



City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • Please fill out and submit to the appropriate agency ([see instructions](#))

Part I: GENERAL INFORMATION

1. Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)? ☐ YES ☒ NO

If "yes," STOP and complete the [FULL EAS FORM](#).

2. Project Name MANA Products Zoning Text Amendment

3. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)
18DCP189Q

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)
180518 ZRQ

OTHER REFERENCE NUMBER(S) (if applicable)
(e.g., legislative intro, CAPA)

4a. Lead Agency Information

NAME OF LEAD AGENCY

New York City Department of City Planning

4b. Applicant Information

NAME OF APPLICANT

27-11 49th Avenue Realty, LLC

NAME OF LEAD AGENCY CONTACT PERSON

Olga Abinader, Acting Director

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

Jay Segal

ADDRESS 120 Broadway

ADDRESS 200 Park Avenue

CITY New York

STATE NY

ZIP 10271

CITY New York

STATE NY

ZIP 10166

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5. Project Description

The Applicant, 27-11 49th Avenue Realty, seeks a zoning text amendment (the "proposed action") to Section 43-121 of the Zoning Resolution ("ZR") concerning the expansion of existing manufacturing buildings. Currently, ZR Section 43-121 permits, in all manufacturing districts, manufacturing buildings that were in existence prior to December 15, 1961, to be expanded by up to 150 percent of the original built floor area. Per ZR 43-121, such expansion may consist of an enlargement, or additional development, on the same zoning lot provided that: (a) the resulting floor area shall not be greater than either 150 percent of the floor area existing on December 15, 1961, or 110 percent of the maximum floor area otherwise permitted under the provisions of ZR 43-12 (Maximum Floor Area Ratio); and (b) the resulting floor area ratio shall not exceed the highest of either 150 percent of the maximum floor area ratio otherwise permitted under the provisions of Section 43-12, 110 percent of the floor area ratio existing on December 15, 1961, or a floor area ratio of 2.4, provided that the City Planning Commission shall administratively certify and the City Council approve, that such expansion will not adversely affect the surrounding area.

The proposed action would extend these provisions to all buildings developed for a manufacturing use prior to December 31, 1965, and make them applicable to a larger area -- specifically on zoning lots larger than two acres in M3-2 districts in Queens Community District 2 in the Long Island City Designated Area. The proposed action would facilitate a proposal by the applicant to enlarge the subject property at 27-11 49th Avenue (Block 115, Lot 1, the "project site") by 111,934 gross square feet ("gsf") to consolidate operations on one site, currently divided between two separate properties. The proposed action is not expected to facilitate development on any other sites.

The information in this EAS form addresses the project site (27-11 49th Avenue). Potential effects of the proposed project to the 32-02 Queens Boulevard site are addressed in Supplemental Section 1.0, "Project Description."

Project Location

BOROUGH Queens

COMMUNITY DISTRICT(S) 2

STREET ADDRESS 27-11 49th Avenue

TAX BLOCK(S) AND LOT(S) Block 115, Lot 1

ZIP CODE 11101

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS 49th Avenue to the south, 27th Street to the west

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M3-2

ZONING SECTIONAL MAP NUMBER 9b

6. Required Actions or Approvals (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT ☐ ZONING CERTIFICATION ☐ CONCESSION

☐ ZONING MAP AMENDMENT ☐ ZONING AUTHORIZATION ☐ UDAAP

☒ ZONING TEXT AMENDMENT ☐ ACQUISITION—REAL PROPERTY ☐ REVOCABLE CONSENT

☐ SITE SELECTION—PUBLIC FACILITY ☐ DISPOSITION—REAL PROPERTY ☐ FRANCHISE

☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Department of Environmental Protection: ☐ YES ☒ NO If "yes," specify:**Other City Approvals Subject to CEQR** (check all that apply)

☐ LEGISLATION ☐ FUNDING OF CONSTRUCTION, specify:

☐ RULEMAKING ☐ POLICY OR PLAN, specify:

☐ CONSTRUCTION OF PUBLIC FACILITIES ☐ FUNDING OF PROGRAMS, specify:

☐ 384(b)(4) APPROVAL ☐ PERMITS, specify:

☐ OTHER, explain:

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL

☐ OTHER, explain:

State or Federal Actions/Approvals/Funding: ☐ YES ☒ NO If "yes," specify:**7. Site Description:** The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.**Graphics:** The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP

☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 107,482

Waterbody area (sq. ft) and type:

Roads, buildings, and other paved surfaces (sq. ft.): 107,482

Other, describe (sq. ft.):

8. Physical Dimensions and Scale of Project (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 327,638

NUMBER OF BUILDINGS: 1

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 327,638

HEIGHT OF EACH BUILDING (ft.): 103

NUMBER OF STORIES OF EACH BUILDING: 5

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO

If "yes," specify: The total square feet owned or controlled by the applicant: 107,482

The total square feet not owned or controlled by the applicant:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length)

VOLUME OF DISTURBANCE: 17,597 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 1,437 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	Commercial	Community Facility	Industrial/Manufacturing
Size (in gross sq. ft.)				327,638

Type (e.g., retail, office, school)	units			comestics manufacturing
Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: NUMBER OF ADDITIONAL WORKERS: 215 Provide a brief explanation of how these numbers were determined: The number of additional workers was provided by the applicant.				
Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.				
Has a No-Action scenario been defined for this project that differs from the existing condition? ☒ YES ☐ NO If "yes," see Chapter 2 , "Establishing the Analysis Framework" and describe briefly:				
9. Analysis Year CEQR Technical Manual Chapter 2				
ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2021				
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18 to 24 months				
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?				
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:				
10. Predominant Land Use in the Vicinity of the Project (check all that apply) ☐ RESIDENTIAL ☒ MANUFACTURING ☐ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. LAND USE, ZONING, AND PUBLIC POLICY: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See attached.		
(e) Is the project a large, publicly sponsored project?	☐	☒
o If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries ?	☒	☐
o If "yes," complete the Consistency Assessment Form . See attached.		
2. SOCIOECONOMIC CONDITIONS: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of 200 or more residential units?	☐	☒
o Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
o Directly displace more than 500 residents?	☐	☒
o Directly displace more than 100 employees?	☐	☒
o Affect conditions in a specific industry?	☐	☒
3. COMMUNITY FACILITIES: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
o Child Care Centers: Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
o Libraries: Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
o Public Schools: Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
o Health Care Facilities and Fire/Police Protection: Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. OPEN SPACE: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	☐	☒
o If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	☐	☒
o If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒

	YES	NO
5. SHADOWS: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
6. HISTORIC AND CULTURAL RESOURCES: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. Minimal ground disturbance (pilings) in a New York Office of Parks, Recreation and Historic Preservation (NYOPRHP) Area of Archaeological Sensitivity. See Attached.		
7. URBAN DESIGN AND VISUAL RESOURCES: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. NATURAL RESOURCES: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11 ?	☒	☐
o If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed ?	☐	☒
o If "yes," complete the Jamaica Bay Watershed Form , and submit according to its instructions .		
9. HAZARDOUS MATERIALS: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☒	☐
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☒	☐
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: rail spur (former manufacturing/industrial operations), urban fill, potential vapor encroachment condition (VEC)		
10. WATER AND SEWER INFRASTRUCTURE: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area , would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13 ?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒

	YES	NO
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas , including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewerred or currently unsewerred?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. SOLID WASTE AND SANITATION SERVICES: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14 , the project's projected operational solid waste generation is estimated to be (pounds per week): 72,600 (With-Action total)		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. ENERGY: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15 , the project's projected energy use is estimated to be (annual BTUs): 178,612,089		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. TRANSPORTATION: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.</i>	☐	☐
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. AIR QUALITY: CEQR Technical Manual Chapter 17		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ?	☐	☒
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ?	☐	☒
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17 ? (Attach graph as needed)	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18 ?	☐	☐
16. NOISE: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of sight to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒

	YES	NO
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20 , "Public Health." Attach a preliminary analysis, if necessary.		
18. NEIGHBORHOOD CHARACTER: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21 , "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. CONSTRUCTION: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	☐	☒
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	☐	☒
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
o The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
o Closure of a community facility or disruption in its services?	☐	☒
o Activities within 400 feet of a historic or cultural resource?	☒	☐
o Disturbance of a site containing or adjacent to a site containing natural resources?	☒	☐
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22 , "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. Although the site is located in a New York Office of Parks, Recreation and Historic Preservation (NYOPRHP) Area of Archaeological Sensitivity, no archaeological sites have been documented within a half mile of the project area. In addition, the New York City Landmarks Preservation Commission determined that the site is not archaeologically or architecturally significant. Construction activities are expected to be standard in nature and would last approximately 16 months. As a result, any effects from the construction of the project would be considered short term and insignificant. In addition, there would be no excavation or major foundation work, which is typically the heaviest stage of construction. Because the proposed project would involve minimal ground disturbance, as such, no quantifiable soil disturbance is expected to be generated during construction. Any potential soil or fill materials that could be generated during construction would be properly handled, transported and disposed off-site such that construction would not result in significant adverse impacts to natural resources. In addition, regulatory agency requirements would be followed during construction. While some temporary parking lane closures may be required, they would be short-term and all travel lanes would remain open during construction. In the event that any closure of any portion of sidewalk elements is needed, it would be fully addressed by a permit and a Pedestrian Access Plan as required by the New York City Department of Transportation's Office of Construction Mitigation and Coordination prior to the closure so that impacts would not occur. Because of these provisions and because the period of construction is short-term, a preliminary construction assessment would not be warranted.		
20. APPLICANT'S CERTIFICATION		
I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.		

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME

Evren Ulker Kacar, AICP - VHB

DATE

01/24/2019

SIGNATURE

Evren Ulker Kacar

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

**Potentially
Significant
Adverse Impact**

IMPACT CATEGORY	YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?

☐
☒

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

- ☐ **Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).
- ☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.
- ☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see [template](#)) or using the embedded Negative Declaration on the next page.

4. LEAD AGENCY'S CERTIFICATION

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 January 25, 2019
SIGNATURE 	

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 that finds the proposed project and related 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.

1. Land Use, Zoning, and Public Policy: A Land Use, Zoning and Public Policy analysis is included in this EAS. The Proposed Action involves a Zoning Text Amendment to Section 43-121 of the Zoning Resolution concerning the expansion of existing manufacturing buildings. Currently, Section 43-121 permits manufacturing buildings that were in existence prior to December 15, 1961 to expand by up to 150 percent of the original built floor area. The Proposed Action would extend these provisions to all buildings developed for a manufacturing use prior to December 31, 1965. The analysis concludes that the Proposed Action would facilitate a development consistent in use with the existing land uses in the surrounding area. It further concludes that the Proposed Action would not have a significant impact pertaining to Zoning. Finally, the analysis concludes the Proposed Action would not adversely impact any applicable Public Policy and is consistent with the New York City Waterfront Revitalization Program.

2. Shadows: A Shadows analysis is included in this EAS. The Shadows analysis states that the Proposed Action would result in an increase in building height adjacent to a sunlight-sensitive resource (Dutch Kills). The analysis reveals that the incremental shadow cast on Dutch Kills would occur for 20 minutes during the end of the May 6/August 6 Analysis Day. The analysis concludes that the incremental shadow would not result in significant adverse impacts on any sunlight-sensitive resource.

3. Urban Design and Visual Resources: An Urban Design and Visual Resources analysis is included in this EAS. The analysis concludes that the Proposed Action would not block any views to the Dutch Kills visual resource, and no significant adverse impacts related to urban design or visual resources would result from the Proposed Action.

4. Hazardous Materials and Noise: An (E) Designation (E-520) for hazardous materials and noise has been incorporated into the Proposed Action. Refer to "Appendix 1: (E) Designation," attached to this Determination of Significance, for the applicable (E) designation requirements. The analyses conducted for Hazardous Materials and Noise conclude that with the (E) designation requirements in place, the Proposed Action would not result in significant adverse impacts pertaining to hazardous materials or noise.

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 January 25, 2019
SIGNATURE 	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE January 28, 2019
SIGNATURE	

Appendix 1: (E) Designations

To ensure that there would be no significant adverse noise impacts associated with the proposed project, an (E) designation (E-520) will be placed on the project site as follows:

The (E) designation requirements would apply to:

Projected Development Site 1: Block 115, Lot 1

The (E) designation text is as follows:

Hazardous Materials

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 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.

Noise

Block 115, Lot 1 (Projected Development Site 1): To ensure an acceptable interior noise environment, future 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 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.

