



CITY ENVIRONMENTAL QUALITY REVIEW

GAIL BENJAMIN, Director, OEI
Department of Environmental Protection
Municipal Building, 1 Centre Street, Room 3000
New York, N.Y. 10007 / (212) 669-8110

Mark London, Director, ERM
Department of City Planning
22 Reade Street, Suite 4E
New York, N.Y. 10007/(212) 720-3420

November 2, 1987

Mr. David Vandor
322 8th Avenue
Suite 1900
New York, New York 10001

Re: CEQR No. 87-306Q
ULURP No. 870887ZMQ
Elmhurst Rezoning, 45-10
83rd Street and 45-15
82nd Street, Queens

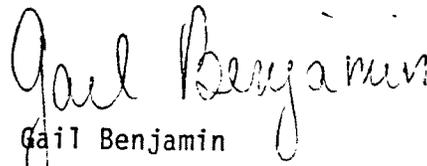
Dear Mr. Vandor:

In accordance with City Environmental Quality Review Procedures, the above project has undergone an environmental review. As you know, the review found that the project would have no significant effect on the quality of the environment upon modification.

We have received your signature on the Revised Conditional Negative Declaration for CEQR No. 87-306-Q, the proposed rezoning of a portion of the block bounded by 45th Avenue, 82nd Street, 83rd Street, and the LIRR tracks, from M1-1 to R7A with a C2-2 overlay, to facilitate construction of a residential development at 45-10 83rd Street, and 45-15 82nd Street, in the Elmhurst section of Queens, indicating that you are willing to comply with the conditions governing modification. Therefore, the Declaration is herewith being returned to you, having been signed by the CEQR Directors. The Revised Declaration supercedes the original declaration issued for this project on October 19, 1987, which inadvertently included a condition (#1) and supporting statement (#1) regarding open space. Copies are also being distributed to the appropriate persons, as indicated below.

Sincerely,


Mark London


Gail Benjamin

LL:1m

cc: Sylvia Deutsch	Holly Haff	Helen Gitelson	Jonathan Lindsey
Karen Votava	Jeremy Woodoff	Larry Parnes	Sheila Metcalf
Thomas Jorling	Eric Kober	Harvey Schultz	Barbara Rinaldi
Jack Collins	Jeff Sommer	Betty Frick	Doug Brooks
Harold Nudelman	Carlos Cuevas	Ismail Khan	Judy Wattstein
Claire Schulman	Lance Michaels		John DiMartino
Martin Engelhardt	Fred Gross	Lorraine Laverty	



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Two Lafayette Street, Room 2400
New York, N.Y. 10007 - 1363 / (212) 566-0777

REVISED CONDITIONAL NEGATIVE DECLARATION

Proposal No. 87-306Q
870887 ZMQ

Date Sent: October 30, 1987

Name, Description and Location of Proposal:

The project is the proposed rezoning of a portion of the block bounded by 45th Avenue, 82nd Street, 83rd Street, and the LIRR tracks, from an existing M1-1 designation to an R7A (Quality Housing) designation with a commercial overlay (C2-2) along the first 100 feet of the blockfront along 45th Avenue. The rezoning is being proposed to facilitate the construction of a residential development at 45-10 83rd Street (Lot 215) and 45-15 82nd Street (Lot 247) in two phases. Phase I would consist of development of a seven story plus penthouse residential building with a maximum of 74 dwelling units, approximately 1785 square feet of community facility space, and a 40-space accessory parking garage on Lot 247. Phase II would consist of development of a seven story plus penthouse building, approximately 2298 square feet of community facility space, and 37 parking spaces on Lot 215. The project is located in the Elmhurst section of Queens (Block 1536; Lots 215, 247, 201, and 210).

STATEMENT OF NO SIGNIFICANT EFFECT UPON MODIFICATION:

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 human environment once modified in the following areas:

1. The applicant must provide a minimum of 30 dB (A) window attenuation so that with windows closed the internal noise level does not exceed 45 dB (A). An alternate means of ventilation is therefore required. Alternate means of ventilation includes but is not limited to the following:
 - (a) Provision of central air conditioning.
 - (b) Provision of air conditioner sleeves containing air conditioners or HUD approved fans.

The above methods of ventilation should conform to sub-article 1206 of the NYC Building Code (Standards of Mechanical Ventilation).

2. The air intake must be directed away from the remaining M-1 uses, along the railroad tracks.

SUPPORTING STATEMENTS:

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

1. Condition No. 1 is based on the recommendations of the Noise Assessment Report prepared by the Noise Assessment Division of the Office of Environmental Impact. The noise assessment is derived from a field inspection report in conjunction with other source material. In accordance with CEPO/CEQR guidelines, sound measurements made at the site place the proposed development within the "Marginally Unacceptable" category. This makes the above condition necessary in order to achieve an acceptable indoor sound environment.
2. In order to insure that any residential development proposed in the future for lots 230 and 210 of block 1536 would provide an acceptable interior noise environment for the residents, an Environmental Restriction ("e") has been placed on zoning map #9d. Such a designation requires double glazed windows and alternate means of ventilation for any residential building proposed for these lots.
3. Condition No. 2 is necessary to insure that the future residents would not be adversely impacted from the adjacent M-1 zone.
4. The project as proposed will not result in significant adverse air quality impacts to the existing environment.
5. No other significant effects on the environment which would require an Environmental Impact Statement, are foreseeable.

It is fully agreed and understood that if the foregoing conditions, modifications and alterations are not fully incorporated into the proposed action that this Conditional Negative Declaration shall become null and void. In such event, the applicant shall be required to prepare a Draft Environmental Impact Statement before proceeding further with said proposal.

I, the undersigned, as the applicant or authorized representative for this proposal, hereby affix my signature in acceptance of the above conditions, modification and alterations to the proposed action.

Henry Johnson
(Signature of Applicant or Authorized Representative)

11/2/87
(Date)

HENRY J. JOHNSON
Name of Applicant or Authorized Representative

Gail Benjamin
Gail Benjamin

Mark D. London
Mark London