total of 247

Projected Lots: 194 in Area A and 53 in Area B. The rezoning area has 1,175,195 square feet (sf) of lot area and is improved with a total of 465,412 sf of residential use and 3,214 sf of community facility use. The proposed zoning text amendment would allow R2X to be mapped within the rezoning area. In the future with the proposed actions, the rezoning area could be redeveloped. The proposed actions would resolve the existing non-complying bulk issues within the rezoning area. With the proposed actions, the existing residential single-family home character of the neighborhood would be maintained while allowing for an increase in allowable Floor Area Ratio (FAR) from 0.5 for the existing R2 zone to a maximum of 1.02 (with attic allowance) FAR for the proposed R2X zone. Permitting an increase in floor area would accommodate the needs of the existing home owners who wish to expand their homes. The renovations and expansion to individual homes would primarily consist of modifications to the footprint to allow for additional floor area, while limiting the height of the buildings. No specific development has been proposed.

Area A

The August 2018 Phase I report revealed that historical on-site and surrounding area land uses consists of residential dwellings, commercial/retail stores, cultural institutions, a golf course, stables, sheds, playgrounds, a school, a New York City Transit Authority yard, a park, a post office, a synagogue, etc. Regulatory databases identified 60 spills within 1/8 mile; 27 underground storage tank sites and 24 aboveground storage tank sites within 1/4 mile; 72 leaking storage tank sites and 1 brownfield site within 1/2 mile of the project site.

Area B

The August 2018 Phase I report revealed that historical on-site and surrounding area land uses consists of residential dwellings, a cultural institution, a shed, a stable, a playground, the New York City Transit Authority yard, a park, etc. Regulatory databases identified 11 spills within 1/8 mile; 25 underground storage tank sites and 23 aboveground storage tank sites within 1/4 mile; 58 leaking storage tank sites and 2 brownfield sites within 1/2 mile of the project site.

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

- The proposed project would involve soil disturbance for the expansion to the individual homes. However, the Phase I did not identify potential hazardous materials concerns on-site or nearby. Therefore, DEP has no objection to the proposed project.

Future correspondence and submittals related to this project should include the following CEQR # **19DCP089Q**. If you have any questions, you may contact me at (718) 595-4358.

Sincerely,

Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
T. Estesen
M. Wimbish
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