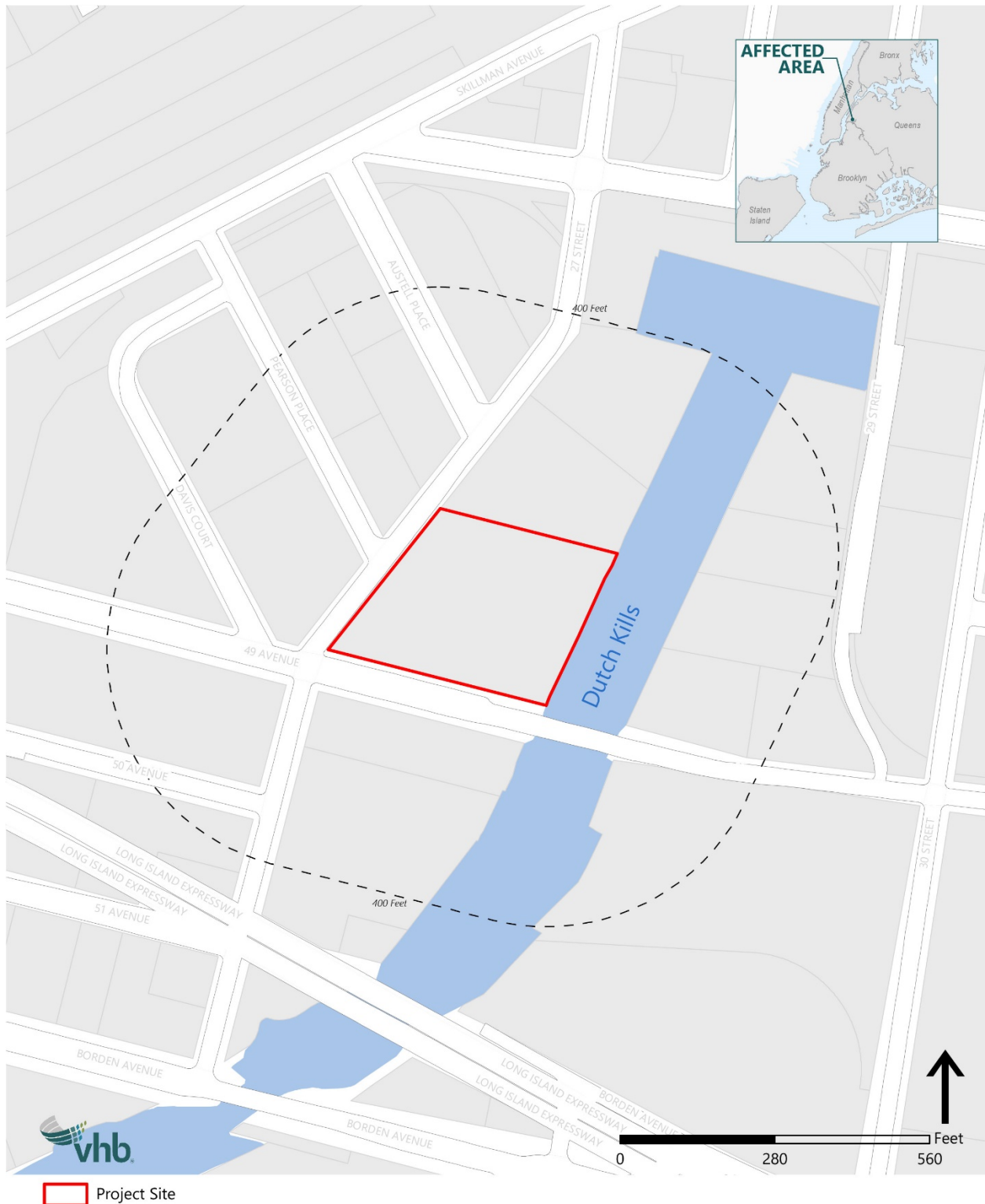


Figure 1 | Site Location

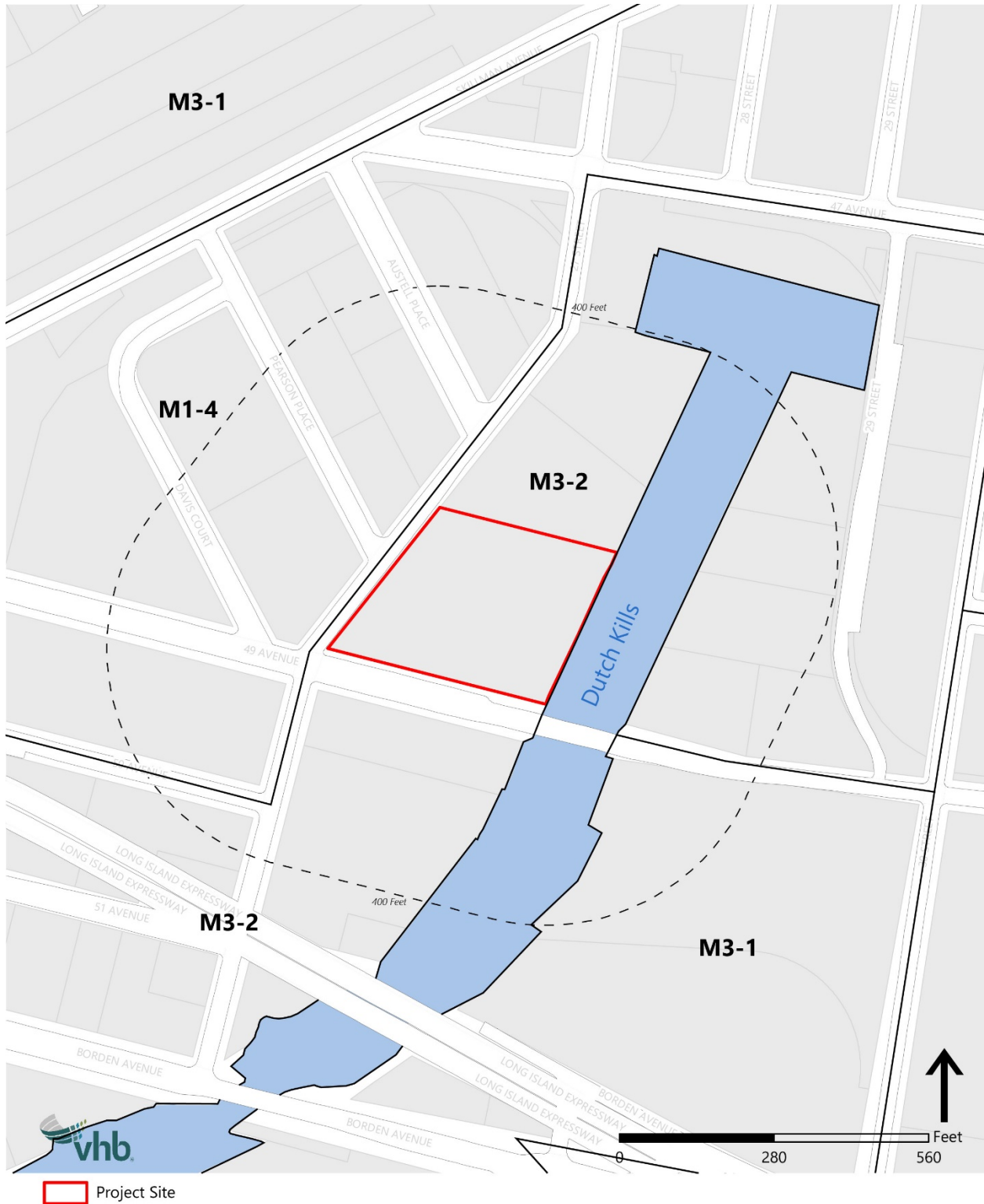


Figure 2 | Zoning Map

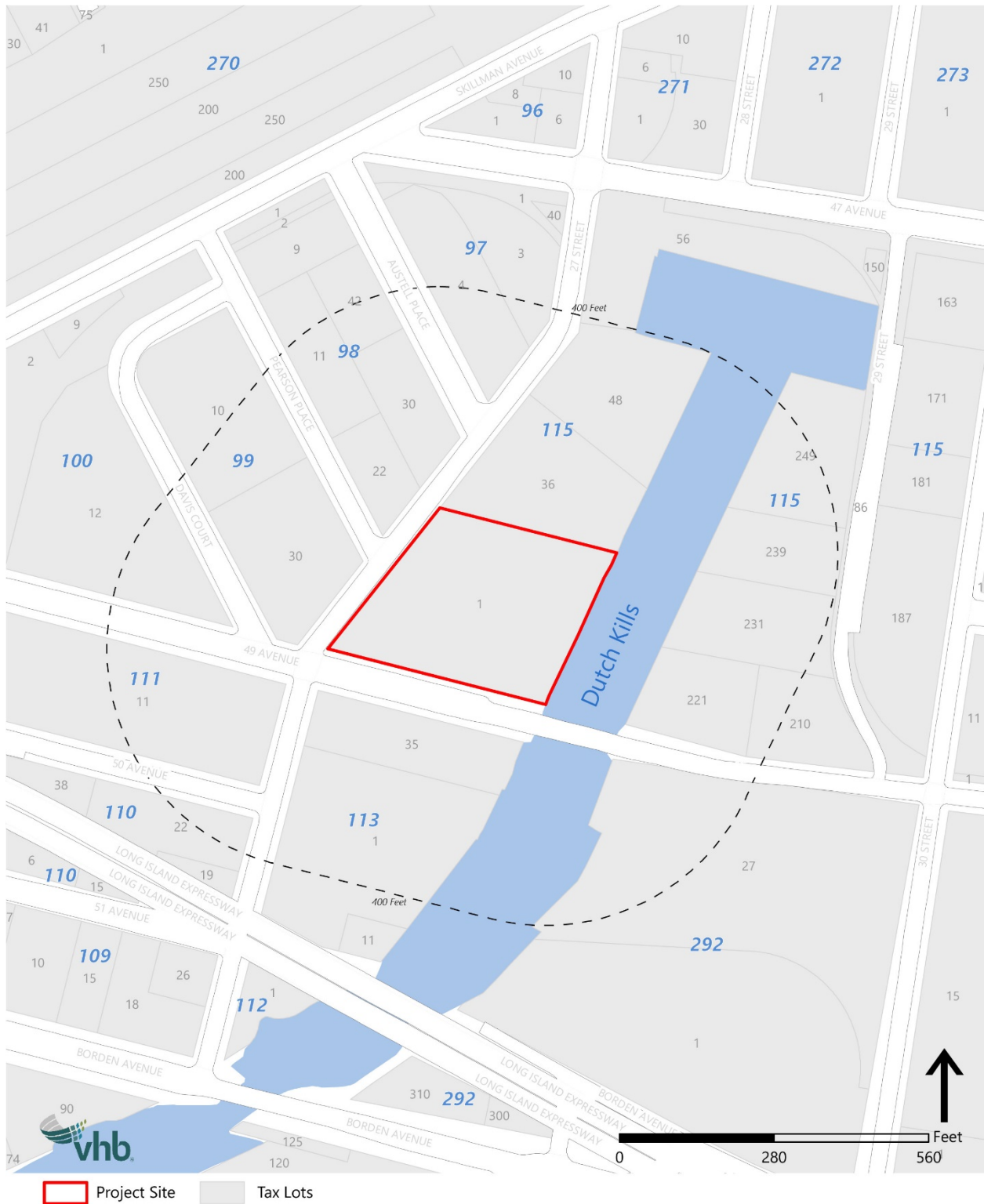


Figure 3 | Tax Map

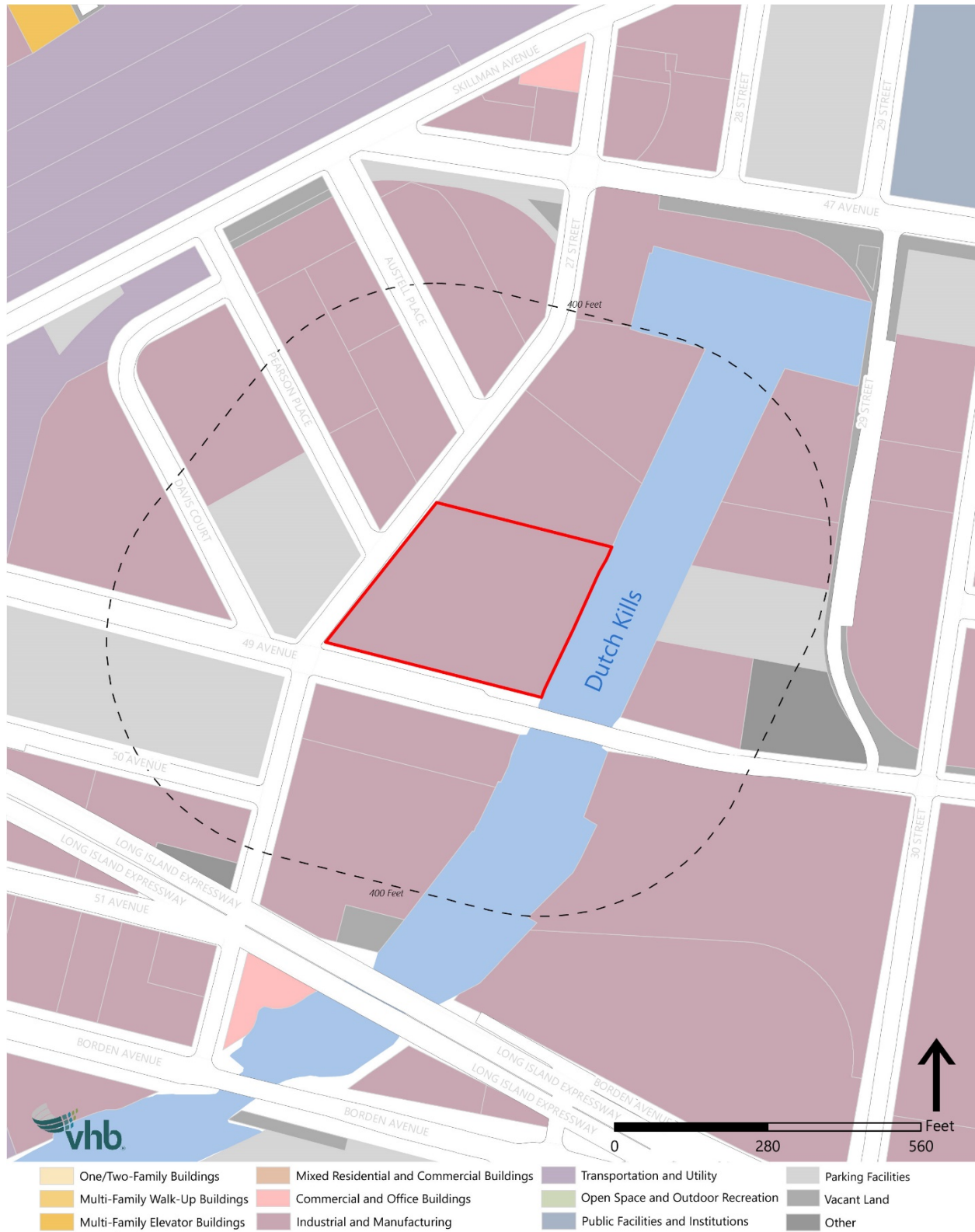


Figure 4 | Land Use



 Project Site  Photo Location

Figure 5 | Photo Key

Photo 1: View of Dutch Kills and the project building's northern façade from 30th Street



Photo 2: View of the building's eastern façade from 30th Street



Photo 3: View facing west on 49th/Hunters Point Ave



Photo 4: View of bridge and project site on 49th/Hunters Point Ave



Photo 5: Views of building's eastern façade adjacent to Dutch Kills



Photo 6: View of building facing west on 49th/Hunters Point Ave



Photo 7: View of building from south side of 49th/Hunters Point Ave



Photo 8: View of parking lot from south side of 49th/Hunters Point Avenue



Photo 9: View from south side corner of 49th/Hunters Point Ave and 27th St



Photo 10: View of building's northern façade from 27th St



Photo 11: View of site facing south on 27th St



1.0

Project Description

This section provides descriptive information about the requested discretionary land use action and the development project that could be facilitated by the requested actions. The purpose of this section is to convey project information relevant to environmental review.

Introduction

The applicant, 27-11 49th Avenue Realty, LLC (a holding entity affiliated with MANA Products, Inc.) seeks a zoning text amendment to Zoning Resolution (ZR) Section 43-121 (Expansion of Existing Manufacturing Facilities) to allow an approximately 50 percent increase in the size of its current facility at the project site. The proposed action would facilitate a 111,934 gsf horizontal and vertical enlargement of the existing three-story facility on the project site (the proposed project).

Project Site

The project site, as shown in EAS Figures 1 and 2, is located at 27-11 49th Avenue in the Long Island City neighborhood of Queens in Community District 2 and consists of a single zoning lot (Block 115, Lot 1). The site is zoned as an M3-2 zoning district.

The project block is bounded by 47th Avenue to the north, 27th Street to the east, 49th Avenue/Hunters Point Avenue Road to the south, and 29th Street to the west. The site is located on the southwestern portion of the block at the corner of 49th Avenue and 27th Street, and is also a waterfront property, abutting the Dutch Kills tributary on its east side. The site is improved with a three-story, 215,704 gsf building which houses MANA Products Inc., a cosmetics manufacturer.

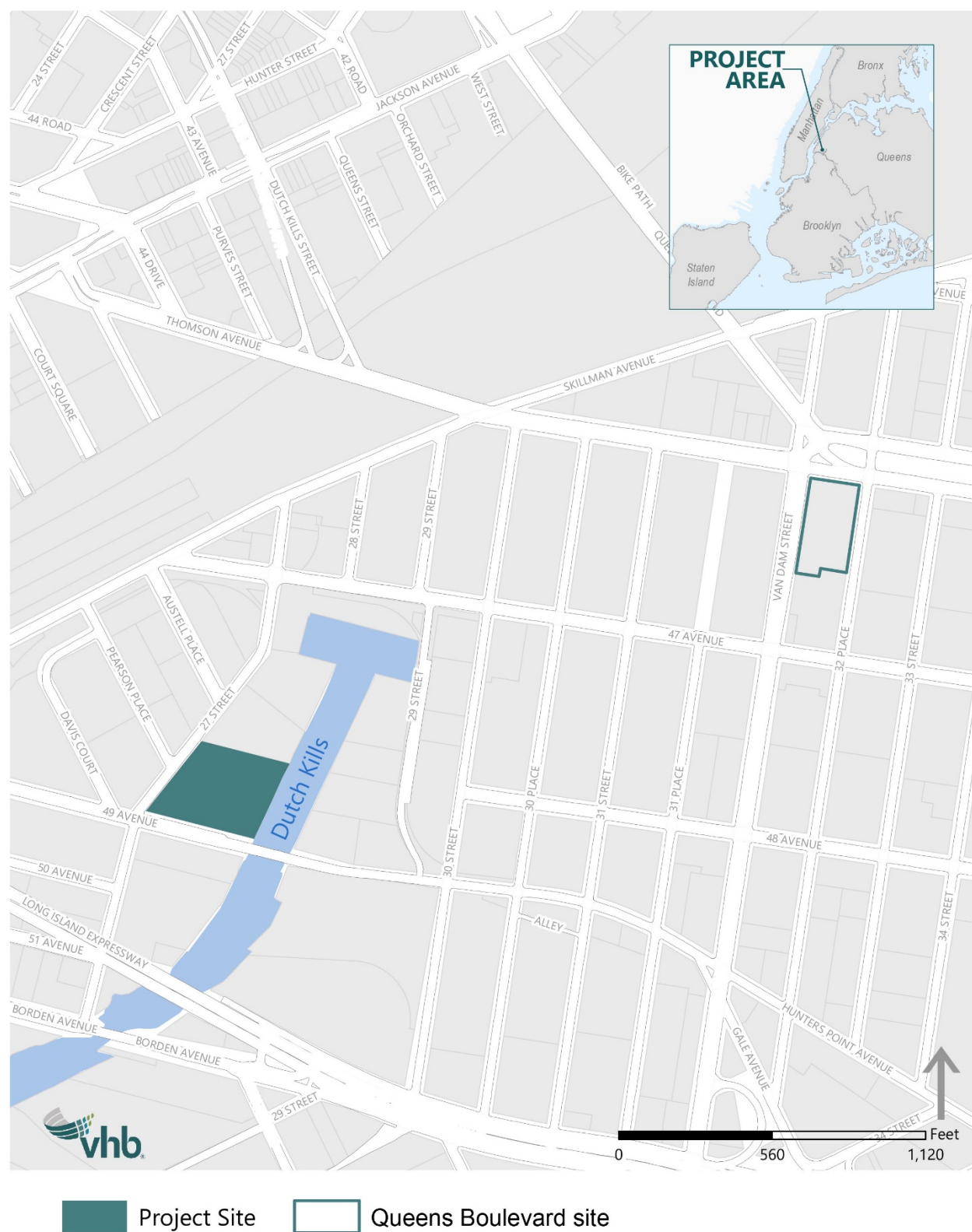
The building at the project site was constructed in 1965 as a conforming manufacturing use and has since been used for manufacturing purposes. Historical uses and operations at the project site are as follows:

- › 1965-1991 – The building was constructed in 1965 for Russ Togs Inc., which manufactured apparel (namely, women’s sportswear) and went bankrupt in 1991;
- › 1992-1997 – Honey Fashions purchased the property in 1992, maintaining its manufacturing use (specifically, women’s accessories);
- › 1998 – 27-11 49th Avenue Realty LLC purchased the property for the explicit use of MANA Products, which manufactures cosmetics.

As shown in **Figure 1-1** below, the applicant also has operations at another site in Long Island City, located at 32-02 Queens Boulevard (Block 249, Lot 7501) – the “Queens Boulevard site.” The entire Queens Boulevard site, which has a lot area of 60,300 square feet, is controlled by the applicant, but MANA Products occupies approximately 160,000 gsf (48 percent) of the 328,087 gsf building located on the site.

Both sites are located within the Long Island City industrial business zone (IBZ).

Figure 1-1 Project Site and Queens Boulevard Site Locations



Proposed Actions

As stated earlier, the applicant seeks a zoning text amendment pursuant to ZR Section 43-121, which permits buildings used for a conforming manufacturing use that were built prior to December 15, 1961 to be expanded for manufacturing use by as much as 150 percent of the maximum floor area ratio otherwise permitted on the zoning lot. Per ZR 43-121, such expansion may consist of an enlargement, or additional development, on the same zoning lot provided that: (a) the resulting floor area shall not be greater than either 150 percent of the floor area existing on December 15, 1961, or 110 percent of the maximum floor area otherwise permitted under the provisions of ZR 43-12 (Maximum Floor Area Ratio); and (b) the resulting floor area ratio shall not exceed the highest of either 150 percent of the maximum floor area ratio otherwise permitted under the provisions of Section 43-12, 110 percent of the floor area ratio existing on December 15, 1961, or a floor area ratio of 2.4, provided that the City Planning Commission shall administratively certify and the City Council approve, that such expansion will not adversely affect the surrounding area.

The site is located in a M3-2 zoning district with a maximum 2.0 FAR. The building on the site was constructed in 1965 as a conforming manufacturing use.

The requested text amendment would have the following provisions:

- › The text would be applicable in Queens Community District 2, within the Long Island City Designated Area (as set forth in ZR Article IV, Chapter 2, Appendix J);
- › The text would apply to sites of two acres or larger within M3-2 districts;
- › The text would be amended to include buildings used for a conforming manufacturing use that were built prior to December 31, 1965.

There are other lots that would meet the conditions of the text amendment (Block 65, Lot 77; Block 68, Lot 150; Block 68, Lot 38; Block 68, Lot 55; Block 113, Lot 1). However, the buildings on these lots were built prior to 1961, and therefore, expansion on these lots would already be allowed under the current ZR 43-121. As such, the project site would be the only location that would meet the proposed provisions, and the proposed action would only apply to the project site.

Proposed Project

The applicant is proposing an approximately 50 percent increase in the size of its current facility at the project site. The proposed project would consist of a 111,934 gsf enlargement of the existing three-story facility. The building's existing floors would be expanded on the western portion of the site and two partial floors would be added above that would consist of accessory office and research and development space. The remaining area of the building would house the facility's manufacturing operations. The development would have a total area of 327,638 gsf and a building height of approximately 103 feet.

Vehicular access to the accessory parking and loading area would be located at the western portion of the site, along 27th Street, with pedestrian access to the development occurring at the 27th Street frontage.

The proposed project would enable the applicant to consolidate its operations (from two separate locations) into a single facility located at the project site, and the efficiencies created through this consolidation would provide space for the company to grow its manufacturing operations.

Project Purpose and Need

The applicant, one of the country's largest contract manufacturers of cosmetics, is seeking to maintain its competitiveness by consolidating its operations in one location and expanding its current manufacturing capabilities in Long Island City, where it has been located since 1978. The applicant's competitors, located outside of New York City in suburban environments, take advantage of uninhibited, single-expanse production floors to efficiently manufacture cosmetic products. However, the applicant has chosen to cultivate a New York City-based workforce developing and producing all aspects of their products.

The applicant's current operations are constrained by space limitations and operations that are dispersed among two separate facilities (at the project site and the Queens Boulevard site). An expansion of the facility at the project site would enable the applicant to achieve the production efficiencies and accommodate the operational growth necessary to stay competitive while remaining in Long Island City. In order to facilitate such an enlargement, the applicant is seeking a zoning text amendment to allow the existing building to be expanded to 150 percent of the maximum floor area (as is currently allowed by zoning [per ZR Section 43-121] for buildings constructed prior to 1961).

Analysis Framework and Reasonable Worst Case Development Scenario

The *CEQR Technical Manual* will serve as guidance on the methodologies and impact criteria for evaluating the potential environmental effects of the proposed development that would result from the discretionary action (the text amendment in this case). If the proposed action allows for a range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen for CEQR analysis. This is considered to be the reasonable worst-case development scenario (RWCDs), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The CEQR assessment examines the incremental differences between the RWCDs of the future without the rezoning in place (No-Action condition) and the future with the rezoning in place and the associated development operation (With-Action condition).

For the purpose of the environmental analyses, the "No-Action condition" represents the future absent the proposed action(s) and serves as the baseline by which the

proposed project (or “With-Action” condition) is compared to determine the potential for significant environment impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

The proposed project will effectively maximize the allowable floor area and building envelope, thereby representing the RWCDs for environmental review. Additionally, as stated previously, the proposed zoning text amendment would effectively only apply to the project site. Therefore, there are no potential “soft sites” that would be redeveloped or enlarged as a result of the proposed action.

