

E-174



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, AICP, *Director*
Department of City Planning

October 12, 2006

John Young
Director
Department of City Planning, Queens Office
120-55 Queens Boulevard, Rm 201
Kew Gardens, New York 11424

re: **CEQR No. 07DCP014Q**
ULURP No. 070119 ZMQ
Queensboro Hill Rezoning
SEQRA Classification: Type I

Dear Mr. Young:

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

Enclosed is the Negative Declaration for CEQR No. 07DCP014Q, Queensboro Hill Rezoning, including supporting statements for the finding that the project will not have a significant effect.

The Department of City Planning proposes to amend the Zoning Map on all or portions of 100 blocks in the central Queens neighborhood of Queensboro Hill, Queens Community District 7, from existing R2, R3-2, and R4 districts, to lower-density or contextual zones where appropriate. Additionally, portions of 5 blocks in the neighborhood of Flushing on the Hill in Community District 8 would be rezoned from R4 to a lower density contextual district of R4-1. The rezoning area is generally bounded by Kissena Park and Kissena Corridor Park to the north; St. Mary's

Robert Dobruskin, *Director*
James Merani, *Deputy Director*
22 Reade Street, New York, N.Y. 10007-1216 Room 4E (212) 720-3420
FAX (212) 720-3495
rdobrus@planning.nyc.gov

CEQR No. 07DCP014Q
Queensboro Hill Rezoning
Page 2

Cemetery to the east; the Long Island Expressway, Queens College, and Mount Hebron Cemetery to the south, and College Point Boulevard to the west. In addition, commercial overlay districts within the rezoning area will be changed from C1-2 and C2-2 to C1-3 and C2-3 to limit the intrusion of commercial uses on the residential streets. Some small area of new commercial districts will also be created along the Main Street and Kissena Boulevard corridors to reflect the existing development patterns.

The proposed rezoning and proposed changes to existing commercial overlays aim to preserve the area's predominant lower-density character and ensure that future residential development is consistent with its surrounding neighborhood.

The amendments to the Zoning Map are as follows:

- a change from R2 and R4 districts to an R2A district;
- a change from an R3-2 district to an R3-1 district;
- a change from R2, R3-2 and R4 district to an R3X district;
- a change from an R3-2 district to an R4 district;
- a change from an R4 district to an R4-1 district;
- a change from an R4 district to an R4B district;
- a change from an R4 district to an R5B district;
- a change from a C1-2 and C2-2 commercial overlays to C1-3 and C2-3 commercial overlays, and reducing the depth of the existing commercial overlay along the west side of the Main Street corridor, the Kissena Boulevard corridor, and the north side of the Horace Harding Expressway, east of Parsons Boulevard.

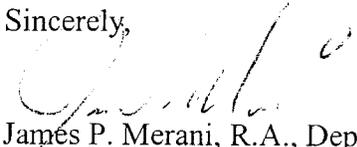
The proposed action is not expected to result in additional residential development, however, the extension of the commercial overlays could result in a net increase of 4,252 square feet of commercial space and a net increase of 5,310 square feet of community facility space (medical offices) on the Main Street corridor; a net increase of 8,678 square feet of commercial space and a net decrease of 2,002 square feet of community facility space on the Kissena Boulevard corridor and north side of the Horace Harding Expressway. A total of 5 projected development sites have been identified in this area.

As a result of the proposed action, residential development could occur within the Main Street,

CEQR No. 07DCP014Q
Queensboro Hill Rezoning
Page 3

and Kissea Boulevard corridors. As a result of the environmental review, (E) designations have been mapped (E-174) on selected development sites in order to preclude future hazardous materials and noise impacts which could occur as a result of the proposed action.

Sincerely,



James P. Merani, R.A., Deputy Director
Environmental Assessment and Review Division

cc: Amanda M. Burden
City Planning Commissioners
Hon. Helen Marshall, Queens Borough President
Robert Kulikowski
Chairperson, Queens Community District 7
District Manager, Queens Community District 7
David Karnovsky
Angela Licata
Robert Dobruskin
Laurence Parnes
Sam Voyages
Gail Benjamin
Gwen Sheinfeld
Mark Phillips
Beatrice Ammann-Priest



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

NEGATIVE DECLARATION

October 10, 2006

Project Identification

CEQR No. 07DCP014Q
ULURP No. 070119 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:

