



CITY ENVIRONMENTAL QUALITY REVIEW

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ABBY NAGEL, Acting Director, OEI
Department of Environmental Protection
Municipal Building, 1 Centre Street, Room 2420
New York, NY 10007, (212) 669-8110

MARK LONDON, Director, ERD
Department of City Planning
22 Reade Street, Room 4E
New York, NY 10007-1216, (212) 720-3420

Pamela de Toledo
Ethan C. Eldon Associates, Inc.
40 Cutter Mill Road
Great Neck, NY 11201

Re: CEQR No. 84-138M
345 E. 94th Street
Manhattan

Dear Ms. de Toledo:

Under City Environmental Quality Review, it is required that if the lead agencies determine that a proposed action may have a significant effect on the environment, they shall issue a Positive Declaration and request the applicant to prepare a Draft Environmental Impact Statement.

Based on a preliminary review, the above action has been found to fall within this category. Accordingly, enclosed is the Positive Declaration for CEQR 84-138M, and the reasons for its issuance. The proposed action is a rezoning of Block 1557, Lots 23, 25, 26 and p/o lot 21 from C8-4 to C2-8. This action would facilitate the construction of a 117,588 square foot building on lots 23, 25, and 26 comprising of a residential portion of 113,353 square feet, a commercial of 4,235 square feet and a bonus plaza of 2,357 square feet.

Sincerely,

Mark London

Abby Nagel

cc: Ruth Messinger
Harold Nudelman
Martin Engelhardt
Cyprian Cox
Daniel T. Scannel
Jonathan Lindsey
Marvin Roth
Lance Michaels
Danny Coleman

Denise Scheinberg
Milt Valenta
Ed Wagner
Salvatore C. Gagliardo
W. Garrison McNeil
Michelle Mangieri
Barbara Rinaldi
Thomas Jorling
Frank Mazzella

Albert Appleton
John DiMartino
Henry Colon
Lois McDaniel
Rafael Martinez
Eric Kober
Larry Parnes
Robert Flahive

DC:JYL



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New York, NY 10007-1216, (212) 720-3420

POSITIVE DECLARATION

Proposal No. 84-138M

Date Sent _____

Name, Description and Location of Proposal:

345 E. 94th Street, Manhattan CB #8 the rezoning of Block 1557, Lots p/o 21, 23, 25, 26 from C8-4 to C2-8 the rezoning extends 125 feet west of 1st Avenue and 100 feet north of 94th on the N.W. corner of 94th Street and 1st Avenue. The p/o lot 21 does not belong to the applicant. The rezoning of the three vacant lots would facilitate the construction of a 117,588 square feet building (113,353 square feet of residential and 4,235 square feet of commercial). In addition there would be a 2,357 square feet bonus plaza. The maximum allowable floor area is 118,068 square feet making the proposed project the appropriate subject of the environmental review.

STATEMENT OF SIGNIFICANT EFFECT:

The Departments of City Planning and Environmental Protection as CEQR Lead Agencies have determined, pursuant to 6 NYCRR, Part 617.11, that the proposed action may have a significant effect on the quality of the human environment as detailed in the following environmental impact(s):

1. Potential significant adverse impact on open space
2. Potential significant adverse impact on traffic

SUPPORTING STATEMENT:

1. The project as proposed would increase the deficit of open space.
2. The project as proposed would potentially increase traffic flows on the local street network above the .85 threshold.

The CEQR agencies hereby request that the applicant prepare or have prepared, at his or her option, a Draft Environmental Impact Statement in accordance with 6 NYCRR, 617.10(c).