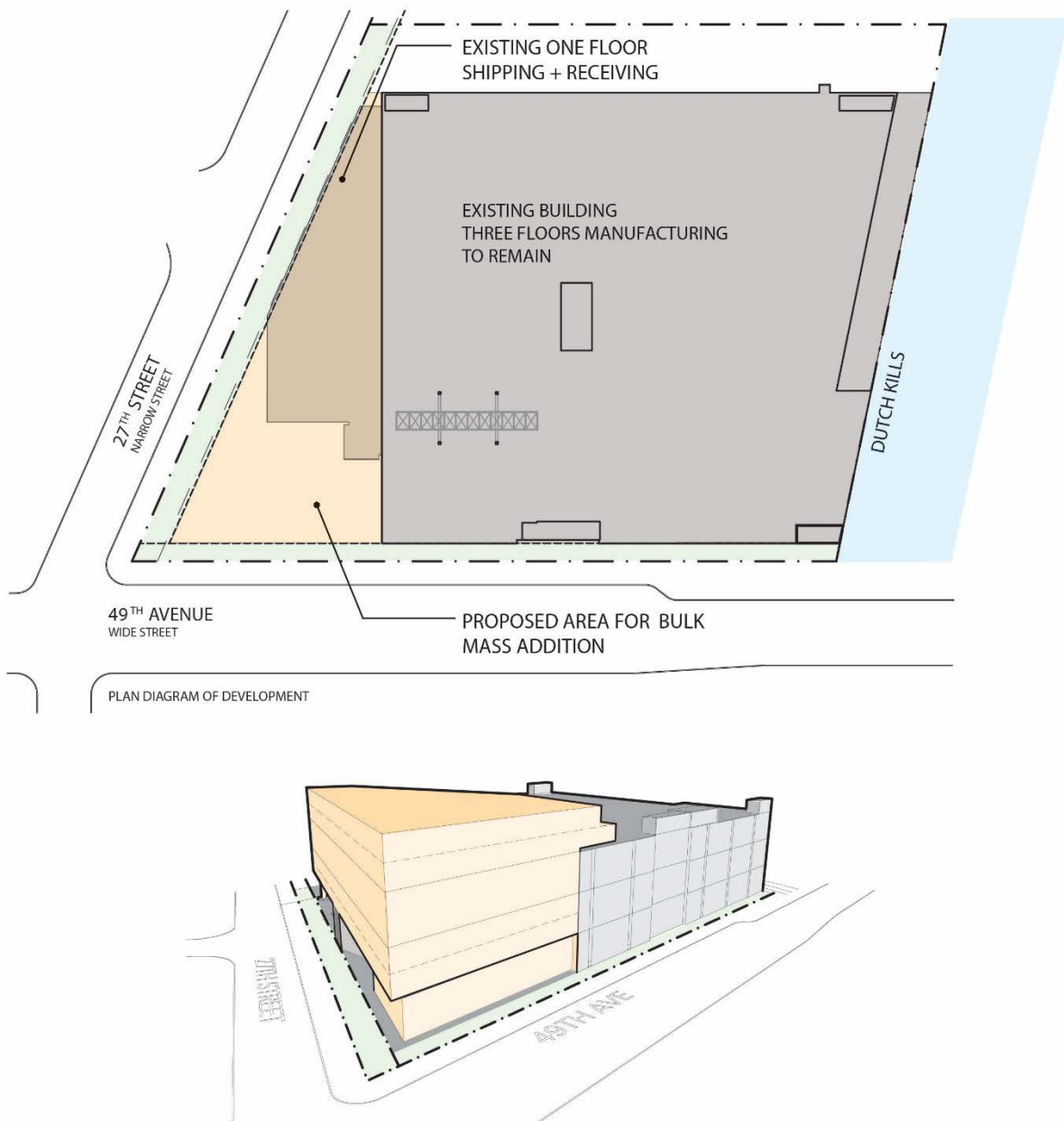
Future No-Action Condition

Absent the approval of the proposed text amendment, the applicant would continue operations at the project site. All current Queens Boulevard site manufacturing activities would be moved to the project site, but the applicant would need to seek out an additional facility elsewhere (most likely outside of New York City) to accommodate planned growth. Under this scenario, it is assumed that the project site building would not be expanded and would continue its current operations and accommodate manufacturing operations that would be relocated from the Queens Boulevard site. In addition, 106 parking spaces would be provided through the use of stackers or through an off-site parking agreement with a neighboring property within 600 feet of the project site. This would comply with the parking requirement for the site. Given its floor plate and the existing office uses in the Queens Boulevard building, all manufacturing floor area in the Queens Boulevard building would be converted to office space. MANA would use some of this office space and rent the remainder to other tenants.

Future With-Action Condition

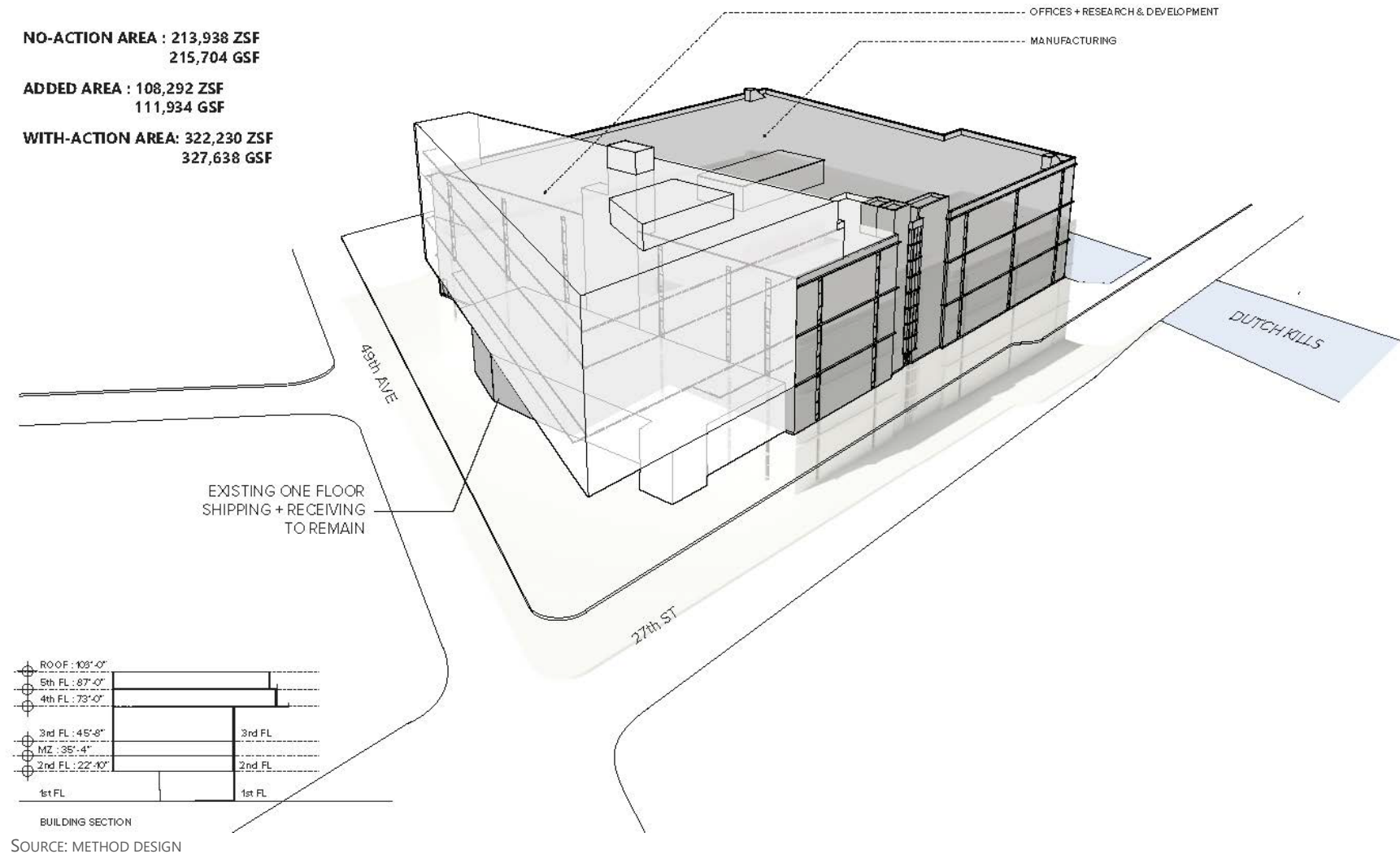
Under the With-Action Condition, the applicant would enlarge the building at the project site, as described earlier, and construct approximately 111,934 gsf of additional floor area. All MANA operations currently housed at the Queens Boulevard site would be relocated to the project site. Similar to the No-Action condition, it is assumed that the space vacated by MANA at the Queens Boulevard site in the With-Action condition would be occupied by office uses, and the building would be entirely commercial. Therefore, there would be no change at the Queens Boulevard site under the With-Action condition as compared to the No-Action condition. **Figures 1-2** and **1-3** show the development under the With-Action condition.

Figure 1-2 With-Action Condition



SOURCE: METHOD DESIGN

Figure 1-3 Existing/No-Action and Proposed Areas and Building Section



Increment for Analysis

As shown in **Table 1-1**, the proposed action would result in a net increase of 111,934 gsf of manufacturing space at the project site over the No-Action condition. There would be no difference in the number of parking spaces provided at the site between the No-Action and With-Action conditions, which would comply with the parking requirement for the proposed project.

As described above, there would be no change at the Queens Boulevard site under the With-Action condition as compared to the No-Action condition, and no further environmental analysis is necessary for the Queens Boulevard site.

Table 1-1 Future No-Action and Future With-Action Comparison

	No-Action Condition	With-Action Condition	Increment
Total ZSF	213,938	322,230	+ 108,292
Total GSF	215,704	327,638	+ 111,934
Parking Spaces	106	106	0
Height (ft)	68	~103	+35
Number of Employees	~835	~1,050	+215

Analysis (Build) Year

Assuming approval of the proposed actions and completion of the ULURP process in 2019, construction of the proposed project is expected to occur over a period of 18 to 24 months. Therefore, the completion of the proposed project is expected by 2021.

2.1

Land Use, Zoning, and Public Policy

Introduction

This section considers the potential for the proposed project to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the *City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the uses in the area that may be affected by the proposed project and determines whether the proposed project is compatible with those conditions or may otherwise affect them. The analysis also considers the proposed project's compatibility with zoning regulations and other public policies applicable to the area.

Methodology

This preliminary analysis of land use, zoning, and public policy follows the guidelines set forth in the *CEQR Technical Manual* for a preliminary assessment (Section 320). According to the *CEQR Technical Manual*, a preliminary land use and zoning assessment:

- › Describes existing and future land uses and zoning information, and describes any changes in zoning that could cause changes in land use;
- › Characterizes the land use development trends in the area surrounding the project area that might be affected by the proposed action; and
- › Determines whether the proposed project is compatible with those trends or may alter them.

For public policy, the *CEQR Technical Manual* stipulates that a preliminary assessment should identify and describe any public policies (formal plans, published reports) that pertain to the study area, and should determine whether the proposed project could alter or conflict with identified policies. If so, a detailed assessment should be conducted; otherwise, no further assessment is needed.

The following assessment method was used to determine the potential for the proposed project to result in significant adverse impacts on Land Use, Zoning, and Public Policy:

1. Establish a "study area", a geographic area surrounding the project area to determine how the proposed project may affect the immediate surrounding area. For this assessment, a study area of 400-feet of the project area was used (see **Figure 2.1-1**).
2. Identify data sources, including any public policies (formal plans, published reports) to be used to describe the existing and No-Action conditions related to Land Use, Zoning, and/or Public Policy;
3. Conduct a preliminary assessment of the proposed project's potential effects on Land Use, Zoning and Public Policy to determine whether the proposed project is consistent with or conflicts with area land uses, zoning, or the identified policies.
 - If a proposed project could conflict with the identified policies, a detailed assessment would be conducted; or
 - If the proposed project is found to not conflict with the identified policies, no further assessment is needed.

Assessment

Land Use

This section describes land use in the Existing, No-Action, and With-Action conditions in the Study Area.

Existing Conditions

Land uses in the study area are predominantly manufacturing/industrial use, with some designated as parking facilities and vacant land (**Figure 2.1-1**). The area surrounding the site consists primarily of warehouses and light industrial uses as well as commercial office spaces. A cluster of loft building office conversions is

present across 27th Street, and in the surrounding portions of the Long Island City Industrial Business District. Conversion of old loft buildings is a current trend in the study area as these buildings are not as suitable for large-scale manufacturing as they once were. The buildings north of the site closer to the intersection of 47th Avenue and 27th Street are heavier manufacturing uses. Hunters Point Recycling Center is located on the southeast corner of the intersection of 29th Street and 49th Avenue/Hunters Point Avenue.

No-Action Condition

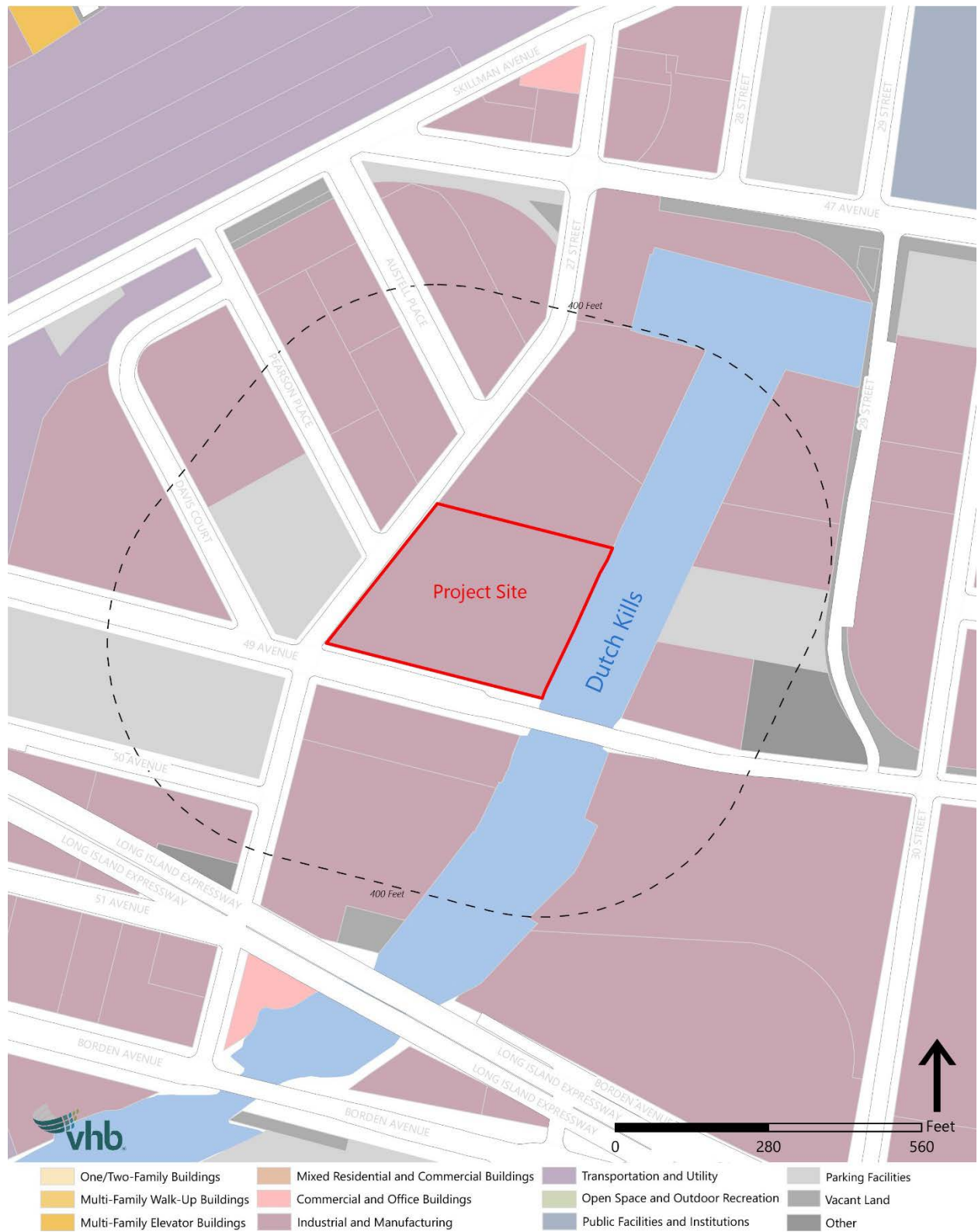
Absent the approval of the proposed text amendment, the applicant would continue its current operations at the project site and would also move all current Queens Boulevard site manufacturing activities to the project site. The applicant would need to seek out an additional facility elsewhere to accommodate planned growth. The project site building would not be expanded and continue to accommodate its current operations as well as manufacturing operations that would be relocated from the Queens Boulevard site. All manufacturing floor area in the Queens Boulevard building would be converted to office space, which would be used partially by MANA and would partially be leased to other tenants for office use. This would be consistent with the current trend of converting manufacturing buildings into office space within the study area. There would be no changes to land uses within the study area.

Future With-Action Condition

In the With-Action Condition, the applicant would enlarge the building at the project site and construct approximately 111,934 gsf of additional floor area. All MANA operations currently housed at the Queens Boulevard site would be relocated to the project site. Similar to the No-Action condition, it is assumed that the space vacated by MANA at the Queens Boulevard site in the With-Action condition would be occupied by office uses, and the building would be entirely commercial.

The proposed action would not affect land uses within the study area, and the applicant believes that the proposed action would be consistent with the existing mix of land uses in the area. Given that the area surrounding the site is located within the Long Island City Industrial Business Zone and the proposed action would only allow the expansion of an existing building for manufacturing use, it is not anticipated that land use development within the area would shift from the current industrial/manufacturing trend. Industrial Business Zones (IBZs) are geographical areas that were established to protect manufacturing districts and encourage industrial growth. Therefore, there would be no significant adverse land use impact due to the proposed development.

Figure 2.1-1 Existing Land Use Map



Zoning

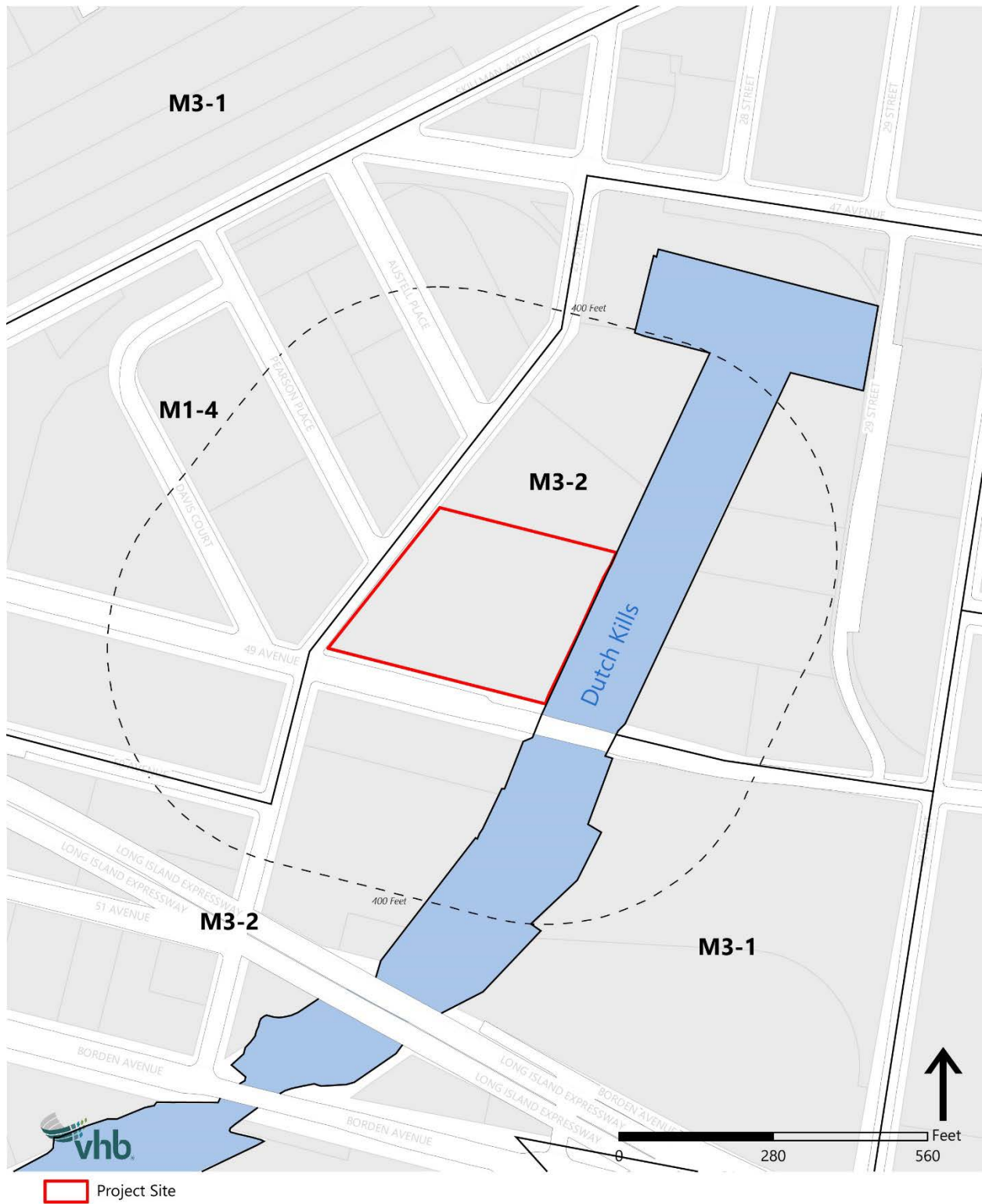
Existing Conditions

The study area includes M3-2, M3-1, and M1-4 Zoning Districts (**Figure 2.1-2**).

