



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

NEGATIVE DECLARATION
- REVISED¹ -

CEQR Number: 07DME009M

Date Issued: October 19, 2007

NAME: Unity Funeral Chapel Rezoning

LOCATION: Block 1932 Lots 1, 2, 4, 5, 7, 61, 62, 107, 160
Community District 10, Manhattan

SEQRA
CLASSIFICATION: The project is classified as an Unlisted action pursuant to
6NYCRR, Part 617.4.

DESCRIPTION:

The proposed project involves the disposition of City-owned property (Lots 5, 7, and 107) and the rezoning of the existing C1-4 overlay in an R7-2 zoning district along the east side of Frederick Douglass Boulevard between West 126th and West 127th Streets, to a ~~C2-5~~ C2-4 overlay, to permit the as-of-right expansion of Unity Funeral Chapels, Inc. onto three adjacent vacant City-owned lots. The expansion will provide much needed space for Unity's business operations. The overlay would be mapped at a depth of 100 feet along the north side of West 126th Street, extending east from the corner of Frederick Douglass Boulevard for a distance of 185 feet.

Unity's existing operation is located in an R7-2 district with a C1-4 overlay, in which funeral establishments are only allowed by BSA Special Permit. Unity is a grandfathered use under the

¹ This Negative Declaration was revised to correct an error in the proposed zoning designation from C2-5 to C2-4, which were used inconsistently in the document. The correct designation is C2-4. The difference in these zoning designations is that C2-4 requires one parking space for every 1000 square feet of development, while the C2-5 does not. The project as described is not changed and included the number of parking spaces required by the C2-4 designation. Therefore, this correction does not result in any impact that would require additional analysis and the revised Negative Declaration remains valid. Deleted text is indicated by ~~strike through~~; added text is indicated by underscored italics.

C1-4 zoning. Unity has determined that they do not meet the hardship and practical difficulty findings necessary for a BSA zoning variance in connection with its proposed expansion. The disposition of these lots to Unity would therefore require a rezoning of the current Unity site (Lot 2) and the three HPD-owned parcels (Lots 5, 7 and 107) to a C2-4 overlay. Lots 1, 4, 61, 62, and 160 would also be rezoned to include a C2-4 overlay. Funeral establishments are allowed as-of-right in a C2-4 district and no BSA Special Permits are required. Unity has indicated that they could achieve their expansion plans and meet the C2-4 height, bulk and parking requirements.

Unity Funeral Chapels is a longstanding 50-year-old Harlem institution. The project is solely a business expansion, there is no residential component.

The proposed expansion would consist of a new three-story 6,337 square foot extension facing West 126th Street, and containing a lounge, embalming room, loading berth, locker room, chapel and offices. The new building would be connected to the existing building by a new 552 square foot extension. A new on-site accessory parking lot would provide 15 parking spaces or 20 spaces with valet parking, if needed.

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, the Office of the Deputy Mayor for Economic Development and Rebuilding assumed the role of lead agency for the purpose of making the following determination. Based on a review of information about the project contained in an Environmental Assessment Statement dated February 2, 2007 pursuant to Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617.7, the Office of the Deputy Mayor for Economic Development and Rebuilding has determined that the proposed action will not have a significant adverse effect on the environment.

Reasons Supporting this Determination

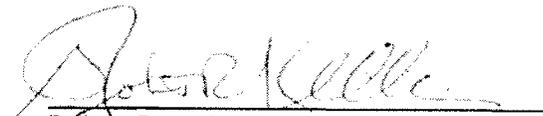
The above determination is based on ~~an~~ *a revised* Environmental Assessment Statement (EAS) dated ~~February 2, 2007~~ October 15, 2007 and incorporated by reference herein. The EAS finds that:

1. The project will not create a hazard to human health. A Phase I Environmental Site Assessment (ESA) was completed in August 2006 (for lots 5, 7 and 107) and January 2007 (for lot 2). The NYC Department of Environmental Protection's ("DEP") review of these documents resulted in the requirement that a Phase II ESA be completed for the site because of potential contamination to soil and groundwater from past on-site land uses. A Phase II protocol/workplan summarizing the proposed drilling and soil/groundwater sampling activities is currently being prepared and will be submitted to DEP for review and approval.

To ensure that no development can proceed on the project site or on any of the other lots subject to the zoning map amendment without a thorough environmental investigation, DEP requested that an "E" designation be placed on all the lots in the rezoning area. This

designation will require the owner of these lots to conduct a testing and sampling protocol, and where appropriate, remediate to the satisfaction of DEP before the issuance of a building permit. The "E" designation also includes mandatory construction-related health and safety plans which must be approved by DEP, and further ensures the protection of human health and the environment by requiring that suspected hazardous materials be mitigated before any construction can begin.

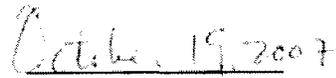
2. The project as proposed would not have significant adverse impacts on land use or the character of the surrounding community.
3. The proposed funeral home expansion would generate fewer than 50 new vehicle trips during any of the weekday or weekend visiting hours and therefore based on *CEQR Technical Manual* threshold criteria, the project would not result in significant adverse traffic, noise or air quality impacts.
4. The project as proposed would not result in significant adverse impacts on cultural, archaeological, architectural, or aesthetic resources or the existing neighborhood.
5. No other significant effects upon the environment that would require the preparation of an Environmental Impact Statement are foreseeable.



Robert R. Kulikowski, Ph.D.

Assistant to the Mayor

On behalf of the Deputy Mayor for Economic Development and Rebuilding



Date