Mark London

Abbey Nagel



CITY ENVIRONMENTAL QUALITY REVIEW

OFFICE OF ENVIRONMENTAL IMPACT

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22 Reade Street, Room 4E
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NOTICE OF RESCISSION OF POSITIVE DECLARATION 345 EAST 94TH STREET REZONING CEQR NO. 84-138M

Under City Environmental Quality Review, the co-lead agencies are required to determine whether a proposed action may or will not have a significant effect on the environment. In accordance with this regulation, the Departments of City Planning, and Environmental Protection acting on behalf of the New York City Planning Commission, have reviewed the Preliminary Draft Environmental Impact Statement (PDEIS) for a rezoning on Block 1557, lots 23, 25, 26, and p/o 21 from C8-4 to C2-8 to facilitate the construction of a 117,588 square foot building (the reasonable worst case) on lots 23, 25 and 26 comprised of a residential portion of 113,353 square feet and a commercial portion of 4,235.

Based on an assessment of the open space and transportation analyses in light of future conditions and the methodologies and thresholds contained in the NYC Technical Manual issued in December, 1993, it has been determined that the proposed action would not have a significant effect on the environment. Therefore the Positive Declaration issued on May 11, 1990 for CEQR No. 84-138M is hereby rescinded.

Annette M. Barbaccia

Annette M. Barbaccia
Director
Environmental Assessment and
Review Division
Department of City Planning

Date

4/1/94

Joseph M. Ketas

Joseph M. Ketas
Assistant Commissioner
Department of Environmental
Protection

Date

4-1-94



CITY ENVIRONMENTAL QUALITY REVIEW

OFFICE OF ENVIRONMENTAL IMPACT
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Mr. Hiram Rothkrug
Environmental Project Data
Statements Company
488 Great Neck Road
Great Neck, N.Y. 11021

April 11, 1994

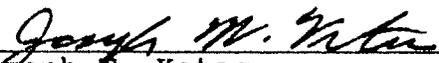
Re: CEQR No. 84-138M
345 East 94th Street
Manhattan

Dear Mr. Rothkrug:

Under City Environmental Quality Review, the co-lead agencies are required to determine whether a proposed action may or will not have a significant effect on the environment. In accordance with this regulation, the Departments of City Planning and Environmental Protection have determined that the proposed action will not have a significant effect on the environment. The Positive Declaration issued on May 11, 1990 has therefore been rescinded.

Enclosed is the Negative Declaration for CEQR No. 84-138M, the proposed rezoning from C8-4 to C2-8 of an area bounded by First Avenue and East 94th Street on Block: 1557 of Lots: 23, 25, 26 and p/o 21 to facilitate the construction of a 117,588 square foot building on Lots: 23, 25 and 26 comprised of a residential portion of 113,353 square feet, and a commercial portion of 4,235 square feet. The rezoning action includes the provision of "E" designations on the zoning map, the requirements for which are set forth in the attached declaration along with supporting statements for the finding that the project will not have a significant effect.


Annette M. Barbaccia
Director
Environmental Assessment and
Review Division
Department of City Planning


Joseph W. Ketas
Assistant Commissioner
Department of
Environmental Protection

AMB/DC/lr
Encl.

Mr. H. Rothkrug
CEQR No. 84-138M
Page 2

c: Langdon Marsh
Joseph Rose
Ruth Messinger
Marilyn Gelber
Lois McDaniel
Peter Pfeffer
William Valletta
Matt Stanley
Edward Benson

Naim Rasheed
Bob Flahive
Danny Coleman
Lance Michaels
Christopher Collins
Gonzalo Corredor
John Ferguson
Jed Candreva



CITY ENVIRONMENTAL QUALITY REVIEW

10-417-2252
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OFFICE OF ENVIRONMENTAL IMPACT
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ENVIRONMENTAL REVIEW DIVISION
Department of City Planning
22 Reade Street, Room 4E
New York NY 1000-1216, (212) 720-3420

NEGATIVE DECLARATION

Date Sent: April 11, 1994

CEQR No. 84-138M
ULURP No. 840903ZMM

Name, Description and Location of Proposal:

345 East 94th Street, a proposed rezoning of Block 1557, lots 23, 25, 26 and p/o 21 from C8-4 to C2-8 to facilitate the construction of a mixed use building with a 113,353 square foot residential component and 4,235 square feet of commercial space for a total of 117,588 square feet - the reasonable worst case, on lots 23, 25 and 26. The rezoning site is on the northwest corner of 94th Street and First Avenue in Community Board 8 in Manhattan.