- › The project site is located in a M3-2 zoning district. M3-2 zoning districts are designated for areas with heavy industries that generate noise, traffic or pollutants. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. M3 districts area usually located near the waterfront and buffered from residential areas. M3 districts permit a maximum floor area ratio (FAR) of 2.0 and a maximum base height before setback of 60 feet. Accessory parking is not required in M3-2 districts. However, the site and the rest of the study area is located within Long Island City, and is therefore, subject to the provisions of ZR Article 1, Chapter 6 regarding parking regulations, rather than the underlying M-district parking regulations. As such, there is no required parking at the site; however, parking is permitted. Prior to October 25, 1995, the site was zoned as a M3-1 district and the existing building on the Site is subject to the applicable parking regulations in effect under the Zoning Resolution as of October 25, 1999.
- › The area south of 49th Avenue along the eastern bank of Dutch Kills is a M3-1 zoning district. M3-1 districts have the same bulk regulations as M3-2 districts and differ only in parking requirements. However, as stated previously, the study area is within the Long Island City area and is subject to special parking regulations under ZR Article 1, Chapter 6.
- › The perimeter west of 27th Street, directly across from the project site, is a M1-4 zoning district. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Offices, hotels and most retail uses are also permitted. M1-4 districts allow a maximum manufacturing FAR of 2.0 and a maximum base height of 60 feet with an initial setback distance of 20 feet on a narrow street or 15 feet on a wide street.

Zoning Resolution 43-121 allows buildings in M1, M2, and M3 districts that are used for a conforming manufacturing use and were built prior to December 15, 1961 to be expanded for a manufacturing use. The resulting total floor area may not exceed either 150 percent of the floor area existing on December 15, 1961 or 110 percent of the maximum floor area permitted in the district, whichever is highest; and the resulting FAR may not exceed either 150 percent of the maximum FAR allowed in the district, 110 percent of the FAR existing on December 15, 1961, or a FAR of 2.4 – whichever is highest.

Figure 2.1-2 Existing Zoning Map



No-Action Condition

Absent the approval of the proposed action, there would be no modifications to the existing zoning, which would continue to permit heavy manufacturing uses as-of-right. The existing zoning would continue to allow buildings located in manufacturing districts that are used for a conforming manufacturing use and were built prior to December 15, 1961 to expand to 150 percent of floor area existing on December 15, 1961 or expand to 110 percent of the maximum floor area otherwise permitted under ZR 43-12. The project building, which was built in 1965, would not be expanded and would accommodate its current operations as well as manufacturing operations that would be relocated from the Queens Boulevard site.

With-Action Condition

In the With-Action Condition, ZR 43-121 would be amended to include the following provisions:

- › The text would be applicable in Queens Community District 2, within the Long Island City Designated Area (as set forth in Article IV, Chapter 2, Appendix J);
- › The text would apply to sites of two acres or larger within M3-2 districts;
- › The text would be amended to include buildings used for a conforming manufacturing use that were built prior to December 31, 1965.

The proposed text amendment would allow the expansion of the building on the project site up to 150 percent of the floor area existing on December 31, 1965. Because the requested action is limited to the project site, the proposed development would not result in a significant adverse zoning impact (see **Attachment E** for Text Amendment).

Public Policy

Existing Conditions

As described in the *CEQR Technical Manual*, officially adopted and promulgated public policies describe the intended use applicable to an area or particular site(s) in the City. Some of these policies have regulatory status, while others describe general goals. Policies of the Waterfront Revitalization Program and goals related to NYC Industrial Business Zones are applicable to the project.

As stated previously, the project site is within the Long Island City IBZ, which was established to protect existing manufacturing districts and encourage industrial growth. Rezoning of these areas for residential use is not permitted. This designation fosters high-performing business districts by creating competitive advantages over locating in areas outside of New York City.

In addition to the Long Island City IBZ, the site is also located within the Coastal Zone Boundary. Therefore, policies related to the Waterfront Revitalization Program apply to the proposed development.

No-Action Condition

Under the future No-Action condition, there are no known public policy changes anticipated to affect the project site or study area.

With-Action Condition

In the With-Action condition, the proposed project would consist of a 111,934 gsf enlargement of the existing three-story building, which would include the addition of two partial floors on the western portion of the facility. The proposed project would enable the applicant to consolidate its operations (from two separate locations) into a single facility located at the project site, and the efficiencies created through this consolidation would provide space for the company to grow its manufacturing operations. Therefore, the applicant believes that the development would be consistent with the goal of the Long Island City IBZ.

Given that the project site is located within the New York City Coastal Zone, the proposed project is subject to review for its consistency with the City's Waterfront Revitalization Program. In accordance with the guidelines of the *CEQR Technical Manual*, a preliminary evaluation of the proposed actions' potential for inconsistency with the new WRP policies was undertaken. This preliminary evaluation requires completion of the WRP Consistency Assessment Form (CAF), which contains a series of questions designed to screen out those policies that would have no bearing on a consistency determination for a proposed action. The CAF lists the WRP policies and indicates whether the proposed project would promote or hinder that policy, or if that policy would not be applicable. As detailed below and in **Attachment A**, the proposed project would be consistent with WRP policies.

WRP Assessment

Policy 2: Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.

Policy 2.1: Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.

Land uses in the surrounding area of the proposed project consists of primarily manufacturing/industrial use, and there is an existing three-story manufacturing building used for cosmetics production located at the project site. The proposed project would consist of a vertical and horizontal enlargement of the existing building and would not change the current use at the project site. All current manufacturing activities at the applicant's Queens Boulevard site will be relocated to the project site. The project would be compatible with surrounding uses and its use and design would be consistent with underlying zoning and waterfront regulations.

Policy 2.5: Integrate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.

See response to WRP Policy 6.2.

Policy 6: Minimize loss of life, structures and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

Policy 6.1: Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.

See response to WRP Policy 6.2.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise into the planning and design of projects in the city's Coastal Zone.

The eastern portion of the project site is located in the National Flood Insurance Program's (NFIP) Zone AE, as mapped in the Preliminary Flood Insurance Rate Map (FIRM) for Queens County, NY dated December 5, 2013 (Map Number 3604970202G). The base flood elevation (BFE) is 10 feet NAVD88 throughout the entire project site. The western portion of the site is located in Zone X, as mapped in the Preliminary FIRM.

Based on sea level rise (SLR) estimates from the New York City Panel of Climate Change's 2015 report, Building the Knowledge Base for Climate Resiliency, predicted flood elevations for various SLR scenarios were determined, as depicted in **Table 1**. All SLR calculations are provided in the flood elevation worksheets attached.

Table 1 100 Year Floodplain Elevations with Sea Level Rise

Decade	Low Estimate – 10th percentile (ft)	Mid-Range – 25th to 75th percentile (ft)		High Estimate – 90th percentile (ft)
2020	10.2	10.3	10.7	10.8
2050	10.7	10.9	11.8	12.5
2080	11.1	11.5	13.3	14.8
2100	11.3	11.8	14.2	16.3

The proposed project would comply with the New York City Building Code requirements for construction within the 100-year and 500-year floodplains regarding the lowest floor elevation, which would be constructed at an elevation of 12.9 feet, approximately 3 feet above the base flood elevation (BFE) and accounting for at least the mid-range elevations under the SLR scenarios above, to the year 2080.

Most vulnerable features of the building (including storage, manufacturing, and office spaces) are constructed at an elevation of 12.9 feet, which would comply with the New York City Building Code requirements for construction within the 100-year and 500-year floodplains regarding the lowest floor elevation. Any products located on the main floor are stored on skids and pallets and are therefore an additional 6 to 8 inches above the floor. A small portion of the enclosed loading space located in the western portion of the site in Zone X is below the BFE at an elevation of 9.6 feet. As such, the facilities team employs measures to ensure that this area does not flood

during possible events. Other structures of the building that would be located below grade include the pits of the existing elevator as well as the proposed elevator. Both elevator pits would not be essential to operation and would be treated with a sump during possible flooding.

The proposed project would consist of a new electrical service, which would be housed in a sidewalk vault/chamber below grade. This vault would be located well to the western portion of the site where the proposed addition of the building would be located and would be fully waterproofed according to New York City standards. For these reasons, the proposed project would be consistent with this policy.

Policy 7: Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.

Policy 7.1: Manage solid waste material, hazardous waste, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.

See response to WRP Policy 7.3.

Policy 7.2: Prevent and remediate discharge of petroleum products.

See response to WRP Policy 7.3

Policy 7.3: Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimize potential degradation of coastal resources.

There are currently no known active petroleum or hazardous material releases within the project area. However, historic industrial activities may have resulted in contaminated soils on the western portions of the project site due to former freight/rail spurs. In addition, urban fill materials may be present due to former industrial structures. The proposed improvements to the project site involve minimal ground disturbance such that no quantifiable soil disturbance would be generated during construction. However, should any potential soils or fill materials be generated during construction, they would be properly handled, transported and disposed off-site at an appropriate facility in accordance with applicable regulations and with appropriate waste manifest. Furthermore, regulatory agency (NYCDEP) requirements will also be followed to manage any potential contaminated media encountered that would require remedial action during construction. Relocation or replacement of the existing petroleum (fuel oil) aboveground storage tank (AST) and any subgrade drainage/sewer features would be conducted in accordance with all applicable regulations and permitting requirements to prevent any release to the environment or the adjacent Dutch Kills.

Policy 8: Provide public access to, from, and along New York city's coastal waters.

Policy 8.1: Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.

The project site is adjacent to Dutch Kills, the only natural resource located within the vicinity of the project site. There is no physical and recreational access to the waterfront from the site, but visual access is provided along 49th Avenue. Although the proposed project would increase the height of the existing building, it would not obstruct views or change views to or from the waterfront from 49th Avenue. Therefore, the proposed project would be consistent with this policy.

Policy 8.3: Provide visual access to the waterfront where physically practical.

See response to Policy 8.1.

Policy 9: Protect scenic resources that contribute to the visual quality of the New York City coastal area.

Policy 9.1: Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.

See response to Policy 8.1.

Policy 9.1: Protect and enhance scenic values associated with natural resources.

See response to Policy 8.1.

Conclusion

The proposed project would result in a 111,934 gsf enlargement of the existing three-story facility at the site, which would allow the applicant to consolidate its operations from two separate location into a single facility. The development would have a total area of 327,638 gsf and a building height of approximately 103 feet. While the proposed action would allow buildings used for manufacturing use that were built prior to December 31, 1965 to be expanded for manufacturing use, the action would apply solely to the project site. As such, the analysis described above demonstrates the proposed development would not result in a significant adverse impact to land use, zoning, or public policy.

2.2

Shadows

A shadow is defined in the 2014 *CEQR Technical Manual* as the condition that results when a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space, or feature. The purpose of this chapter is to assess whether new structures may cast shadows on sunlight sensitive publicly accessible resources or other resources of concern such as natural resources, and to assess the significance of their impact.

Introduction

According to the *CEQR Technical Manual*, a shadows assessment is required for proposed actions that would result in new structures greater than 50 feet in height or located adjacent to, or across the street from, a sunlight-sensitive resource. Such resources include publicly-accessible open spaces, important sunlight-sensitive natural features, or historic resources with sun-sensitive features. A significant adverse shadow impact occurs when the incremental shadow added by a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

As described in Section 1.0, Project Description, the proposed action is expected to facilitate a development with a maximum height of approximately 103 feet (115 feet with bulkhead) in the With-Action condition – a 35-foot incremental increase in building height over the No-Action Condition. Although the incremental increase in height would not meet the CEQR threshold of 50 feet, the project site is located adjacent to a natural resource – Dutch Kills. Therefore, further analysis is warranted.

Methodology

In accordance with the *CEQR Technical Manual*, a preliminary screening assessment is conducted to ascertain whether shadows resulting from a project could reach any sunlight-sensitive resource at any time of year. This preliminary screening assessment consists of three tiers of analysis:

- 1. Tier 1 Screening:** The first tier determines a simple radius around the proposed buildings representing the longest shadow that could be cast. If there are sunlight-sensitive resources within the radius, the analysis proceeds to the second tier;
- 2. Tier 2 Screening:** The second tier analysis reduces the area that could be affected by project-generated shadows by accounting for a specific range of angles that can never receive shade in New York City due to the path of the sun in the northern hemisphere. According to the *CEQR Technical Manual*, shadows cannot be cast within New York City within 108 degrees from True North;
- 3. Tier 3 Screening:** If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by new shadows by looking at specific representative days of the year and determining the maximum extent of shadow over the course of each representative day. For the Tier 3 screening, three-dimensional modeling software with the capacity to model shadows is used, and the maximum building envelope that could be achieved as a result of the proposed project is modeled and geo-located within the program. Terrain provided by the modeling software is also incorporated into the model to account for how changes in elevation throughout the study area can influence shadows that could be cast by the proposed project. The representative days are December 21 (winter solstice), June 21 (summer solstice), March 21/September 21 (vernal/autumnal equinox), and May 6/August 6 (halfway between summer solstice and the equinoxes). The modeling software is also used to approximate times that shadows cast from the proposed project could enter and exit a resource.

Detailed Assessment: If the Tier 3 screening indicates that, in the absence of intervening buildings, shadows from the proposed project would reach a sunlight sensitive resource on any of the representative analysis days, a detailed shadow analysis would be warranted. Because existing buildings may already cast shadows on a sun-sensitive resource (or a future building could be expected to cast shadows), the proposed project may not result in additional (incremental) shadows upon that

resource. The detailed shadow analysis models a baseline condition (future No-Action) that is compared to the future condition resulting from the proposed project (future With-Action) to illustrate the shadows cast by existing or future buildings and distinguish the additional (incremental) shadow cast by the project.

Assessment

Tier 1 Screening

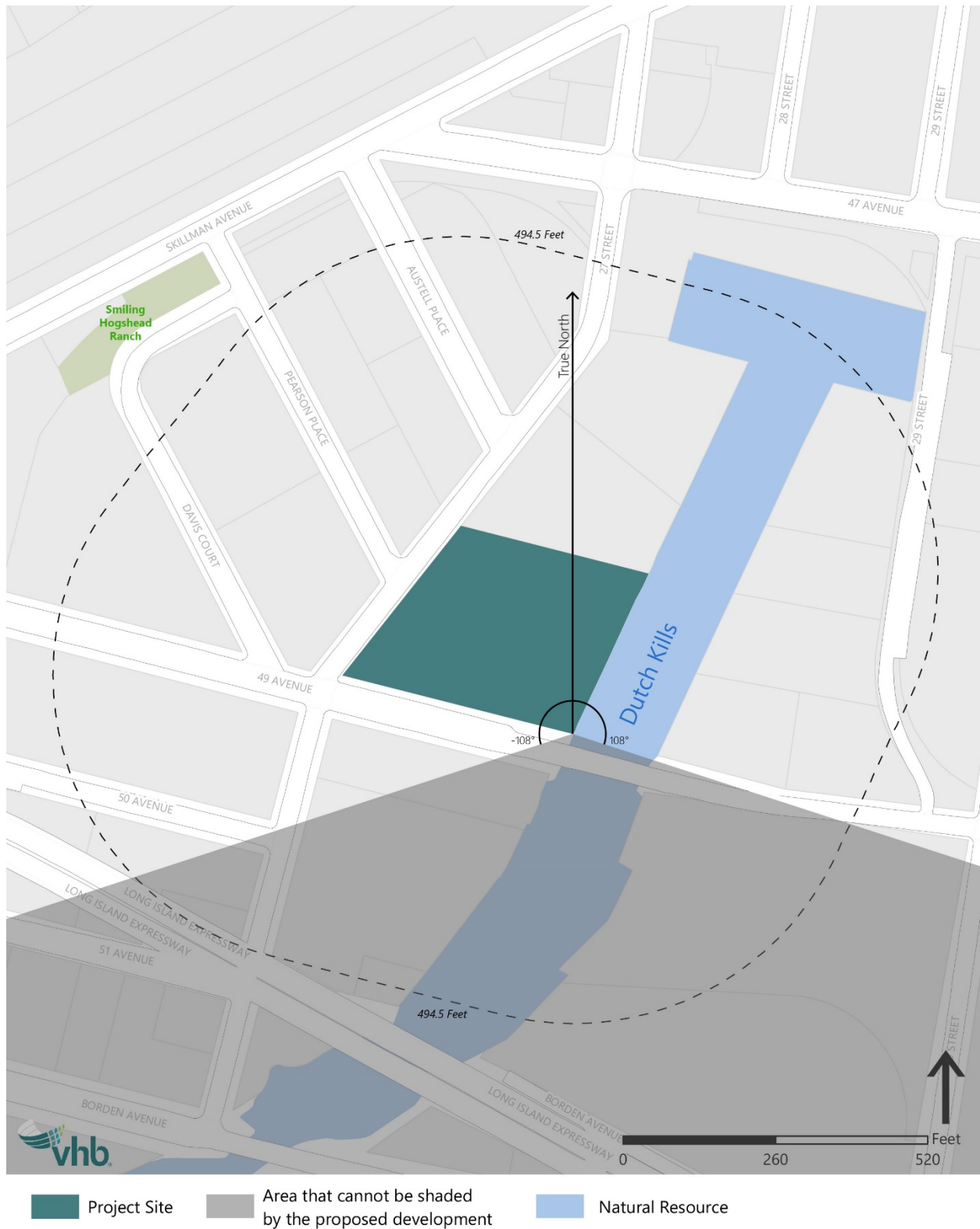
Pursuant to the *CEQR Technical Manual*, natural resources to be considered as part of the shadow impacts analysis include those resources where the introduction of shadows may alter the resource's condition or microclimate, including surface water bodies, wetlands resources, upland resources, and significant, sensitive, or designated resources (e.g., coastal fish and wildlife habitats). As illustrated in **Figure 2.2-1**, there is one sunlight-sensitive resource within the 494.5-foot maximum shadow screening radius for the proposed project, Dutch Kills, which is an aquatic resource located directly east of the project site. Smiling Hogshead Ranch, a Greenthumb community garden, is located just outside the shadow screening radius.

No open space resources or historic resources with sunlight-sensitive features are found within the maximum shadow screening radius for the proposed project.

