



CITY PLANNING COMMISSION  
CITY OF NEW YORK  
OFFICE OF THE CHAIR

January 23, 2006

**NEGATIVE DECLARATION**

**Project Identification**  
CEQR No. 06DCP0650  
ULURP No. 060294 ZMQ  
SEQRA Classification: Type I

**Lead Agency**  
City Planning Commission  
22 Reade Street  
New York, NY 10007  
Contact: Robert Dobruskin  
(212) 720-3423

**Name, Description and Location of Proposal:**

Maspeth Woodside Rezoning

The New York City Department of City Planning (DCP) is proposing zoning changes for approximately 69 whole and 65 partial blocks (134 blocks) in the Maspeth and Woodside neighborhoods located in Queens Community Districts 5 and 2. The Maspeth Woodside Rezoning is comprised of two components: A lower density and contextual rezoning of the neighborhoods' residential blocks which would rezone significant portions of the Maspeth and Woodside neighborhoods from R4, R5, R5B, R6, and R6B to lower density or contextual zoning districts (R4-1, R4B, R5, and R5B); and a higher density and contextual rezoning along the area's central corridor which would rezone portions within the Queens Boulevard Corridor and at the Queens Boulevard/Roosevelt Avenue Junction from R4/C2-2, R5/C2-2, C8-1, and M1-1 to higher density or contextual zoning districts (R6/C2-3 and R7X/C2-3). The proposed rezoning area is generally bounded by Roosevelt Avenue and Woodside Avenue on the north, the LIRR rail cut, 74th Street and 73rd Place on the east, Grand Avenue, 57th Avenue and the Queens Midtown Expressway on the south, and 50th Street, 58th Street, Tyler Avenue and Maurice Avenue on the west.

The amendments to the Zoning Map are as follows:

- a change from an R4 district to an R4-1 district;
- a change from an R5 district to an R4-1 district;
- a change from an R5B district to an R4-1 district;

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- a change from an R4 district to an R4B district;
- a change from an R6B district to an R5B district;
- a change from an R6 district to an R5 district;
- a change from an M1-1 district to an district to an R6/C2-3;
- a change from an R4/C2-2 district to an R7X/C2-3 district;
- a change from an R5/C2-2 district to an R7X/C2-3 district;
- a change from an R6/C2-2 district to an R7X/C2-3 district;
- a change from an R7X/C2-2 district to an R7X/C2-3 district;
- a change from a C8-1 district to an R7X/C2-3 district;
- a change from an M1-1 district to an R7X/C2-3 district.

The proposed rezoning responds to strong community concerns relating to issues of out-of-character new residential developments in areas of Maspeth and Woodside with significant mismatches between the type of housing permitted by the current zoning and the prevailing built character. Additionally, the proposal responds to an area-wide housing demand by creating new higher density residential development opportunities on underutilized sites along Queens Boulevard, one of the Borough's prime corridors served by public transportation.

The proposed action would result in additional residential development along the Queens Boulevard/Roosevelt Avenue corridor. A total of 33 projected and potential development sites have been identified in this area. Of the 33 development sites, 4 have been identified as projected development sites and 29 have been identified as potential sites.

Without the proposed action, the existing zoning would be retained. Along the Queens Boulevard/Roosevelt Avenue Junction, it is expected that the remaining light industrial and predominant automotive-related uses, which are consistent with current zoning districts (M1-1 and C8-1), are likely to continue exhibiting shifts from light industrial and automotive uses to more commercial and automotive-dependent retail uses. It is expected that the four projected development sites would generate an additional 40,320 square feet of residential development yielding approximately 40 dwelling units. It is also expected that without the proposed action a total of 52,000 square feet of retail space, 31,863 square feet of community facility space, and 23,900 square feet of commercial space would be developed.

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As a result of the proposed rezoning action, it is expected that residential and mixed use development would increase significantly. With the proposed action it is expected that the four projected development sites would generate an additional approximate total of 269,656 square feet of residential development yielding approximately 269 dwelling units. It is also expected that the proposed action would result in a total of 10,000 additional square feet of retail space. Furthermore, community facility space would remain essentially the same (with an increase of 137 square feet), and there would be a projected decrease of 23,900 square feet of new commercial development that would result from new development with the proposed action as compared with new development under the existing zoning.