The proposed rezoning includes the provision for an "E" designation for Block 1557, lots 23, 25, 26 and p/o 21. The text of the "E" designation is as follows:

In order to provide an acceptable interior noise environment, the project sponsor must provide double glazed windows with a minimum of 35 dB(A) window/wall attenuation for the worst case hour, and a closed window condition. In order to maintain a closed window condition, an alternate means of ventilation must be provided. Alternate means of ventilation includes but is not limited to central air conditioning or air conditioner sleeves containing air conditioners or HUD-approved fans.

STATEMENT OF NO SIGNIFICANT EFFECT:

The Departments of City Planning and Environmental Protection, as CEQR Lead Agencies, have determined that the proposed action will have no significant effect on the quality of the environment.

SUPPORTING STATEMENTS:

The above determination is based on an environmental assessment which finds that:

1. The above "E" designation on the zoning map is based on an environmental assessment performed by DEP's Office of

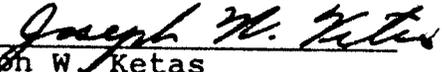
Environmental Planning. This assessment is derived from a field inspection report in conjunction with other source materials. Noise measurements made at the site indicate existing high ambient noise levels which place the site in the "Marginally Unacceptable" noise category according to the CEPO-CEQR Standards. Therefore, the "E" designation is necessary in order to provide an acceptable interior noise environment.

2. No other significant effect upon the environment which would require an Environmental Impact Statement are foreseeable.



Annette M. Barbaccia
Director
Environmental Assessment and
Review Division
Department of City Planning

AMB/DC/lr



Joseph W. Ketas
Assistant Commissioner
Department of
Environmental Protection

DEPARTMENT OF CITY PLANNING

CITY OF NEW YORK

MEMORANDUM

TO: Larry Parnes
FROM: Annette Barbaccia *AS*
DATE: March 22, 1994
RE: E Designation for ULURP No. 840903ZMM, CEQR No. 84-138M
345 East 94th Street, Manhattan

Noise mitigation measures for parcels to be rezoned from C8-4 to C2-8 are required because the area is classified "Marginally Unacceptable".

In order to provide an acceptable interior noise environment, the project sponsor must provide double glazed windows with a minimum of 35 dB(A) window/wall attenuation for the worst case hour and a closed window condition. In order to maintain a closed window condition, an alternate means of ventilation must be provided. Alternate means of ventilation includes but is not limited to central air conditioning or air conditioner sleeves containing air conditioners or HUD-approved fans.

Location: 345 East 94th Street

Block No. 1557

Lot No. p/o 21, 23, 25, 26

AB/DC/lr

c: Danny Coleman
Jed Candreva



CITY ENVIRONMENTAL QUALITY REVIEW

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Mr. Hiram Rothkrug
Environmental Project Data
Statements Company
488 Great Neck Road
Great Neck, N.Y. 11021

Re: CEQR No. 84-138M
345 East 94th Street
Manhattan

Dear Mr. Rothkrug:

We have received your request to amend the above referenced project. The original application was for a rezoning of Block 1557, lots 23, 25 and 26 from C8-4 to C2-8 to a depth of 125 feet west of First Avenue, to facilitate the construction of a 117,588 sq. ft. building. A Negative Declaration was issued on April 11th, 1994.

The revised application requests a reduction of the proposed zoning boundary from 125 feet to 100 feet west of First Avenue.

We have reviewed these modifications and have determined that the proposed changes do not alter the conclusions of our original review, and that no additional CEQR review is required. Therefore, the Negative Declaration issued on April 11, 1994 for CEQR no. 84-138M remains valid.

Sincerely,


Jeremiah H. Candreva
Acting Director

Environmental Assessment
and Review Division
Department of City Planning

Joseph K. Ketas
Assistant Commissioner
Department of
Environmental Protection

JHC/DC/lr

c: Jackie Harris-Strobert
Lance Michaels

Larry Parnes
Danny Coleman