Tier 2 Screening

As illustrated in **Figure 2.2-1**, the northern portion of Dutch Kills (approximately 1.6 acres in size) to the east of the project site falls within the area that can be shadowed by the proposed project. Based on this finding, a Tier 3 screening was conducted.

Figure 2.2-1 Tier 1 and Tier 2 Screening Results



Tier 3 Screening

In accordance with the *CEQR Technical Manual*, a Tier 3 screening assessment was performed because the Tier 1 and Tier 2 assessments identified Dutch Kills as a resource of concern within ± 108 degrees of True North and within the area of the longest shadow that could be cast by the proposed project.

This Tier 3 screening assessment was performed for the four representative days of the year set forth in the *CEQR Technical Manual*: December 21, the winter solstice and shortest day of the year; March 21 / September 21, the equinoxes; May 6/August 6, the midpoints between the summer solstice and the equinoxes; and June 21, the summer solstice and the longest day of the year.

In accordance with the *CEQR Technical Manual*, a model of the building in the No-Action and With-Action Condition was developed in a three-dimensional computer program (Sketchup). The model was geo-located and the surrounding terrain was imported into the model to account for differences in topography. It should be noted that the Tier 3 shadow screening shows the shadows that could be cast as a result of the proposed project, but does not account for existing intervening buildings which may already cast shadows on the identified resources. Any new shadows generated by the proposed project in the With-Action condition that are projected to be cast onto the identified resource in addition to those being cast (by the existing building) under the No-Action condition are considered "incremental shadows."

The Tier 3 screening indicates that in the absence of intervening structures, the proposed project is projected to cast an incremental shadow on Dutch Kills at the end of the May 6/August 6 analysis day (**Figure 2.2-2 to Figure 2.2-5**). Because the incremental shadow that would be cast on the resource is minimal and would only occur at the very end of the analysis period for a short duration (approximately 25 minutes between 4:58 to 5:18 pm) for one analysis day, the potential effects on this sunlight-sensitive resource would be negligible and a detailed analysis is not warranted. The proposed project would not cast an incremental shadow on Dutch Kills on the rest of the analysis days. As such, new incremental shadows generated by the proposed project would not create significant adverse impacts to Dutch Kills, and no further analysis is warranted.

Figure 2.2-2 Tier 3 Screening Results – December 21 Analysis Day

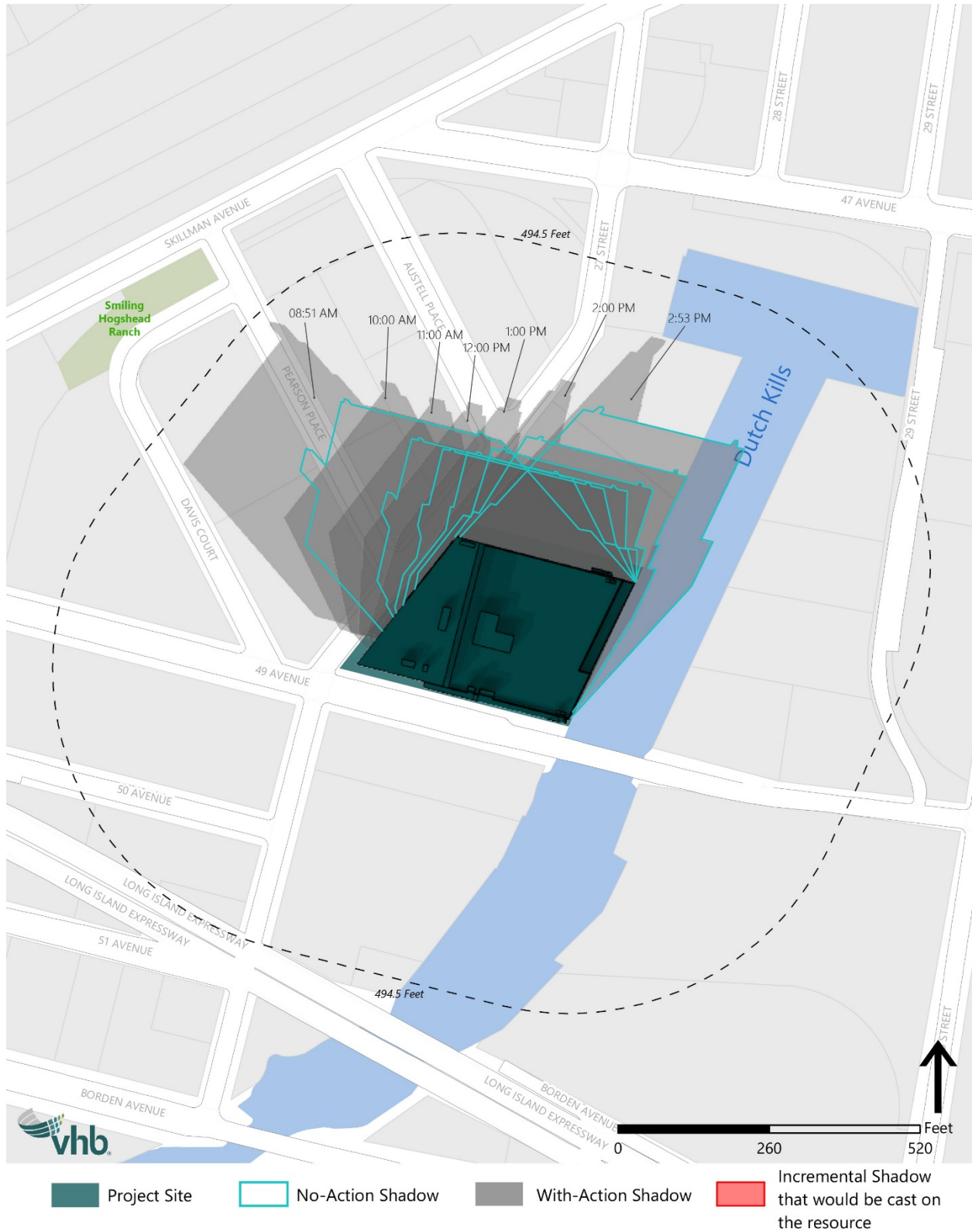


Figure 2.2-3 Tier 3 Screening Results – March 21/September 21 Analysis Day

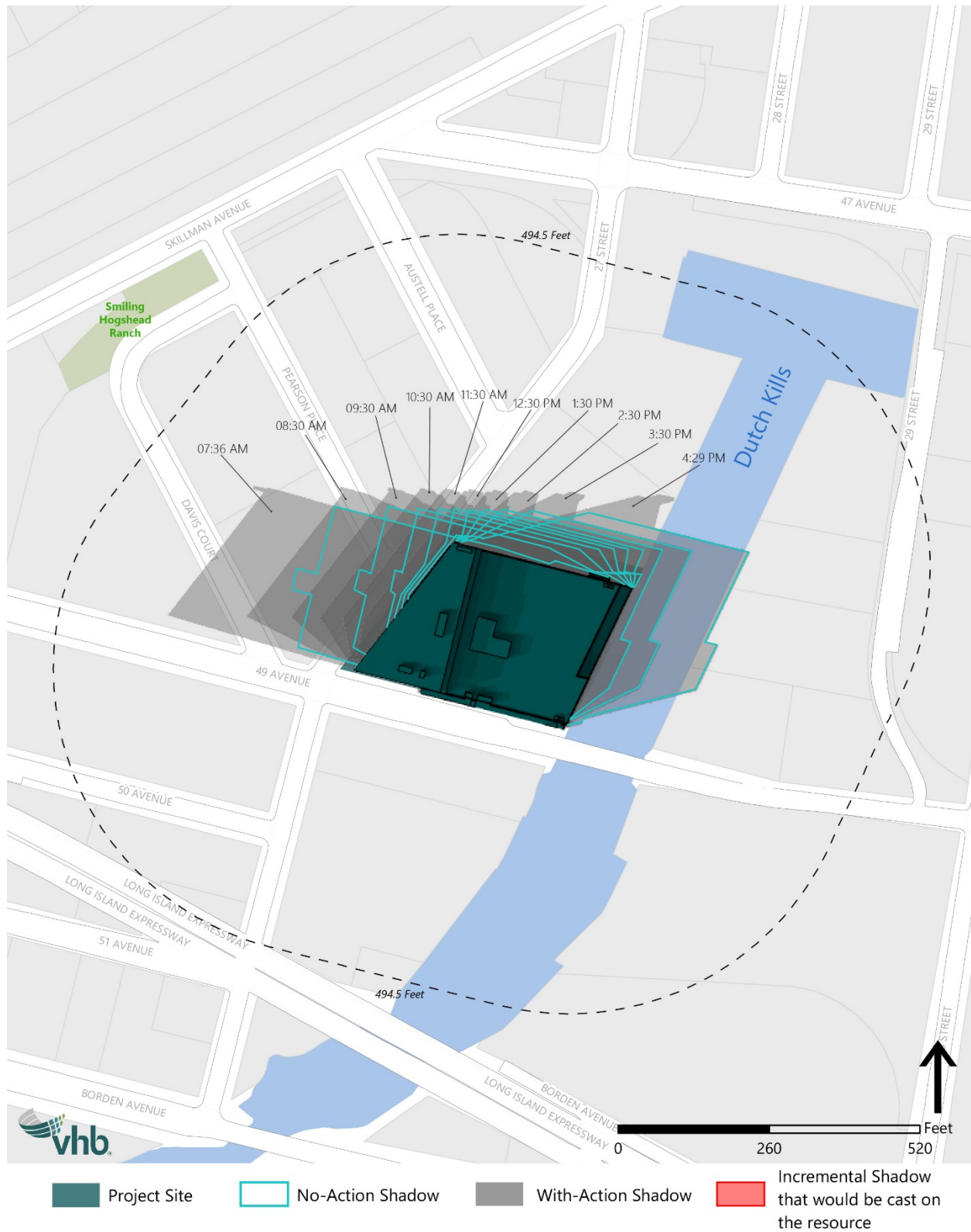


Figure 2.2-4 Tier 3 Screening Results – May 6/August 6 Analysis Day

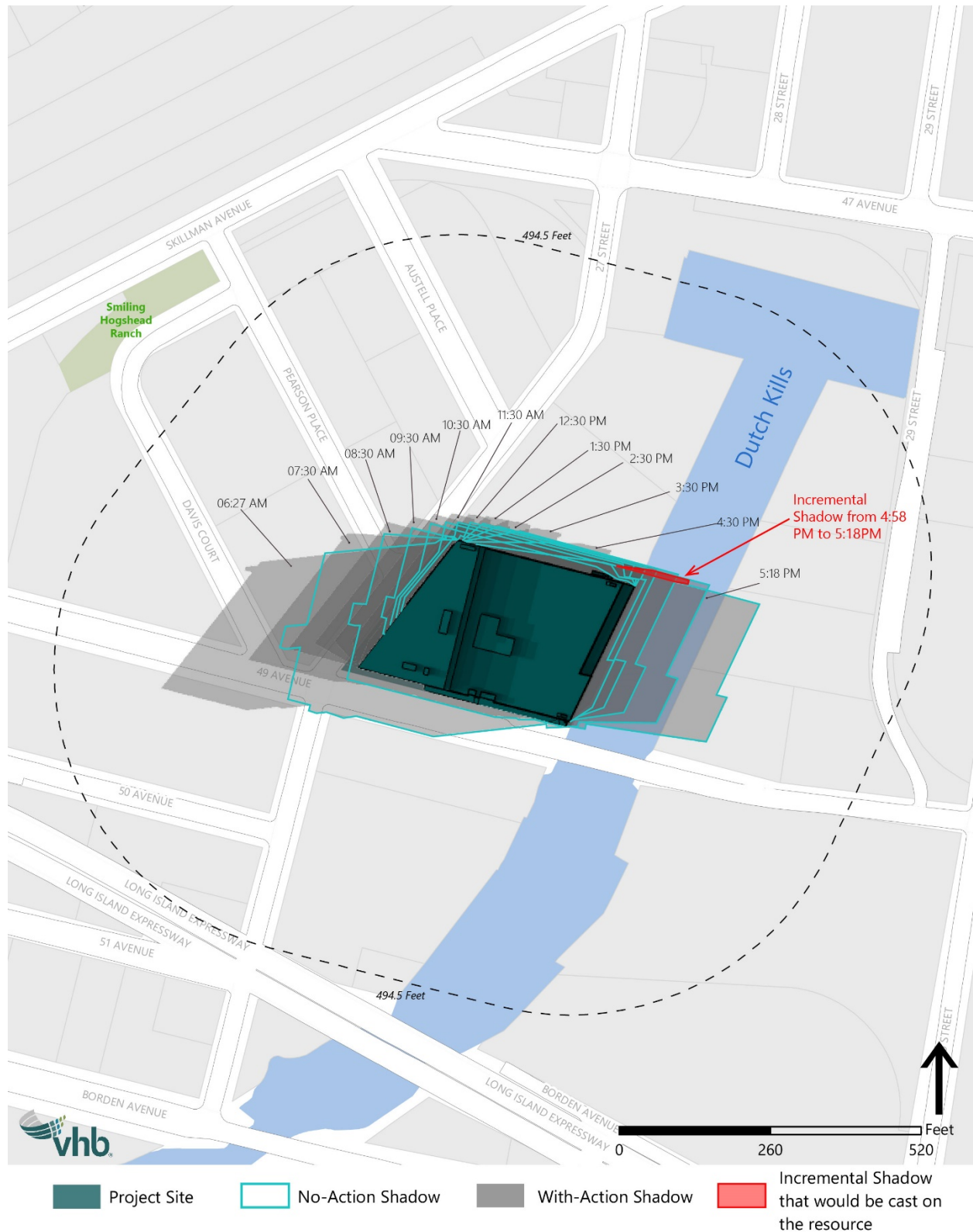
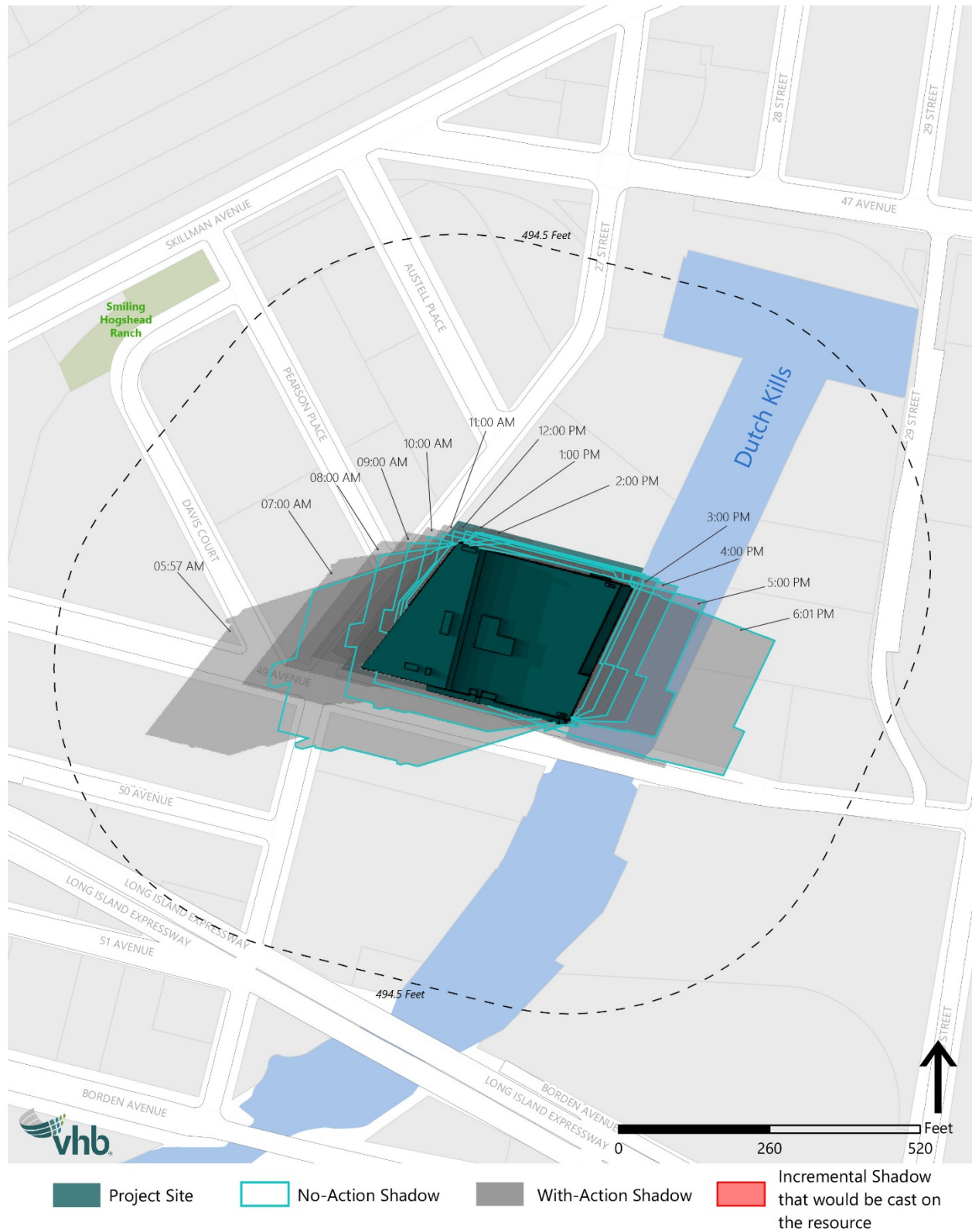


Figure 2.2-5 Tier 3 Screening Results – June 21 Analysis Day



Conclusion

The proposed action would result in an increase in building height that is adjacent to a sunlight-sensitive resource (Dutch Kills). As such, a preliminary shadows assessment (Tier 1, Tier 2, and Tier 3 assessments) was undertaken. The Tier 1 and Tier 2 analyses indicated that the Dutch Kills is located in an area that could be shadowed by the With-Action action condition; therefore, a Tier 3 assessment was conducted. The Tier 3 analysis indicated that the With-Action condition would not result in new shadows being cast on Dutch Kills except during the May 6/August 6 analysis day when a minimal incremental shadow would occur for a short duration at the very end of the analysis day. As such, project-generated incremental shadows would not result in significant adverse shadow impacts to any sunlight-sensitive resource.

2.3

Historic Resources

This section assesses the potential for a proposed action to result in significant adverse impacts on historic and cultural resources, including both archaeological and architectural resources.

Introduction

The applicant seeks a zoning text amendment to Zoning Resolution 43-121 to facilitate a 111,934 gsf horizontal and vertical enlargement of the existing three-story facility on the project site. The proposed project is located in a New York Office of Parks, Recreation and Historic Preservation (NYOPRHP) Area of Archaeological Sensitivity and requires minimal ground disturbance. Therefore, an analysis of the proposed project's potential impacts on historic and cultural resources is warranted.

Assessment

The proposed project would consist of a horizontal and vertical expansion of the western portion of the existing building. This extension would be supported by a series of piles driven to depths of approximately 55 feet, and the volume of the piles would be roughly 17,597 cf.

As noted previously, the project site is located within a NYOPRHP Area of Archaeological Sensitivity. However, no archaeological sites have been documented within a half mile of the project area. A survey of historic Fire Insurance maps indicates that late nineteenth through early twentieth century industrial activity was documented on the site. In 1898 the property was laid out in small lots and some filling had taken place on along the southeastern edge of the parcel. Two buildings were depicted on the edge of the property along the Dutch Kills tributary at the time. By 1915, those two buildings were no longer documented and the project site consisted of two lots with four industrial buildings. A railroad spur was present along the northwest portion of the property. By 1936, four additional storage sheds were constructed within the site and the railroad spur was extended south. By 1947, the property was vacant with no existing buildings. The current building was constructed in 1965, which likely destroyed evidence of these early nineteenth through early twentieth century industrial buildings. A letter from the NYC Landmarks Preservation Commission (LPC), dated May 3, 2018, determined that the site is not architecturally or archaeologically significant (see **Attachment B**). As such, the proposed project is not anticipated to result in significant adverse architectural and archaeological impacts.