As a result of the proposed action, residential development could occur within the Queens Boulevard Corridor and at the Queens Boulevard/Roosevelt Avenue Junction. As a result of the environmental review, (E) designations have been mapped on selected development sites in order to preclude future hazardous materials, air quality, and noise impacts which could occur as a result of the proposed action.

To avoid the potential for hazardous materials impacts, the proposed zoning map amendment includes (E) designations for hazardous materials on the following properties:

Block 1319,	Lots 1, 21
Block 1320,	Lots 12, 33, 37, 47 and 51
Block 1321,	Lot 1, 41, 42, 43
Block 1322,	Lots 1, 2, 3, 39
Block 1323,	Lots 42, 44, 52
Block 1329,	Lots 1 and 4
Block 1330,	Lots 1 and 34
Block 1334	Lot 1
Block 1338	Lot 1
Block 1341	Lot 77
Block 1343	Lot 1
Block 1348	Lots 40 and 53
Block 1351	Lot 82
Block 1352	Lots 6, 22, 23, 25, 32, 36, 46, 49, 51, 52, 53, 73, 121, 125, and 131
Block 2324	Lot 39
Block 2325	Lots 30 and 32
Block 2392	Lots 20, 22, and 23
Block 2420	Lots 13 and 19
Block 2431	Lots 33 and 54
Block 2432	Lots 9, 21, 23, 26 and 34
Block 2444	Lots 40, 51, 53, 55 and 57

The text of the (E) designation for hazardous materials for the above properties is as follows:

**Task 1-Sampling Protocol**

**A. Petroleum**

**A soil, soil gas, and groundwater testing protocol (including a description of methods), and a site map with all sampling location represented clearly and precisely, must be submitted to the NYCDEP by the fee owner(s) of the lot which is restricted by this (E) designation, for review and approval.**

**A site map with the sampling locations clearly identified and a testing protocol with a description of methods, for soil, soil gas, and groundwater, must be submitted by the fee owner(s), of the lot which is restricted by the (E) designation, to the NYCDEP for review and approval.**

**B. Non-Petroleum**

**The fee owner(s) of the lot restricted by this (E) designation will be required to prepare a scope of work for any sampling and testing needed to determine if contamination exists and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to NYCDEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. For all non-petroleum (E) designated sites, the three generic NYCDEP soil and ground-water sampling protocols should be followed.**

**A scope of work for any sampling and testing to be completed, which will determine the extent of on-site contamination and the required remediation, must be prepared by the fee owner(s) of the lot restricted by this (E) designation. The scope of work will include the following: site plans, sampling locations, and all other relevant supporting documentation. The scope of work must be submitted to the NYCDEP for review and confirmation that an adequate testing protocol ( i.e., number of samples collected, appropriate parameters for laboratory analysis) has been prepared. The NYCDEP must approve the scope of work before it can be implemented.**

**For non-petroleum (E) designated sites, one of the three generic soil and groundwater sampling protocols prepared by the NYCDEP should be followed.**

**The protocols are based on three types of releases to soil and groundwater sampling protocols prepared by the NYCDEP should be followed.**

**The protocols are based on three types of releases to soil and groundwater, including: the release of a solid hazardous material to ground surface; the release of a liquid hazardous material to the ground surface; and the release of a hazardous material to the subsurface (i.e., storage tank or piping). The type of release defines the areas of soil to be sampled from surface, near-surface, to subsurface. Additionally, it determines the need for groundwater sampling.**

**A written approval of the sampling protocol must be received from the NYCDEP before commencement of sampling activities. Sample site quantity and location should be determined so as to adequately characterize the site, the source of contamination, and the condition of the remainder of the site. After review of the sampling data, the characterization should have been complete enough to adequately determine what remediation strategy (if any) is necessary. Upon request, NYCDEP will provide guidelines and criteria for choosing sampling sites and performing sampling.**

**Finally, a Health and Safety Plan must be devised and approved by the NYCDEP before the commencement on any on-site activities.**

#### **Task 2-Remediation Determination and Protocol**

**After sample collection and laboratory analysis have been completed on the soil and/or groundwater samples collected in Task 1, a summary of the data and findings in the form of a written report must be presented to the NYCDEP for review and approval. The NYCDEP will provide a determination as to whether remediation is necessary.**

**If it is determined that no remediation activities are necessary, a written notice will be released to that effect. However, if it is the NYCDEP's determination that remediation is necessary the fee owner(s) of the lot restricted by the (E) designation must submit a proposed remediation plan to the NYCDEP for review and approval.**

