

NEGATIVE DECLARATION (Use of this form is optional)

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 project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project 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 have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Shadows: A detailed analysis of shadows is included in this EAS. The analysis concludes that, on June 21st new shadows would be cast as a result of the proposed actions on up to one-half of Seaside Park for a maximum period of 6 hours and 11 minutes. Shadows would cover over less than 10% of the lawn seating area and between 50% and 75% of the playground. At no time would sunlight reaching the vegetation on the lawn be less than four hours during the growing season (considered necessary for vegetation survival). Shadows cast on the playground occur only during the summer months. Between 25% and 50% of the playground would receive sunlight year round. No other open space, historic, or other resources would be affected by shadows from the proposed project. The Proposed Actions would not result in any significant shadows impacts.

Hazardous Materials, Air Quality and Noise: An (E) designation for Hazardous Materials, Air Quality and Noise has been incorporated into the proposed action. Refer to "Appendix I: (E) Designation" for a list of the sites affected by the proposed (E) designation and applicable (E) designation requirements. With these measures in place, the proposed actions would not result in significant adverse impacts to Hazardous Materials, Air Quality or Noise. An analysis of surrounding noise sources considers the potential for impacts from vehicle traffic on Surf Avenue and noise from the adjacent Ford Amphitheater. Detailed noise analysis of the Ford Amphitheater, conducted as part of the Environmental Impact Statement for the Seaside Park and Community Arts Center (13DME014K) is referenced in this analysis and is included as an appendix to this EAS.

Urban Design and Visual Resources: The EAS contains a detailed analysis of urban design and visual resources. It concludes that the proposed actions would not result in any significant impacts to the visual resources in the vicinity of the Project Area. Specifically publicly accessible views to the Coney Island Beach and Boardwalk and the Ford Amphitheater and Seaside Park would still be available from the streets bordering the Project Area. The proposed actions would not result in significant adverse impacts to urban design or visual resources.

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).

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE 08/17/2018
SIGNATURE 	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 08/20/2018
SIGNATURE	

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Appendix 1: (E) Designations

To ensure that there would be no significant adverse **hazardous material** impacts associated with the proposed project, an E designation (E) will be placed on the project sites as follows:

The E designation requirements related to hazardous materials would apply to:

Projected Development Site 1: **Block 7071, Lots 13, 16, 93, 94, 114**
Potential Development Sites 2-8: **Block 7071, Lots 3, 4, 5, 7, 8, 18, 26, 83, 85, 86, 91, 96, and 97**

Hazardous Material

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of 81 sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

To ensure that there would be no significant adverse **air quality** impacts associated with the proposed project, an E designation (E) will be placed on the project sites as follows:

Projected Development Site 1: **Block 7071, Lots 13, 16, 93, 94, 114**

Any new residential or commercial development on the above-referenced property must exclusively use electric heat pumps for heating, ventilating, and air conditioning system, and high efficiency condensing tankless gas water heaters for the hot water system to avoid any potential significant adverse air quality impacts.

Projected Development Site 2: Block 7071, Lots 3, 4, 5

Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level, or at a minimum of 98 feet above grade, and at least 45 feet from the lot line facing Highland View Avenue to avoid any potential significant adverse air quality impact.

Potential Development Site 3: Block 7071, Lots 7, 8

Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level, or at a minimum of 98 feet above grade, and at least 45 feet from the lot line facing Highland View Avenue to avoid any potential significant adverse air quality impact.

Potential Development Site 4: Block 7071, Lot 18

Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level, or at a minimum of 108 feet above grade, and at least 20 feet from the lot line facing Surf Avenue to avoid any potential significant adverse air quality impact.

Potential Development Site 5: Block 7071, Lot 26

Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level, or at a minimum of 108 feet above grade, and at least 20 feet from the lot line facing Surf to avoid any potential significant adverse air quality impact.

Potential Development Site 6: Block 7071, Lots 83, 85, 86

Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level, or at a minimum of 88 feet above grade, at least 70 feet from the lot line facing West 22nd Street to avoid any potential significant adverse air quality impact.

Potential Development Site 7: Block 7071, Lot 91

Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level, or at a minimum of 88 feet above grade, and at least 55 feet from the lot line facing West 22nd Street to avoid any potential significant adverse air quality impact.

Potential Development Site 8: Block 7071, Lots 96, 97

Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level, or at a minimum of 88 feet above grade, and at least 47 feet from the lot line facing West 22nd Street to avoid any potential significant adverse air quality impact.

To ensure that there would be no significant adverse **noise** impacts associated with the proposed project, an E designation (E) will be placed on the project sites as follows:

Projected Development Sites 1-8: Block 7071, Lots 3, 4, 5, 7, 8, 13, 16, 18, 26, 83, 85, 86, 91, 93, 94, 96, 97, 114

In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 28 dBA window/wall attenuation on the façades facing Surf Avenue on Projected Development Sites 1, 2, and 3 in order to maintain an interior noise level of 45 dBA. 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, air conditioning.