2.4

Urban Design and Visual Resources

In an urban design assessment under CEQR, one considers whether and how a project may change the experience of a pedestrian in the project area. The assessment focuses on the components of a proposed project that may have the potential to alter the arrangement, appearance, and functionality of the built environment.

Introduction

This section considers the potential for the proposed project to result in significant adverse urban design and visual resources impacts. As defined in the *2014 City Environmental Quality Review (CEQR) Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. A visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.

Based on the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. Examples include projects that permit the modification of yard, height, and

setback requirements, and projects that result in an increase in built floor area beyond what would be allowed “as-of-right,” or in the future No-Action condition.

As described in Section 1.0, Project Description, the applicant seeks a zoning text amendment to ZR Section 43-121 (Expansion of Existing Manufacturing Facilities) to allow an approximately 50 percent increase in the size of its current facility at the project site. Because the proposed project would modify the height and the floor area of the building, an urban design and visual resources analysis is warranted.

Methodology

In accordance with the *CEQR Technical Manual* guidelines, the following preliminary urban design and visual resources assessment considers a 400-foot radius study area where the proposed action would be most likely to influence the built environment. The preliminary assessment focuses on those project elements that have the potential to alter the built environment, or urban design, of the development site, which is collectively formed by the following components:

- › **Street Pattern and Streetscape:** The arrangement and orientation of streets define location, flow of activity, street views, and create blocks on which buildings and open spaces are arranged. Other elements including sidewalks, plantings, street lights, curb cuts, and street furniture also contribute to an area’s streetscape.
- › **Buildings:** A building’s size, shape, setbacks, pedestrian and vehicular entrances, lot coverage, and orientation to the street are important urban design components that define the appearance of the built environment.
- › **Open Space:** Open space includes public and private areas that do not contain structures, including parks and other landscaped areas, cemeteries, and parking lots.
- › **Natural Features:** Natural features include vegetation and geologic and aquatic features that are natural to the area.
- › **View Corridors and Visual Resources:** Visual resources include significant natural or built features, including important view corridors, public parks, landmark structures or districts, or otherwise distinct buildings.

The following information is included in a preliminary assessment:

- › A concise narrative of the existing affected area, and conditions under the future No-Action and With-Action conditions;
- › An aerial photograph of the study area and ground-level photographs of the site area with immediate context;
- › Zoning and floor area calculations of the existing, future No-Action, and future With-Action Conditions;
- › Lot and tower coverage, and building heights; and

- › A three-dimensional representation of the future No-Action (if relevant) and With-Action Condition streetscape.

If the preliminary assessment determines that a change to the pedestrian experience is minimal and unlikely to disturb the vitality, walkability or the visual character of the area, then no further assessment is necessary. However, if it shows that changes to the pedestrian environment and/or visual resources are significant enough to require greater explanation and further study, then a detailed analysis may be appropriate.

The following preliminary urban design and visual resources assessment follows these guidelines and provides a characterization of existing conditions followed by a description of urban design and visual resources under the future No-Action and With-Action conditions, and an analysis determining the extent to which physical changes resulting from the proposed development would alter the pedestrian experience.

Study Area

The area within 400 feet of the affected area is defined as the study area for this analysis; this is typically considered an appropriate radius for site-specific actions such as the proposed project. As shown in **Figure 2.4-1**, a portion of Dutch Kills is located within the study area.

Figure 2.4-1 Urban Design and Visual Resources Study Area



 Project Site  400-Foot Radius

Assessment

Existing Conditions

This section provides a narrative of the existing development on the project site and in the study area.

Project Site

The project site is improved with an existing manufacturing building (**EAS Photos 1 – 11**). The urban design elements of this building are described in **Table 2.4-1**:

Table 2.4-1 Urban Design Elements on Project Site – Existing Conditions

Building Element	Project Site Building
Stories	3
Approximate Height (ft)	68
Approximate Building Frontage	280 ft on 49th Avenue 186 ft on 27th St
Lot Coverage (approximate)	70%
Gross Floor Area / Floor Area Ratio (FAR)	215,704 /2.00 FAR
Ground Floor Use	Manufacturing

There are no existing open spaces or view corridors through the study area. The sole visual and natural resource, Dutch Kills, is located adjacent to the project site.

Sidewalks approximately 13 feet in width are provided along both the 49th Avenue and 27th Street frontages of the site. There is one curb cut on the sidewalk along 49th Avenue of the project site and three curb cuts on the 27th Street side of the project site.

Study Area

The study area (see **Figure 2.4-1**) contains one natural resource, five streets, and approximately 24 buildings:

Street Network: 49th Avenue is approximately 50 feet wide and serves as the principal east-west through-street in the vicinity while 27th Street is a narrow street (approximately 33 feet wide) that serves as the principal north-south through-street in the study area. As mentioned previously, there is one curb cut on the sidewalk along 49th Avenue of the project site and three curb cuts on the 27th Street side of the project site. Other streets in the surrounding area include Davis Court and Pearson Place (both approximately 30 feet wide) and Austell Place, approximately 45 feet in width. These surrounding streets are improved with sidewalks and lighting elements, and portions of Pearson Place and Austell Place have street trees.

Buildings: A summary of the buildings within the study area is provided in **Table 2.4-2** below:

Table 2.4-2 Urban Design Elements in Study Area – Existing Conditions

Building Element	
Stories	1 - 4
Building Height (ft) Range	13 (50-09 27 th Street) - 75 (47-16 Austell Place)
Average Building Height (ft):	38.8
Number of tax lots 1 to 2 stories	12 (66.7% of tax lots)
Number of tax lots with 3 to 4 stories	6 (33.3% of tax lots)
Streetwall	Generally continuously built at or near the street line
Lot Coverage	Predominately high lot coverage buildings (approximately 75% on average)

Notes:

Data based on information provided in MapPLUTO16v2 published by NYC DCP

Building height per the NYC Planimetric Database published by NYC DOITT (2016)

A visual survey and data provided by City information databases indicate that buildings within the study area are predominately built up to or near the street line and have a relatively high lot coverage. Building façades have been constructed with a variety of materials, including brick, stone, and glass. The building at the project site is constructed with brick. A series of photographs are provided to describe the existing built context within the study area; **Figure 2.4-2** provides a representative key map for the representative viewing locations presented in **Photo 2.4-1** through **Photo 2.4-5** below, which were taken February 2018. These photos show the variety of building heights in the study area, including the shorter buildings located predominantly south of 49th Avenue and the taller, four-story buildings located predominantly along Pearson Place, Austell Place, and 27th Street north of 49th Avenue. These taller buildings in the study area include the existing building at the project site. As shown in **Photos 2.4-4 and 2.4-5**, a vertical enlargement is also being constructed on top of a building located at 47-37 Austell Place, within the study area.

Open Space and Natural Features: The sole natural feature within the study area is Dutch Kills, as shown in **Photo 2.4-2**. Dutch Kills, which is located directly east of the site, is a tributary of the Newtown Creek estuary.

Visual Resources: The study area contains one visual resource, Dutch Kills.

Figure 2.4-2 Photo Key Map



Project Site
 400-Foot Radius
 ➔ # Photo Location

Photo 2.4-1



View of a taller, 3-story brick warehouse in the study area, which is located along 29th street (Block 115 Lot 249)

Photo 2.4-2



Northward view of Dutch Kills from 49th Avenue with the project site located to the left

Photo 2.4-3



View of a 1-story, brick parking facility located across from the project site on 27th Street (Block 99, Lot 30)

Photo 2.4-4



View of buildings along 27th Street

Photo 2.4-5



View of a 3-story former manufacturing (office conversion) building on 27th Street undergoing a vertical enlargement (Block 97, Lot 4)

No-Action Condition

Absent the approval of the proposed text amendment, the applicant would continue operations at the project site. As described in Chapter 1, "Project Description", all current Queens Boulevard site manufacturing activities would be moved to the project site. It is assumed that the project site building would not be expanded and would continue its current operations and accommodate manufacturing operations that would be relocated from the Queens Boulevard site. The existing building would remain in its existing condition as a three-story, approximately 68-foot tall building with a lot coverage of approximately 70 percent of the project site.

Within the study area, the building at 47-47 Austell Place is undergoing an office conversion that would implement additional streetscape improvements. Part of the conversion includes a vertical enlargement of the building, currently under construction, implementation of street trees, backyard outdoor space, and extensive outdoor terraces on the upper floors. There are no other known new developments or modifications to the existing streets, open spaces, or natural features or in the study area by the analysis year (2021) in the No-Action condition. The building at the project site would continue to be one of the taller buildings within the study area.

With-Action Condition

Under the With-Action Condition, the applicant would enlarge the building at the project site. The proposed action would facilitate a 111,934 gsf horizontal and vertical enlargement of the existing three-story facility on the west side of the project site for a total of 327,638 gsf. All MANA operations currently housed at the Queens Boulevard site would be relocated to the project site. The proposed project would be approximately 35 feet taller than the No-Action building for an approximate height of up to 103 feet, excluding the bulkhead.

The proposed project would be set back 15 feet from the front lot line. The ground floor would cover approximately 75 percent of the tax lot. The zoning lot would have a zoning floor area of 322,230 sf and an FAR of 2.99, as compared to a 1.98 FAR in the No-Action Condition. There would be no improvements to the streetscape.

Figures 2.4-4 through **Figure 2.4-5** show the No-Action and With-Action views from 27th Street and 49th Avenue (see **Figure 2.4-3** showing location of where photos were taken).

As depicted in the figures, the With-Action Condition would introduce additional building height into the streetscape, which would be visible from locations throughout the study area. However, the proposed project would not obstruct views to or from Dutch Kills, the sole natural and visual resource in the study area, compared to the No-Action Condition. As stated previously, there is no existing open space within the study area. Although the With-Action development would be taller than the No-Action building, the development would be constructed to similar heights of existing buildings, such as 47-61 Pearson Place located across from the site, 47-32 Austell Place, and 4747 Austell Place (another building undergoing a vertical enlargement/office conversion). In addition, the With-Action Condition would extend the street wall and add a lobby space along 49th Avenue, which would activate the existing streetscape and improve the pedestrian experience along this street. Therefore, no significant adverse impacts to urban design or visual resources are anticipated.

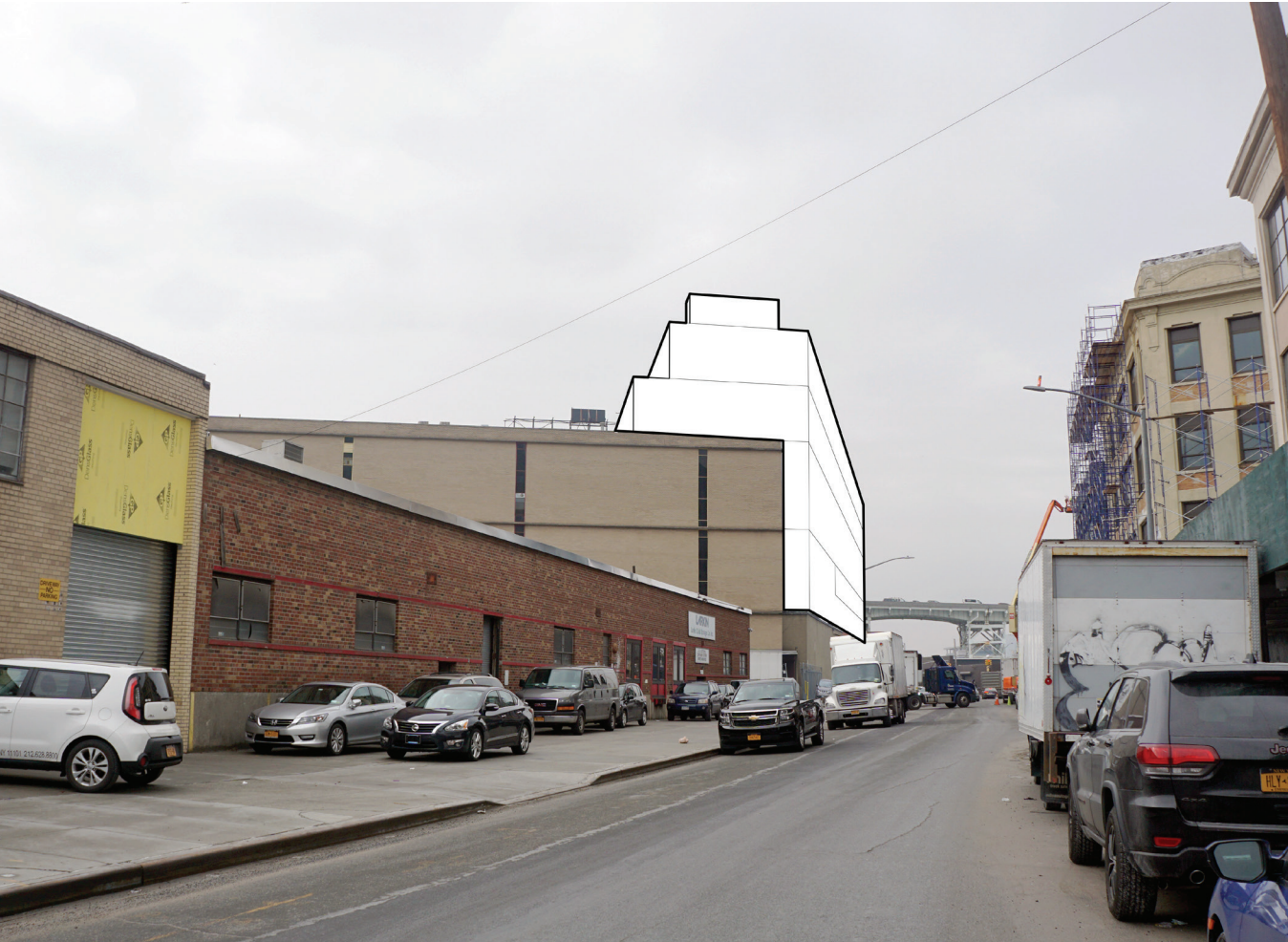
Figure 2.4-3 Photo Key Map for Views 1 and 2



Figure 2.4-4 **Representative No-Action/With-Action View from 27th Street (View 1)**



No-Action View (*Photograph taken February 2018*): No-Action building is 68 feet (without bulkhead).



With-Action View (*Photograph taken February 2018*): With-Action building has a maximum street wall height of 103 feet (without bulkhead). There is an initial setback from the street that allows for the alternative sky exposure plane, without an additional setback.

Figure 2.4-5 **Representative No-Action/With-Action View from 49th Avenue (View 2)**



No-Action View *(Photograph taken February 2018):* No-Action building is 68 feet (without bulkhead).



With-Action View *(Photograph taken February 2018):* With-Action building has a base height of 68 feet and a maximum height of 103 feet (without bulkhead).

Conclusion

The proposed project, a 111,934 gsf enlargement resulting in a 327,638 gsf building, would be built near the street line and would be consistent with existing developments surrounding the project site. The proposed project would have a maximum height of up to approximately 103 feet (excluding the bulkhead). The representative views and associated photomontages demonstrate that while the proposed development would be developed with a maximum height greater than the No-Action condition, the proposed building height would not be out of context with existing development in the area. The proposed project would result in changes to various views, but would not block any views to the area's natural resource, Dutch Kills. In addition, the With-Action Condition would extend the street wall and add a lobby space along 49th Avenue, which would activate the existing streetscape and improve the pedestrian experience along this street.

Overall, the proposed project would have a minimal effect on the urban design of the street network, open spaces, visual resources, and buildings of the study area. No significant adverse impacts to urban design or visual resources would result from the proposed project.

2.5

Natural Resources

This attachment assesses the potential for a proposed action to result in significant adverse impacts on natural resources, which are defined as the City's biodiversity (plants, wildlife, and other organisms); any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability.

Introduction

The applicant seeks a zoning text amendment to Zoning Resolution Section 43-121 to facilitate a 111,934 gsf horizontal and vertical enlargement of the existing three-story facility on the project site. The proposed project is located directly west of Dutch Kills, the only natural resource located within the surrounding area. As such, an analysis of the proposed project's potential impacts on natural resources is warranted.

Assessment

The proposed project is located in an area that has been extensively disturbed by development. The project site is adjacent to the Dutch Kills, the sole natural resource located within the vicinity of the project site. Dutch Kills is a tributary to Newtown Creek which feeds into the East River. According to The Newtown Creek Vision Plan 2018 there has been a resurgence of native wildlife in Newtown Creek. These include a variety of bivalves (such as clams, oysters, and ribbed mussels), and a number of birds (i.e. herons and egrets, kingfishers, cormorants and osprey). As stated in the plan, there are over 200,000 mussels present along rigid shoreline surfaces throughout Newtown Creek, but oyster populations are much more limited and are only present in areas closer to the mouth of the Creek at the Easter River, which is farther west of the project site. Although there are bird species present at Newtown Creek, they are usually only on the Creek in low densities and often not at the same time. As such, the proposed project is not expected to result in significant adverse impacts to these species.

As indicated in the plan, there are plenty of species of fish and crabs present in Newtown Creek. In addition, there is landscaping on the property along 49th Avenue on the project site. However, according to the New York State Department of Environmental Conservation (DEC) Natural Resource Mapper, there are no significant natural communities, rare plants, or animals located within or near Dutch Kills or Newtown Creek. In addition, as stated in Section 2.2, "Shadows," although the proposed action would result in an increase in building height next to Dutch Kills, which is a sunlight-sensitive resource, the preliminary shadows assessment indicated that project-generated shadows that would be cast on the resource would be low in coverage and brief in nature. As such, the proposed project would not result in significant adverse shadow impacts to the resource or wildlife that may be present in Dutch Kills.

According to the Newtown Creek Vision Plan, there are 5 combined sewer overflows (CSO) that feed into the Dutch Kills basin, which amount to over 160 million gallons of discharge per year. However, the proposed project would not involve construction of a new stormwater outfall nor would it result in an impervious surface over one acre, and would fall below the CEQR thresholds for further analysis of water and sewer infrastructure. Further, the plan outlines several strategies for curbing combined sewer overflows in the future, including creating public parks along or near Dutch Kills (e.g. the proposed 29th Street Park and the Montauk Cutoff Extension) that would incorporate green infrastructure and stormwater control benefits to Dutch Kills. As such, the proposed enlargement would not have significant adverse impacts on water and sewer infrastructure in the area and the Dutch Kills basin.

In addition, as described in the WRP Attachment, the proposed improvements to the project site involve minimal ground disturbance such that no quantifiable soil disturbance would be generated during construction. However, any potential soils or fill materials that could be generated during construction would be properly handled,

transported and disposed off-site at an appropriate facility in accordance with applicable regulations and with appropriate waste manifest. Furthermore, regulatory agency (New York City Department of Environmental Protection) requirements will also be followed to manage any potential contaminated media encountered that would require remedial action during construction. Relocation or replacement of the existing petroleum (fuel oil) aboveground storage tank (AST) and any subgrade drainage/sewer features would be conducted in accordance with all applicable regulations and permitting requirements to prevent any release to the environment or the adjacent Dutch Kills. For these reasons, the proposed project is not anticipated to result in significant adverse impacts on natural resources.

2.6

Hazardous Materials

The goal of the hazardous materials assessment is to determine whether a proposed action would lead to a potential increase in exposure of hazardous materials to people or the environment or whether the increased exposure would lead to significant public health impacts or environmental damage.

Introduction

As described in the *2014 CEQR Technical Manual*, a hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi volatile organic compounds, methane, polychlorinated biphenyls (PCBs) and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic).