**Once approval has been obtain, and the work completed, the fee owner(s) of the lot restricted by the (E) designation must provide proof to the NYCDEP that the work has been completed satisfactorily.**

To preclude the potential for significant adverse air quality impacts related to HVAC emissions, an (E) designation would be incorporated into the rezoning proposal for each of the following properties:

- Block 1319, Lots 1, 21
- Block 1320, Lots 12, 33, 37
- Block 1321, Lots 1, 41, 42 and 43
- Block 1322, Lots 1, 2, 3 and 39
- Block 1323, Lots 42, 44 and 52
- Block 1329, Lots 1, 4
- Block 1330, Lots 1, 34
- Block 1334, Lots 1
- Block 1352, Lots 6, 22, 23, 25, 32, 36, 46, 49, 51, 52, 53, 73, 121, 125 and 131
- Block 2324, Lots 39
- Block 2325, Lots 30, 32
- Block 2420, Lots 13, 19
- Block 2432, Lots 9, 21, 23, 26 and 34

The text for the (E) designations is as follows:

Block 1321, Lots 1, 41, 42, 43 (Projected Development Sites 1)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 75 feet from the lot line facing 52nd Street and 75 feet from the lot line facing 53rd Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1329, Lots 1, 4 (Projected Development Site 2)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 55 feet from the lot line facing 57th Street or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 2324, Lot 39 (Projected Development Site 3)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet from the lot line facing 64th Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 2325, Lots 30, 32 (Potential Development Site 5)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 40 feet from the lot line facing 64th Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1330, Lot 1 (Potential Development Site 11)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet from the lot line of the adjacent lot facing 58th Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1330, Lot 34 (Potential Development Site 12)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 90 feet from the lot line of the adjacent lot on 57th Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1334, Lot 1 (Potential Development Site 13)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 55 feet from the lot line facing 58th Street, or use natural gas as the type of fuel for space**

**heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1320, Lot 12 (Potential Development Site 14)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 90 feet from the lot line of the adjacent lot facing 52nd Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1322, Lots 1, 2, 3, 39 (Potential Development Site 16)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet from the lot line facing 53rd Street and 65 feet from the lot line facing 54th Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1323, Lots 42, 44, 52 (Potential Development Site 17)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 45 feet from the lot line facing 54th Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 2420, Lot 13 (Potential Development Site 18)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 80 feet from the lot line of the adjacent lot facing 67th Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 2420, Lot 19 (Potential Development Site 19)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 90 feet from the lot line of the adjacent lot facing 66th Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1352, Lots 22, 23 (Potential Development Site 22)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 70 feet from the lot lines of the adjacent lots facing Queens Boulevard between 73rd Street and the junction of Queens Boulevard and 45th Avenue, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1352, Lot 25 (Potential Development Site 23)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 95 feet from the adjacent lots facing Queens Boulevard between 73rd Street and the junction of Queens Boulevard and 45th Avenue, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1352, Lot 32 (Potential Development Site 24)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 70 feet from the adjacent lots facing Queens Boulevard between 73rd Street and the junction of Queens Boulevard and 45th Avenue, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1352, Lot 131 (Potential Development Site 25)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 110 feet from the**

**adjacent lots facing Queens Boulevard between 73rd Street and the junction of Queens Boulevard and 45th Avenue, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 2432, Lots 9, 21, 23, 26, 34 (Potential Development Site 26)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 85 feet from the lot line facing 69th Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1319, Lot 1 (Potential Development Site 27)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 100 feet from the adjacent lot facing 51st Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1319, Lot 21 (Potential Development Site 28)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 95 feet from the adjacent lot facing 50th Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1320, Lots 33, 37 (Potential Development Site 29)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet from the lot line of the adjacent lot facing 51st Street, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1352, Lots 6, 36 (Potential Development Site 31)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 70 feet from the adjacent lot facing Queens Boulevard and between 73rd Street and the 45th Avenue Queens Boulevard Junction, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1352, Lots 46, 49, 51, 52, 53 (Potential Development Site 32)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 100 feet from the adjacent lot facing Queens Boulevard and between 73rd Street and the 45th Avenue Queens Boulevard Junction, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

Block 1352, Lots 73, 121, 125 (Potential Development Site 33)

**Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 185 feet from the adjacent lot facing Queens Boulevard and between 73rd Street and the 45th Avenue Queens Boulevard Junction, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.**

With the placement of the (E) designations on the above blocks and lots, no impacts related to stationary source air quality would be expected.