Queensboro Hill Rezoning

The Department of City Planning proposes to amend the Zoning Map on all or portions of 100 blocks in the central Queens neighborhood of Queensboro Hill, Queens Community District 7, from existing R2, R3-2, and R4 districts, to lower-density or contextual zones where appropriate. Additionally, portions of 5 blocks in the neighborhood of Flushing on the Hill in Community District 8 would be rezoned from R4 to a lower density contextual district of R4-1. The rezoning area is generally bounded by Kissena Park and Kissena Corridor Park to the north; St. Mary's Cemetery to the east; the Long Island Expressway, Queens College, and Mount Hebron Cemetery to the south, and College Point Boulevard to the west. In addition, commercial overlay districts within the rezoning area will be changed from C1-2 and C2-2 to C1-3 and C2-3 to limit the intrusion of commercial uses on the residential streets. Some small area of new commercial districts will also be created along the Main Street and Kissena Boulevard corridors to reflect the existing development patterns.

The proposed rezoning and proposed changes to existing commercial overlays aim to preserve the area's predominant lower-density character and ensure that future residential development is consistent with its surrounding neighborhood.

The amendments to the Zoning Map are as follows:

- a change from R2 and R4 districts to an R2A district;

Amanda M. Burden, AICP, *Chair*
22 Reade Street, New York, N.Y. 10007-1216
(212) 720-3200 FAX (212) 720-3219
nyc.gov/planning

Queensboro Hill Rezoning

Negative Declaration

CEQR No. 07DCP014Q

Page 2

- a change from an R3-2 district to an R3-1 district;
- a change from R2, R3-2 and R4 district to an R3X district;
- a change from an R3-2 district to an R4 district;
- a change from an R4 district to an R4-1 district;
- a change from an R4 district to an R4B district;
- a change from an R4 district to an R5B district;
- a change from a C1-2 and C2-2 commercial overlays to C1-3 and C2-3 commercial overlays, and reducing the depth of the existing commercial overlay along the west side of the Main Street corridor, the Kissena Boulevard corridor, and the north side of the Horace Harding Expressway, east of Parsons Boulevard.

The proposed action is not expected to result in additional residential development, however, the extension of the commercial overlays could result in a net increase of 4,252 square feet of commercial space and a net increase of 5,310 square feet of community facility space (medical offices) on the Main Street corridor; a net increase of 8,678 square feet of commercial space and a net decrease of 2002 square feet of community facility space on the Kissena Boulevard corridor and north side of the Horace Harding Expressway. A total of 5 projected development sites have been identified in this area.

As a result of the proposed action, residential development could occur within the Main Street, and Kissea Boulevard corridors. As a result of the environmental review, (E) designations have been mapped (E-174) on selected development sites in order to preclude future hazardous materials and noise impacts which could occur as a result of the proposed action.

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

Block 5133	Lot 1
Block 6375	Lot 9
Block 6376	Lot 25
Block 6731	Lots 1, 12

The following is the proposed text of the (E) designations:

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.

Queensboro Hill Rezoning

Negative Declaration

CEQR No. 07DCP014Q

Page 4

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

Queensboro Hill Rezoning

Negative Declaration

CEQR No. 07DCP014Q

Page 5

restricted by the (E) designation must submit a proposed remediation plan to the NYCDEP for review and approval. Once approval has been obtained, 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.

The placement of (E) designations would ensure that no significant impacts related to hazardous materials would occur as a result of the proposed action.

To preclude the potential for significant adverse air quality impacts associated with noise, an (E) designation would be incorporated into the rezoning proposal for each of the following properties:

Block 5133 Lot 1
Block 6375 Lot 9
Block 6376 Lot 25
Block 6731 Lots 1, 12

The text of the (E) designation for Block 5133, Lot 1; Block 6375, Lot 9; Block 6376, Lot 25; and Block 6731, Lot 12 is as follows:

In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of **30 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 text of the (E) designation for Block 6731, Lot 1, is as follows:

In order to ensure an acceptable interior noise environment, future residential 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.

Queensboro Hill Rezoning

Negative Declaration

CEQR No. 07DCP014Q

Page 6

With the implementation of the above (E) designation, no significant adverse impacts related to noise would occur.

Statement of No Significant Effect:

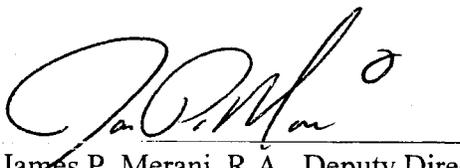
The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement dated October 6, 2006, prepared in connection with the ULURP Application (070119 ZMQ). The City 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.



James P. Merani, R.A., Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: 10/06/06



Amanda M. Burden, AICP, Chair
City Planning Commission

Date: 10/10/06