According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when:

- › hazardous materials exist on a site;
- › an action would increase pathways to their exposure; or
- › an action would introduce new activities or processes using hazardous materials.

As indicated in the *CEQR Technical Manual*, the hazardous materials (E) designation is an institutional control that may be placed on a site to establish a hazardous materials review and approval framework. It provides a mechanism to ensure that testing for and remediation of hazardous materials, if necessary, are completed prior to future development of an affected site, thereby eliminating the potential for a hazardous materials impact. (E) designated parcels are administered under the authority of the New York City Mayor's Office of Environmental Remediation (OER).

This section presents the findings of the hazardous materials assessment and identifies potential issues of concern with respect to workers, the community, and/or the environment during construction and after implementation of the proposed project.

Methodology

The potential for hazardous materials was evaluated based on a Phase I Environmental Site Assessment (ESA), dated March 29, 2018 prepared by VHB Engineering, Surveying and Landscape Architecture, P.C. (VHB). This Phase I ESA was prepared in accordance with the American Society for Testing and Materials (ASTM) Practice E1527-13, inclusive of the "All Appropriate Inquiry" requirement amended in the Federal Register on December 30, 2013. The USEPA "All Appropriate Inquiry" requirement establishes specific regulatory requirements for conducting appropriate inquiries into the previous ownership, uses, and environmental conditions of a property for the purposes of qualifying for certain landowner liability protections under Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

Assessment

Existing Conditions

The project site is located at 27-11 49th Avenue in the Long Island City neighborhood of Queens in Community District 2 and consists of a single zoning lot (Block 115, Lot 1). The site is zoned as an M3-2 zoning district. The project block is bounded by 47th Avenue to the north, 27th Street to the east, 49th Avenue/Hunters Point Avenue Road to the south, and 29th Street to the west. The site is located on the southwestern portion of the block at the corner of 49th Avenue and 27th Street, and is also a waterfront property, abutting the Dutch Kills tributary on its east side. The site is improved with a three-story, 215,704 gross square foot (gsf) building which houses MANA Products Inc., a cosmetics manufacturer.

The building at the project site was constructed in 1965 as a conforming manufacturing use and has since been used for manufacturing purposes. Historical uses and operations at the project site are as follows:

- › 1965-1991 – The building was constructed in 1965 for Russ Togs Inc., which manufactured apparel (namely, women’s sportswear) and went bankrupt in 1991;
- › 1992-1997 – Honey Fashions purchased the property in 1992, maintaining its manufacturing use (specifically, women’s accessories);
- › 1998 – 27-11 49th Avenue Realty LLC purchased the property for the explicit use of MANA Products, which manufactures cosmetics.

The proposed project would consist of a 111,934 gsf enlargement of the existing three-story facility. The building’s existing floors would be expanded on the western portion of the site and two partial floors would be added above that would consist of accessory office and research and development space. The remaining area of the building would house the facility’s manufacturing operations. The development would have a total area of 327,638 gsf and a building height of approximately 103 feet.

Vehicular access to the accessory parking and loading area would be located at the western portion of the site, along 27th Street, with pedestrian access to the development occurring at the 27th Street frontage.

The proposed project would enable the applicant to consolidate its operations (from two separate locations) into a single facility located at the project site, and the efficiencies created through this consolidation would provide space for the company to grow its manufacturing operations.

Phase I Environmental Site Assessment

As indicated above, a Phase I ESA, dated March 29, 2018 was completed by VHB for the project site and included all analyses as specified in the American Society for Testing and Materials (ASTM) Method E 1527-13. The goal of the Phase I ESA process is to identify “Recognized Environmental Conditions” (RECs), which means the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property.

Per the ASTM Standard, the Phase I ESA reviewed a variety of information sources, including current and historic Sanborn Fire Insurance Maps and aerial photographs; state and federal environmental regulatory databases identifying listed sites; and local environmental records. The Phase I ESA also included reconnaissance of the site and surrounding neighborhood and interviews with the building manager.

As stated in Practice E1527-13, there may be environmental issues or conditions at the project site, which may be requested by the user to be addressed as part of the Phase I ESA, which are not covered within the scope of ASTM Practice E1527-13. These issues are referred to as non-scope considerations. The following non-scope considerations were addressed in a limited capacity within the Phase I ESA: radon,

lead-based paint (LBP), asbestos-containing materials (ACM), wetlands, and mold and water damage.

The Phase I ESA indicates the project site consists of one (1) irregular-shaped, approximately 2.47-acre parcel located on the northeast corner of 27th Street and 49th Avenue in the Long Island City neighborhood of the Borough of Queens, New York. The project site is improved with a three-story industrial building utilized for manufacturing uses that occupies the majority of the site. The southwestern portions of the project site consist of a paved surface parking lot.

VHB's Phase I ESA incorporated information from the following studies, which were also appended, therein:

- › *Phase I ESA*, dated April 7, 1998 prepared by Merritt Engineering Consultants, P.C. (Merritt).
- › *Honey Fashions Storage Tank Removal Memorandum*, dated July 29, 1998, prepared by Langan Engineering and Environmental Services, Inc. (Landan).

The following findings were presented in the Phase I ESA, prepared by VHB:

- › The project site is located at a surface elevation of approximately 13-feet above mean sea level (amsl).
- › The nearest surface water body is Dutch Kills Creek, located adjacent to the east of the project site.
- › Groundwater beneath the project site was estimated to be approximately ten (10) feet below grade surface (bgs).
- › Localized groundwater flow is assumed to flow to the nearest surface water body (Dutch Kills Creek) to the east.
- › Dutch Kills Creek was identified as a New York State Department of Environmental Conservation (NYSDEC) Tidal Wetland (classification: Littoral Zone [LZ]), located adjacent to the east.
- › Dutch Kills Creek was identified by the United States Army Corps of Engineers (USACOE) as a potential federally-regulated wetland (classification: subtidal estuarine wetland, excavated, with unconsolidated bottoms [E1UBLx]).
- › The Flood Insurance Rate Map (FIRM) (No. 3604970202F) provided under the Federal Emergency Management Administration (FEMA) indicates the northern portions of the project site, along with the northeastern portions of the subject building are located within a flood zone with a 1% annual chance of flooding. The remaining portions of the site are not located within a flood zone.
- › Working quantities of dyes and paints were observed associated with on-site manufacturing uses. These products were stored and handled appropriately, and no evidence of release was identified.
- › Bulk storage of manufactured cosmetic material was identified throughout the building spaces during the site reconnaissance. The items included shampoos, lotions, lip glosses, lip sticks, make-up, eye liners, etc. These items were stored in container sizes that ranged from pint-size to 55-gallon drums and triple-wall

pallet boxes. These items were stored and handled appropriately with no evidence of release.

- › The project site is provided heated via a dual-fired natural gas and fuel oil heating system.
- › The on-site building currently utilizes a 3,000-gallon No. 2 fuel oil aboveground storage tank (AST) equipped with secondary containment. The AST was observed to be in good condition, with no evidence of leaks or release.
- › The on-site building previously utilized a 5,000-gallon No. 2 fuel oil underground storage tank (UST). The UST was removed in 1998, with no contamination above soil cleanup objectives.
- › A former gasoline UST was identified on historic Sanborn maps. However, given the presence of the existing building and associated utility services, it is likely this UST was removed during construction of the on-site building.
- › Stormwater runoff generated at the project site discharges into the municipal sewer and/or the Dutch Kills Creek.
- › Sanitary wastes generated at the project site discharge into the municipal sewer system.
- › Floor and condensate drains identified within interior spaces discharge into the New York City municipal sewer system.
- › Three (3) elevators (one [1] passenger and two [2] freight) are present within the building. Each of these elevators are cable-operated and were unlikely to be equipped with PCB-containing hydraulic fluid.
- › Given the age of the building (reportedly constructed circa 1965), there is a potential for polychlorinated biphenyls (PCBs) to be present in building materials. Additionally, fluorescent light fixtures were identified throughout the building spaces. Ballasts associated with these fixtures have the potential to contain PCBs.
- › No evidence of debris, dumping or surficial staining was identified during the site reconnaissance.
- › Solid waste generated at the building are either recycled through loading/shipping areas or are disposed in a compactor located along the northern exterior. No environmental concerns were identified with solid waste disposal.
- › Remnant rail spurs were identified along the western boundary of the project site. The rail spur was present since at least 1915, based on a review of historical Sanborn fire insurance maps.
- › A geotechnical investigation prepared by Carlin-Simpson identified buried fill with brick and concrete debris on the site to maximum depths of seven-to-14 feet bgs.
- › Given the dense industrial nature of the surrounding areas, the presence of abandoned rail spurs along the western portions of the site, and shallow

groundwater with confirmed urban fill, a vapor encroachment conditions (VEC) could not be ruled out.

- › Site-specific radon studies conducted as part of the Merritt Phase I ESA indicated radon is unlikely to represent an environmental concern.
- › Given the age of the building, there is a potential for lead-based paint (LBP) to be present.
- › The Phase I ESA identified approximately 70 linear feet of asbestos-containing material (ACM) within insulating heating pipes. An additional 200 square feet (s.f.) of friable ACM was also found to be present within the hot water tank insulation.
- › The project site was identified on the Resource Conservation and Recovery Act (RCRA) Conditionally Exempt Small Quantity Hazardous Waste Generator (CESQG) database within the Environmental Data Resources, Inc. (EDR) database report for one-time shipments of ignitable wastes and petroleum oil containing PCBs. The site was also identified on the petroleum bulk storage (PBS) UST database for the removed 5,000-gallon UST. Additionally, the project site was identified with NYSDEC Spill No. 88-00938 in association with a failed UST tightness test. The subject tank was removed circa 1998 in accordance with applicable regulations by Langan. None of the EDR database listings were identified as an environmental concern.

Based upon the results of the Phase I ESA, it was determined that there were several RECs for the project site. These RECs are provided as follows:

- › Remnant rail spurs were observed along the western boundary of the project site. According to a review of Sanborn Fire Insurance maps, the rail spurs have been present since at least 1915. The presence of a rail spur indicates shipping and industrial operations at the project site that pre-date the existing manufacturing uses. The presence of a rail spur can be indicative of subsurface contamination and represents a REC.
- › No visual evidence of fill material was observed during the site reconnaissance. However, historical resources including Sanborn Fire Insurance maps and historical aerial photographs reveal the presence of former industrial-use structures and rail spurs on the project site prior to construction of the existing building. These former uses are indicative of urban fill materials. A geotechnical investigation performed in April 2017 by Carlin-Simpson revealed the presence of buried fill with brick and concrete debris on the site to a maximum depth of seven-to-14 feet bgs. The presence of buried concrete and other debris confirms the presence of urban fill at the project site. This fill material has the potential to be impacted and represents a REC.
- › Given the dense industrial nature of the surrounding areas, the presence of an abandoned rail spur along the western portions of the project site, along with shallow groundwater (approximately eight feet bgs) and confirmed urban fill material within the parking lot areas of the project site, a potential VEC could not be ruled out. By definition, a potential VEC is considered a REC.

In addition to the aforementioned RECs, the following additional environmental concerns were identified in VHB's Phase I ESA:

- › There is a potential for LBP to be present on painted surface within the interior portions of the on-site building.
- › There is a potential for ACM to be present building materials. Approximately 70 linear feet of friable ACM was identified within the insulating heating pipes. Approximately 200 s.f. of friable ACM was also documented within hot water tank insulation.
- › There is a potential for PCBs to be present in building materials, based on the age of the on-site building. Furthermore, fluorescent light ballasts have the potential to contain PCBs.

Based upon a review of the Phase I ESA, in correspondence issued to the Lead Agency dated September 7, 2018, the New York City Department of Environmental Protection (NYCDEP) requested the applicant prepare a Phase II ESA Work Plan and Health and Safety Plan (HASP) to investigate potential contamination relating to the project site.

Given the potential for subsurface contamination identified in NYCDEP's correspondence, a hazardous materials (E) designation (E-520) would be placed on the project site in order to address potential impacts relating to hazardous materials located within the project area prior to construction. The (E) designation would involve implementation or modification/implementation of the approved NYCDEP Work Plan, completion of a Remedial Investigation Report (RIR) and preparation and implementation of a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) under the administration OER.

Future No-Action Condition

Absent the proposed project (No-Action condition), the applicant would continue operations at the project site. All current Queens Boulevard site manufacturing activities would be moved to the project site, but the applicant would need to seek out an additional facility elsewhere (most likely outside of New York City) to accommodate planned growth. Under this scenario, it is assumed that the project site building would not be expanded and would continue its current operations and accommodate manufacturing operations that would be relocated from the Queens Boulevard site. Under the No-Action condition, any contaminated media within the project site (if present) would go unmitigated, as no (E) designation currently exists on the project site. Furthermore, the additional concerns related to potential LBP, ACM and PCBs would also not be addressed.

Future With-Action Condition

Under the With-Action condition, the applicant would enlarge the building at the project site and construct approximately 111,934 gsf of additional floor area. All MANA operations currently housed at the Queens Boulevard site would be relocated

to the project site. Similar to the No-Action condition, it is assumed that the space vacated by MANA at the Queens Boulevard site in the With-Action condition would be occupied by office uses, and the building would be entirely commercial. The proposed building enlargement would be constructed on proposed piers/piles that will be driven into the ground resulting in no significant incremental soil generation. Therefore, any potential contaminated soils would not be expected to be substantially encountered or generated under the proposed action. Notwithstanding these conditions, the proposed action would include an (E) Designation hazardous materials for the project site. As a result, compliance in association with hazardous materials would be conducted under the administration of OER prior to construction. The applicable text for the (E) designation (E-520) would be as follows:

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 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.

In addition, the proposed action may result in disturbance of lead-based painted surfaces, suspected asbestos-containing materials. Any potential lead-based paint and ACM would be remediated/abated as part of standard renovation practice under appropriate local, state and federal requirements, including NYCDEP, New York State Department of Labor (NYSDOL), and/or New York State Department of Health (NYSDOH) protocols. Furthermore, any PCB-containing building materials would be dealt with in accordance with federal disposal regulations.

With the implementation of the above measures, the With-Action condition would not result in any significant adverse impacts with respect to hazardous materials.

Conclusion

The proposed building enlargement would be constructed on proposed piers/piles that will be driven into the ground resulting in no significant incremental soil generation. Therefore, any potential contaminated soils would not be substantially encountered or generated under the proposed action. Notwithstanding this, in order to reduce the potential for exposure to future site occupants, under the proposed action, and if required, any potential impacts on the project site would be identified and investigated prior to any subsurface disturbance or construction as required by an (E) designation (E-520) for hazardous materials. Any potential remedial action that may be required would also be administered as part of the (E) designation protocol under the regulatory oversight of OER. In addition, any potential lead-based paint and ACM would be remediated/abated as part of standard renovation practice under appropriate local, state and federal requirements, including NYCDEP, NYSDOL and/or NYSDOH protocols. With the implementation of the above measures, the proposed action would result in no significant adverse impacts related to hazardous materials.

2.7

Transportation

This section considers the potential for the proposed project to result in significant adverse impacts to transportation.

According to the *2014 CEQR Technical Manual*, the objective of a transportation analysis is to determine if a proposed project may result in significant adverse impacts on the transportation network within the area surrounding the proposed project, and to identify measures to mitigate any resulting impacts.

Introduction

The extent to which transportation analyses are needed depends on the specific use or combination of uses and degree of development being proposed. As detailed in Section 1.0, "Project Description", the proposed project would increase the amount of manufacturing space on the project site by 111,934 gross square feet (gsf). As indicated in the EAS Form, the proposed project would exceed the minimum development density thresholds requiring transportation analysis set forth in Table 16-1 of the *CEQR Technical Manual* for office use (the closest related use to manufacturing in the table); therefore, further transportation analysis is required.

Methodology

According to *2014 CEQR Technical Manual* procedures for transportation analysis, a two-step screening process is to be undertaken to determine whether a quantified analysis is necessary. The first step, the Level 1 (Trip Generation) screening, determines whether the number of peak hour person and vehicle trips generated by the proposed project would be below the thresholds for further study:

- › 50 peak hour vehicle trip ends;
- › 200 peak hour subway/rail or bus transit rider trips; and
- › 200 peak hour pedestrian trips.

When these thresholds are exceeded, the *2014 CEQR Technical Manual* recommends that detailed trip assignments (Level 2 screening) be performed to estimate the incremental trips resulting from the proposed project on specific elements of the transportation system and to identify potential locations for further analyses. If the trip assignments show that the proposed project would result in 50 or more peak hour vehicle trip ends at an intersection, 200 or more peak hour subway trips at a station, 50 or more peak hour bus trips in one direction along a bus route, or 200 or more peak hour pedestrian trips traversing a pedestrian element (e.g., crosswalk, sidewalk, intersection corner reservoir area), then further quantified analyses may be warranted to assess the potential for significant adverse impacts on traffic, transit, pedestrians, parking, and/or vehicular and pedestrian safety.

The proposed project would create 111,934 gsf of additional manufacturing space on the project site to accommodate approximately 1,002 employees and would continue to provide 106 total parking spaces (through the use of stackers or through an off-site parking agreement with a neighboring property within 600 feet of the project site, similar to under the No-Action condition) on site, i.e., the "With-Action" condition. The proposed project would enable the applicant to consolidate their operations from two separate locations into a single facility located at the project site, and the efficiencies created through this consolidation would provide space for the company to grow its manufacturing operations.

As detailed in Section 1.0, Project Description, absent the proposed project (the "No-Action" condition), the site would continue its existing operations and existing operations from another location (at 32-02 Queens Boulevard) would be moved to the project site (but the building would not be enlarged). Under the No-Action condition, there would be approximately 835 employees and a total of 106 parking spaces would be provided through the use of stackers or through an off-site parking agreement with a neighboring property within 600 feet of the project site. This amount of parking is an increase of 39 spaces over the 67 parking spaces provided under existing conditions, and would comply with the parking requirement for the site. The resulting project increment (With-Action condition minus No-Action condition) for transportation would be an increase of 167 employees.

Trip generation was calculated for the project increment to quantify the volume of person trips by travel mode (auto, taxi, bus and walk), as well as vehicle trips. The net person and vehicle trips generated by the proposed project would be the difference in total trips generated by the uses under the With-Action condition as compared to the No-Action condition.

Level 1 Screening Assessment

Trip Generation

Travel demand characteristics were obtained from the applicant, who currently operates MANA Products Inc. (also "MANA"), the manufacturing business located at the project site. These characteristics are based on the commuting patterns of their existing employee base at the existing MANA on the project site. As shown in **Table 2.7-1** below, based on the known commuting patterns of existing MANA employees working at the project site (approximately 440 responses for the existing facility's 562 employees), the majority (84 percent) take public transportation to work while the rest drive (alone or in a carpool), except for a nominal percentage that bike to work. The travel characteristics of all 835 employees (approximately 670 responses) across MANA's two existing facilities are also shown in **Table 2.7-1**.

Table 2.7-1 MANA Employee Modal Split

Mode of Commute	Modal Split		Project Increment	
	Project Site	Both Facilities	Daily Workers	Daily Person Trips ³
Public Transportation ¹	84.3%	81.5%	141	282
Drive Alone ²	13.7%	16.7%	23	46
Carpool	1.8%	1.5%	3	6
Walk or Bikes	0.2%	0.3%	0	0
Total	100%	100%	167	334

Notes:

- 1) Includes subway, bus and/or Long Island Railroad
- 2) Includes the three employees who "work remotely" - conservatively assuming that when these employees do travel to the office, they drive alone.
- 3) One "in" trip and one "out" trip per employee

Source: MANA Products Inc.