To preclude the potential for significant adverse industrial source air quality impacts at Potential Development Site 25, an (E) designation for air quality will be mapped as part of the rezoning proposal.

Block 1352, Lot 131

The text of the (E) designation for industrial sources for the above property is as follows:

**If the manufacturing/industrial emissions identified above continue at Block 1352, Lot 51 any new residential and/or commercial development, enlargement, or change of use on the above-referenced property must have inoperable windows and may not include air intakes on the east and north facades of the building.**

To preclude the potential for significant adverse industrial source air quality impacts at Potential Development Site 22, an (E) designation for air quality will be mapped as part of the rezoning proposal.

Block 1352, Lots 22 and 23

The text of the (E) designation for industrial sources for the above property is as follows:

**If the manufacturing/industrial emissions identified above continue at Block 1352, Lot 51, any new residential and/or commercial development, enlargement, or change of use on the above-referenced property must have inoperable windows and may not include air intakes on the west and north facades of the building.**

The procedures to be followed for satisfaction and removal of the (E) designations shall be as set forth in Section 11-15 of the New York City Zoning Resolution.

As a result of the proposed action all 33 identified development sites (4 projected and 29 potential) would be mapped with an (E) designation for noise attenuation. There are three levels of required noise attenuation depending on the ambient noise levels. The three required levels of attenuation in order from highest to lowest levels are 45 dBA, 40 dBA, and 35 dBA. The higher the relative ambient noise levels, the higher the required attenuation.

The following sites require 45 dBA of noise attenuation in order to avoid the potential for significant adverse impacts related to noise. The proposed action includes (E) designations on the following properties:

Block 1320 Lot 12  
Block 1319 Lot 1

**In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition**

**with a minimum of 45 dB(A) window/wall attenuation in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD-approved fans.**

The following sites require 40 dBA of noise attenuation in order to avoid the potential for significant adverse impacts related to noise. The proposed action includes (E) designations on the following properties:

Block 1319	Lot 21
Block 1320	Lots 33, 37
Block 1348	Lots 40, 53
Block 1352	Lots 73, 121 and 125
Block 2431	Lots 33, 54
Block 2432	Lots 9, 21, 23, 26 and 34

The text of the (E) designation for noise for the above properties is as follows:

**In order to ensure an acceptable interior noise environment, future residential uses on the above referenced properties must provide a closed window condition with a minimum of 40 dB(A) window/wall attenuation on all facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation would also have to be provided. Alternate means of ventilation would include, but would not be limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD-approved fans.**

The following sites require 35 dBA of noise attenuation in order to avoid the potential for significant adverse impacts related to noise. The proposed action includes (E) designations on the following properties:

Block 1320	Lots 47, 51
Block 1321	Lots 1, 41, 42 and 43
Block 1322	Lots 1, 2, 3 and 39
Block 1323	Lots 42, 44 and 52
Block 1329	Lots 1, 4

Block 1330	Lots 1, 34
Block 1334	Lots 1
Block 1338	Lot 1
Block 1341	Lot 77
Block 1343	Lot 1
Block 1351	Lot 82
Block 1352	Lots 6, 22, 23, 25, 32, 36, 46, 49, 51, 52, 53, and 131
Block 2324	Lots 39
Block 2325	Lots 30, 32
Block 2392	Lots 20, 22 and 23
Block 2420	Lots 13, 19
Block 2444	Lots 40, 51, 53, 55 and 57

The text of the (E) designation for noise for the above properties is as follows:

**In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dB(A) window/wall attenuation in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD-approved fans.**

With the implementation of the above (E) designations for the specified attenuation measures, no significant adverse impacts related to hazardous materials, air quality or noise would occur as a result of the proposed action.

**Statement of No Significant Effect:**

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement dated January 20, 2006, prepared in connection with the ULURP Application (060294 ZMQ). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

**Supporting Statement:**

The above determination is based on an environmental assessment which finds that no significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Gwen Sheinfeld of the Department of City Planning at (212) 720-3419.

Robert Dobruskin

Robert Dobruskin, Director  
Environmental Assessment & Review Division  
Department of City Planning

Date: 1/20/06

A.M. Burden

Amanda M. Burden, AICP, Chair  
City Planning Commission

Date: 1/23/06