

REVISED NEGATIVE DECLARATION - supersedes the Negative Declaration issued September 24, 2017 *

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 action sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

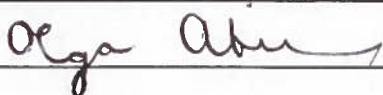
Hazardous Materials, Air Quality & Noise: An (E) designation for Hazardous Materials, Air Quality & Noise (E-504) has been incorporated into the proposed action. Refer to "Appendix I: (E) Designation" for a list of the sites affected by the proposed (E) designation and applicable (E) designation requirements. With these measures in place, the proposed action would not result in significant adverse hazardous materials, air quality or noise impacts.

Shadows: A detailed analysis of shadows is included in this EAS. The analysis concludes that incremental shadows would be cast on two sunlight sensitive resources: The Harold Ickes Playground and The Backyard Garden. New incremental shadows would be cast on portions the Backyard Garden on all four analysis days. New shadows will cover between 5% and 50% of the garden for periods ranging from 6 hours and 2 minutes on December 21, to 8 hours and 53 minutes on March 21. No part of the garden would be in constant shadow, as the shadow would sweep across the garden during the course of the day. As a result, the garden would receive sufficient sunlight during the growing season. New incremental shadows would also be cast on the Harold Ickes Playground on the March, May and June analysis days with durations ranging from 19 minutes on March 21 to 2 hours and 28 minutes on June 21. These shadows would also sweep across the playground between the hours of 5:57a.m. and 8:25 a.m., which is typically prior to the time of substantial use. No other open space, historic, or other resources would be affected by shadows generated by the proposed actions. The proposed actions would not result in any significant adverse shadows impacts.

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, or any change to the arrangement or orientation of surrounding streets or sidewalks in the vicinity of the affected 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 Acting Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE 02/22/2019



TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 02/25/2019
SIGNATURE	

The above determination is based on information contained in the EAS, which finds the proposed action would not result in significant adverse effects on the quality of the environment. The City Planning Commission would have no significant effect on the quality of the environment. The proposed action would not result in significant adverse effects on the quality of the environment.

A detailed analysis of the proposed action is included in the EAS. The analysis concludes that the proposed action would not result in significant adverse effects on the quality of the environment. The analysis includes a detailed analysis of the proposed action and its potential impacts on the environment. The analysis also includes a detailed analysis of the proposed action and its potential impacts on the environment.

The proposed action would not result in significant adverse effects on the quality of the environment. The proposed action would not result in significant adverse effects on the quality of the environment. The proposed action would not result in significant adverse effects on the quality of the environment.

*Following certification of the related land use application (ULURP Nos. C180294ZMK and N180295ZRK) on September 24, 2018, the City Planning Commission is anticipated to modify the proposed rezoning from R7A/C2-4 to R6A/C2-4. This Revised Negative Declaration supersedes the Negative Declaration issued September 21, 2018 and reflects the Revised EAS dated February 22, 2019 which assesses the potential CPC Modification to the application. As described in the Revised EAS, the change would not alter the conclusions of the previous EAS. The proposed (E) designation (E-504) related to Hazardous Materials, Air Quality and Noise would continue to apply. The (E) designation related to air quality affecting Projected Development Site 1 would be modified. These changes would not alter the conclusions of the EAS or Negative Declaration.

Marisa Lago

Appendix 1: (E) Designations

To ensure that there would be no significant adverse **hazardous materials** impacts associated with the proposed project, an E designation (E-504) will be placed on the project sites as follows:

Potential Development Site 2 (non-applicant owned): Block 352, Lots 1, 3

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 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

To ensure that there would be no significant adverse **air quality** impacts associated with the proposed project, an E designation (E-504) will be placed on the project sites as follows:

Projected Development Site 1 (applicant owned): Block 352, Lot 60

Any new residential/commercial development or enlargement on the above-referenced property must use natural gas exclusively as the type of fuel for heating, ventilating, and air conditioning (HVAC) system and ensure that the HVAC stack(s) is located at the highest tier, at least 68 feet above grade, and is at least 15 feet from the lot line facing Van Brunt Street.

To ensure that there would be no significant adverse noise impacts associated with the proposed project, an E designation (E-504) will be placed on the project sites as follows:

Projected Development Site 1 (applicant owned): Block 352, Lot 60

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on all building's 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 must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

Projected Development Site 2 (non- applicant owned): Block 352, Lot 1, 3

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on all building's 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 must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.