

REVISED NEGATIVE DECLARATION*

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 and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment.

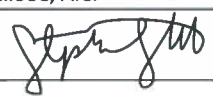

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy: The Applicant, FH2Bro Builder Corp, is seeking approval of a Zoning Certification by the New York City Planning Commission Chairperson pursuant to Section 63-30 of the New York City Zoning Resolution (ZR) ("Certification For A FRESH Food Store") and a Zoning Authorization that would allow the applicable maximum building height to be increased by up to 15 feet and by up to one story, pursuant to ZR § 63-22 ("Authorization to Modify Maximum Building Height") (the "Proposed Actions"). The Proposed Actions would facilitate the development of an 8-story, 85-foot-tall, approximately 76,448 gross square feet (gsf) mixed-use building (the "Proposed Development"), which would comprise approximately 64 dwelling units at 37-42 30th Street (Block 371, Lot 38; the "Development Site") in the Long Island City neighborhood of Queens Community District 1. The Proposed Actions would not result in new land uses or new zoning patterns that are incompatible to the surrounding area. The proposed residential and FRESH food store uses would be consistent with the existing mixed-use character and support existing uses that define the surrounding area, including existing mixed-use residential and commercial buildings. As such, the Proposed Actions would not result in significant adverse impacts to land use or zoning. In addition, the Proposed Development is near the N/W subway station. The introduction of additional residential and commercial uses (FRESH food store) in a transit accessible area would further contribute to the goals of Housing New York, OneNYC, and the FRESH program, integrating more housing with transportation and jobs and increasing availability of fresh groceries in the neighborhood. Therefore, the Proposed Actions would not result in any significant adverse impacts to land use, zoning, and public policy and no further analysis is warranted.

Hazardous Materials and Air Quality: An (E) designation (E-742) related to air quality would be established as part of the approval of the Proposed Actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The (E) designation for Hazardous Materials (E-218) placed on the Development Site in connection with the Dutch Kills Rezoning and Related Actions (CEQR No. 08DCP021Q) would remain in place; therefore, existing (E) designation requirements for hazardous materials would continue to apply for the site. The hazardous materials and air quality analyses conclude that with the (E) designations in place, the Proposed Actions would not result in significant adverse impacts related to hazardous materials or air quality.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Yuning Feng at +1 212-720-3426.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 212.720.3328
NAME Stephanie Shellooe, AICP	DATE 11/22/2023
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 11/27/2023
SIGNATURE 	

*This Revised Negative Declaration supersedes the Negative Declaration issued in conjunction with an Environmental Assessment Statement (EAS) on 09/29/2023 (the "Original EAS") for the 37-42 30th Street FRESH Cert and Authorization (CEQR # 23DCP103Q), which was prepared for the Non-ULURP application (N240027ZCQ, N240028ZQA) for a Zoning Certification pursuant to ZR Section 63-30 ("Certification For A FRESH Food Store") and a Zoning Authorization pursuant to ZR Section 63-22 ("Authorization to Modify Maximum Building Height") that were referred into public review on 10/02/2023. Since the publication of the Original EAS, the Applicant has informed DCP that a building design using natural gas instead of electricity will be considered for the proposed development. This Revised Negative Declaration includes revised (E) designation language related to Air Quality as a result of a revised Air Quality section that considers the impact of natural gas for the building's heating, ventilation and air conditioning provided in the Revised EAS issued on 11/22/2023. The Revised EAS concludes that the proposed changes would not alter the findings of the Original EAS, which found no significant adverse impacts.

Project Name: 37-42 30th Street FRESH Cert and Authorization

CEQR # 23DCP103Q

SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	Block 371, Lot 38

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to air quality an (E) designation (**E-742**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

Development Site	Hazardous* Materials	Air Quality	Noise
Projected Development Site 1		X	

*An (E)designation (E-218) has been established for the Projected Development Site 1 as part of the Dutch Kills Rezoning and Related Actions (CEQR No. 08DCP021Q; ULURP Nos. C080429ZMQ). The Office of Environmental Remediation would continue to use the requirements of E-218 for Hazardous Materials, which would ensure that the projects on the Projected Development Site 1 would not result in significant adverse impacts related to hazardous materials.

Air Quality

The (E) designation requirements for air quality would apply as follows:

Any new residential and FRESH retail development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, and air conditioning system and hot water equipment, and ensure the HVAC system and hot water equipment stack is located at the highest tier and at least 109.42 feet above grade, to avoid any potential significant adverse air quality impact.