The workday hours for MANA employees vary by functional area. As shown in **Table 2.7-2**, Production operations are split into two eight-hour work shifts, and the first work shift is further divided into two groups whose start and end times are staggered. Office staff work schedules align with typical office hours. The projected employee growth that would occur as a result of the proposed project would mostly be comprised of production operations employees. Therefore, new worker trips that would be generated by the project would be distributed between three different

shifts, each with different start and end times (First Shift-Group 1, First Shift-Group 2 and Second Shift).

Table 2.7-2 MANA Employee Work Shifts

Functional Area	Shift Time
Production	
First Shift	
Group 1	6:00 AM-2:30 PM
Group 2	8:00 AM-4:30 PM
Second Shift	
2:30 PM-11:00 PM	
Office	Between 8 and 9 AM – 5 PM

Source: MANA Products Inc.

Transit and Pedestrians

As shown in **Table 2.7-1** above, the net increment of employees that would be generated as a result of the proposed project (the net increase in employee trips between the With-Action and No-Action conditions) would be 167 employees resulting in 334 daily person trips (167 ins and 167 outs). However, considering that this employee increase would be distributed amongst three different shifts with three different start and end times, fewer than 200 hourly bus, subway or total person trips would be generated during any individual hour during the day.

Since the expected increases in bus or subway trips are below the Level 1 screening threshold of 200 trips hour, no further transit analysis is needed, and there is no potential for significant impacts to transit as a result of the proposed project. Similarly, since the expected increases in pedestrian trips (transit plus walk plus any off-site parking trips) are below the Level 1 screening threshold of 200 pedestrian trips hour, no further pedestrian analysis is needed, and there is no potential for significant pedestrian impacts as a result of the proposed project.

Traffic and Parking

As indicated in **Table 2.7-1**, there would be approximately 46 daily “drive alone” person trips and 6 daily carpool person trips. Assuming an average occupancy of 2 persons per vehicle for carpool trips, this would result in 50 daily vehicle trips (adjusted for rounding, 25 ins and 25 outs) being generated by the proposed project. As noted above (and shown in **Table 2.7-2**), these trips, which would be primarily production workers, would be distributed between three different shifts with three different start times and three different end times. As a result, there would be well below 50 auto trips generated by the proposed project in any given hour.

Based on information provided by the applicant, there would be an increase of approximately five (from 30 to 35) daily delivery/truck trips as a result of the

proposed project, and these trips would be distributed throughout the day. For the purpose of this analysis, it is assumed that an average of one delivery trip would be generated during any given shift start or end time. Therefore, fewer than 50 total vehicle trips (autos plus delivery/trucks) are expected to be generated in any given hour of the day as a result of proposed project. Since the expected increases in vehicle trips are below the Level 1 screening threshold of 50 vehicle trips per hour, no further traffic analysis is needed. Therefore, there is no potential for significant traffic impacts as a result of the proposed project. Also, per *2014 CEQR Technical Manual* guidance, since a project-generated vehicle trips are below Level 1 screening thresholds and detailed traffic analysis are not warranted, a detailed parking analysis is also not warranted as a significant adverse impact to parking is unlikely.

Conclusion

The number of transit, pedestrian and vehicle trips generated under the With-Action condition as compared to the No-Action condition would not exceed CEQR Level 1 (trip generation) preliminary screening thresholds for transportation, and no further transit, pedestrian or traffic analysis is necessary. Therefore, there would be no potential for significant adverse transportation impacts as a result of the proposed project.

2.8

Air Quality

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. Under CEQR, an air quality assessment determines both a proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project.

Introduction

This section examines the potential for air quality impacts from the proposed action. According to the *2014 CEQR Technical Manual*, air quality impacts can be characterized as either direct or indirect impacts. Direct impacts result from emissions generated by stationary sources, such as stack emissions from on-site fuel burned for boilers and heating, ventilation, and air conditioning (HVAC) systems. Indirect effects are caused by off-site emissions associated with a project, such as emissions from on-road motor vehicles ("mobile sources") traveling to and from a project site.

The With-Action scenario is anticipated to generate less than 62 vehicles per day (over three shifts), and an increase of 5 delivery trucks per day; these increments are

significantly less than the peak hour vehicular traffic needed to exceed the CO and particulate matter (PM_{2.5} and PM₁₀) thresholds for a detailed transportation analysis according to the *2014 CEQR Technical Manual*. Therefore, traffic from the proposed action would not result in a significant adverse impact on mobile source air quality and a quantified assessment of on-street mobile source emissions is not warranted.

The proposed project would introduce 39 new parking spaces for the manufacturing site. No significant adverse impact would be anticipated associated with the proposed parking garage and no quantified analysis is warranted since this number is well below the screening threshold for analysis according to the *2014 CEQR Technical Manual*.

The following air quality assessment is limited to the stationary sources analyses of the proposed project.

Pollutants of Concern

Air pollution is of concern because of its demonstrated effects on human health. Of special concern are the respiratory effects of the pollutants and their potential toxic effects, as described below.

Carbon Monoxide

Carbon monoxide (CO) is a colorless and odorless gas that is a product of incomplete combustion. Carbon monoxide is absorbed by the lungs and reacts with hemoglobin to reduce the oxygen carrying capacity of the blood. At low concentrations, CO has been shown to aggravate the symptoms of cardiovascular disease. It can cause headaches, nausea, and at sustained high concentration levels, can lead to coma and death.

Particulate Matter

Particulate matter is made up of small solid particles and liquid droplets. PM₁₀ refers to particulate matter with a nominal aerodynamic diameter of 10 micrometers or less, and PM_{2.5} refers to particulate matter with an aerodynamic diameter of 2.5 micrometers or less. Particulates can enter the body through the respiratory system. Particulates over 10 micrometers in size are generally captured in the nose and throat and are readily expelled from the body. Particulates smaller than 10 micrometers, and especially particles smaller than 2.5 micrometers, can reach the air ducts (bronchi) and the air sacs (alveoli) in the lungs. Particulates are associated with increased incidence of respiratory diseases, cardiopulmonary disease, and cancer.

Nitrogen Oxides

When combustion temperatures are extremely high, such as in engines, atmospheric nitrogen gas may combine with oxygen gas to form various oxides of nitrogen. Of these, nitric oxide (NO) and nitrogen dioxide (NO₂) are the most significant air

pollutants. This group of pollutants is generally referred to as nitrogen oxides or NO_x . Nitric oxide is relatively harmless to humans but quickly converts to NO_2 . Nitrogen dioxide has been found to be a lung irritant and can lead to respiratory illnesses. Nitrogen oxides, along with VOCs, are also precursors to ozone formation.

Sulfur Dioxide

Sulfur Dioxide (SO_2) emissions are the main components of the “oxides of sulfur,” a group of highly reactive gases from fossil fuel combustion at power plants, other industrial facilities, industrial processes, and burning of high sulfur containing fuels by locomotives, large ships, and non-road equipment. High concentrations of SO_2 will lead to formation of other sulfur oxides. By reducing the SO_2 emissions, other forms of sulfur oxides are also expected to decrease. When oxides of sulfur react with other compounds in the atmosphere, small particles that can affect the lungs can be formed. This can lead to respiratory disease and aggravate existing heart disease.

Non-criteria Pollutants

In addition to the criteria pollutants discussed above, non-criteria pollutants may be of concern. Non-criteria pollutants are emitted by a wide range of man-made and naturally occurring sources. These pollutants are sometimes referred to as hazardous air pollutants (HAP) and, when emitted from mobile sources, as Mobile Source Air Toxics (MSATs). Emissions of non-criteria pollutants from industrial sources are regulated by the United States Environmental Protection Agency (EPA). People exposed to toxic air pollutants at sufficient concentrations and durations may have an increased chance of getting cancer or experiencing other serious health effects. These health effects can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory and other health problems.

Federal ambient air quality standards do not exist for non-criteria pollutants; however, the New York State Department of Environmental Conservation (NYSDEC) has issued standards for certain non-criteria compounds, including beryllium (found in gasoline), gaseous fluorides, and hydrogen sulfide. Beryllium is extremely toxic in most of its physical and chemical forms and can result in acute respiratory and skin problems or chronic beryllium disease. Gaseous fluorides can create vegetative damage and have adverse effects on grazing ruminants. Hydrogen sulfide can cause disagreeable odors.

Impact Criteria

The predicted concentrations of pollutants of concern associated with a proposed project are compared with either the National Ambient Air Quality Standards (NAAQS) for criteria air pollutants or ambient guideline concentrations for non-criteria pollutants. In general, if a project would cause the standards for any pollutant to be exceeded, it would likely result in a significant adverse air quality

impact. In addition, for CO from mobile sources and for PM_{2.5}, the City's *de minimis* criteria are also used to determine significance of impacts.

National Ambient Air Quality Standards

The Clean Air Act (CAA) requires the EPA to set standards on the pollutants that are considered harmful to public health and the environment. The NAAQS were implemented as a result of the CAA, amended in 1990 (see **Table 2.8-1**)¹. The NAAQS applies to six principal ("criteria") pollutants: carbon monoxide (CO), nitrogen dioxide (NO₂), particulate matter 10 (PM₁₀), particulate matter 2.5 (PM_{2.5}), sulfur dioxide (SO₂), and ozone.

Table 2.8-1: National and New York State Ambient Air Quality Standards

Pollutant	Averaging Time	Standard
Carbon Monoxide (CO)	1-Hour	35 ppm (40,000 µg/m ³)
	8-Hour	9 ppm (10,000 µg/m ³)
Nitrogen Dioxide (NO ₂)	Annual	53 ppb (100 µg/m ³)
	1-Hour	100 ppb (188 µg/m ³)
Ozone	8-Hour	0.075 ppm
Particulate Matter (PM ₁₀)	24-Hour	150 µg/m ³
Particulate Matter (PM _{2.5})	Annual	12.0 µg/m ³
	24-Hour	35.0 µg/m ³
Sulfur Dioxide (SO ₂)	Annual	0.03 ppm (80 µg/m ³)
	24-Hour	0.14 ppm (365 µg/m ³)
	3-Hour	0.5 ppm (1,300 µg/m ³)
	1-Hour	75 ppb (196 µg/m ³)
Source: 2014 CEQR Technical Manual		

CO De Minimis Criteria

New York City has developed *de minimis* criteria to assess the significance of the increase in CO concentrations that would result from the impact of proposed projects or actions on mobile sources, as set forth in the *CEQR Technical Manual*. These criteria set the minimum change in CO concentration that defines a significant adverse environmental impact. Significant increases of CO concentrations in New York City are defined as:

- › An increase of 0.5 ppm or more in the maximum eight-hour average CO concentration at a location where the predicted No-Action eight-hour concentration is equal to or between 8.0 and 9.0 ppm; or

¹ United States Environmental Protection Agency (October 2011). National Ambient Air Quality Standards. Retrieved from <http://www.epa.gov/air/criteria.html>.

- › An increase of more than half the difference between baseline (i.e., No-Action) concentrations and the eight-hour standard, when No-Action concentrations are below 8.0 ppm.

PM_{2.5} *De Minimis* Criteria

New York City uses *de minimis* criteria to determine the potential for significant adverse PM_{2.5} impacts under CEQR. The *de minimis* criteria are as follows:

- › Predicted increase of more than half the difference between the background concentration and the 24-hour standard;
- › Annual average PM_{2.5} concentration increments which are predicted to be greater than 0.1 µg/m³ at ground level on a neighborhood scale (i.e., the annual increase in concentration representing the average over an area of approximately one square kilometer, centered on the location where the maximum ground-level impact is predicted for stationary sources; or at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations); or
- › Annual average PM_{2.5} concentration increments which are predicted to be greater than 0.3 µg/m³ at a discrete receptor location (elevated or ground level).

Methodology

Stationary Sources

According to the *CEQR Technical Manual* guidelines, air quality analyses of stationary sources may be warranted if a project would create new stationary sources of pollutants – such as emission stacks of industrial plants, hospitals, other large institutional uses, or even a building’s boilers – that may affect surrounding uses.

HVAC Systems Analysis

As described in Section 220 and Section 321 in Chapter 17 of the *CEQR Technical Manual*, for single-building projects that would use fossil fuels (i.e., fuel oil or natural gas) for HVAC systems, a preliminary stationary source screening analysis is typically warranted to evaluate the potential for impacts on existing buildings from HVAC systems emissions for the proposed project. The *CEQR Technical Manual* provides screening nomographs based on fuel type, stack height, minimum distance from the source to the nearest receptor buildings with similar or greater heights, and floor area of development resulting from the proposed project. There are three different curves representing three different stack heights (30 feet, 100 feet and 165 feet) on the figures, and the height closest to but not higher than the proposed stack height should be selected. Based on the development size, if the distance from the development site to the nearest building of similar or greater height is less than the minimum required distance determined, there is the potential for a significant air

quality impact from the project's boilers, and further analysis needs to be conducted using the USEPA's AERSCREEN and/or AERMOD model.

Assessment

HVAC Systems Analysis

Existing Conditions

The total concentrations experienced at receptors include background concentrations from existing surrounding emission sources. Background concentrations are ambient pollution levels associated with existing stationary, mobile, and other area emission sources. The NYSDEC maintains an air quality monitoring network and produces annual air quality reports that include monitoring data for CO, NO_x, PM₁₀, PM_{2.5}, and SO₂. To develop background levels, the latest available pollutant concentrations from monitoring sites located closest to the project site were used. If the pollutant concentration from the nearest monitoring station is not available or the data is not for background concentrations determination (e.g., data collected from Tapered Element Oscillating Microbalance [TEOM] sampler), the next closest monitoring station is selected, and so forth. **Table 2.8-2** summarizes the background concentrations for each of the pollutants.

Table 2.8-2: Background Concentrations

Pollutant	Averaging Time	Monitoring Location	Background Concentration
Carbon Monoxide (CO)	1-Hour ¹	CCNY, Manhattan	0.25 ppm
	8-Hour ¹	CCNY, Manhattan	0.2 ppm
Nitrogen Dioxide (NO ₂)	1-Hour ²	IS 52, Bronx	117.3 µg/m ³
	Annual ³	IS 52, Bronx	36.2 µg/m ³
Particulate Matter	24-Hour ⁴	Division Street,	28 µg/m ³
Particulate Matter	24-Hour ⁵	JHS 126, Brooklyn	19.6 µg/m ³
Sulfur Dioxide (SO ₂)	1-Hour ⁶	IS 52, Bronx	20.1 µg/m ³

Notes:

- ¹ 1-hour CO and 8-hour CO background concentrations are based on the highest second max value from the latest five years of available monitoring data from NYSDEC (2013-2017)
- ² 1-hour NO₂ background concentration is based on three-year average (2015-2017) of the 98th percentile of daily maximum 1-hour concentrations from available monitoring data from NYSDEC.
- ³ Annual NO₂ background concentration is based on the maximum annual average from the latest five years of available monitoring data from NYSDEC (2013-2017).
- ⁴ 24-hour PM₁₀ is based on the highest second max value from the latest three years of available monitoring data from NYSDEC (2015-2017).
- ⁵ The 24-hour PM_{2.5} background concentration is based on maximum 98th percentile concentration averaged over three years of data from NYSDEC (2015-2017).
- ⁶ 1-hour SO₂ background concentration is based on maximum 99th percentile concentration averaged over the latest three years of available monitoring data from NYSDEC (2015-2017).

Source: NYSDEC Ambient Air Quality Report, 2017, <http://www.dec.ny.gov/chemical/29310.html>,
https://www.dec.ny.gov/docs/air_pdf/2017airqualreport.pdf

PM_{2.5} impacts are assessed on an incremental basis and compared with the PM_{2.5} *de minimis* criteria, without considering the annual background. Therefore, the annual PM_{2.5} background is not presented in the table.

Future No-Action Condition

As described in Section 1.0, "Project Description," absent the proposed project (the No-Action condition), the project site would remain in its current condition. As such, local air quality is not expected to substantially change between the Existing and No-Action Condition.

Future With-Action Condition

The proposed project would result in an expansion of the existing commercial space from 215,704 gross square feet (sf) to 327,638 gsf. As stated in Section 2.7 "Transportation" 39 new parking spaces would be provided in addition to the existing 67 parking spaces totaling 106 spaces through stackers or at an off-site location. The proposed building would have a maximum roof height of approximately 103 feet above grade.

Stationary Sources

The proposed project consists of a building which would have a roof reaching a maximum height of approximately 103 feet above grade level. Consistent with *CEQR Technical Manual* guidelines, it is assumed that the stack would rise three feet above the roof for a total height of approximately 106 feet above grade.

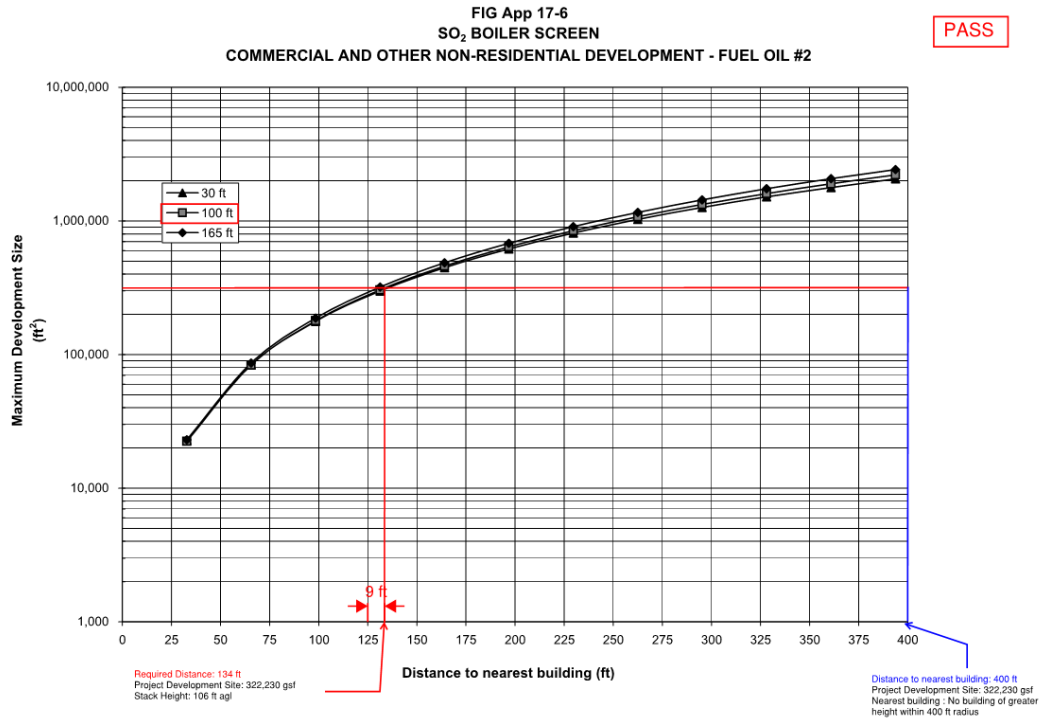
A survey of existing residential land uses and other sensitive receptor sites within a 400-foot radius of the project site indicated that there are no existing buildings of similar or greater height located around the project site (see **Figure 2.8-1**). A screening analysis was performed assuming a distance of 400 feet between the source to the receptor and a total development size of 327,638 gross square feet. Based upon the proposed height and square footage, the minimum screening distance necessary to avoid potential adverse air quality impacts was determined to be approximately 134 feet assuming No.2 fuel oil is used for the HVAC systems (see

Figure 2.8-2). As there were no buildings of similar or greater height within the 400-foot radius of the proposed building, and with the minimum source to receptor distance determined to be 134 feet, regardless of fuel type, the screening distance requirement is met and there would be no significant adverse stationary source impacts related to the proposed project's HVAC systems and no further analysis is necessary.

Figure 2.8-1 Building Heights in Study Area



Figure 2.8-2 HVAC Screening Analysis



Industrial Sources Analysis

The CEQR Technical Manual requires air toxic impact analysis for:

- Projects that would create major or large emission sources;
- Projects that would include operation of manufacturing or processing facilities.

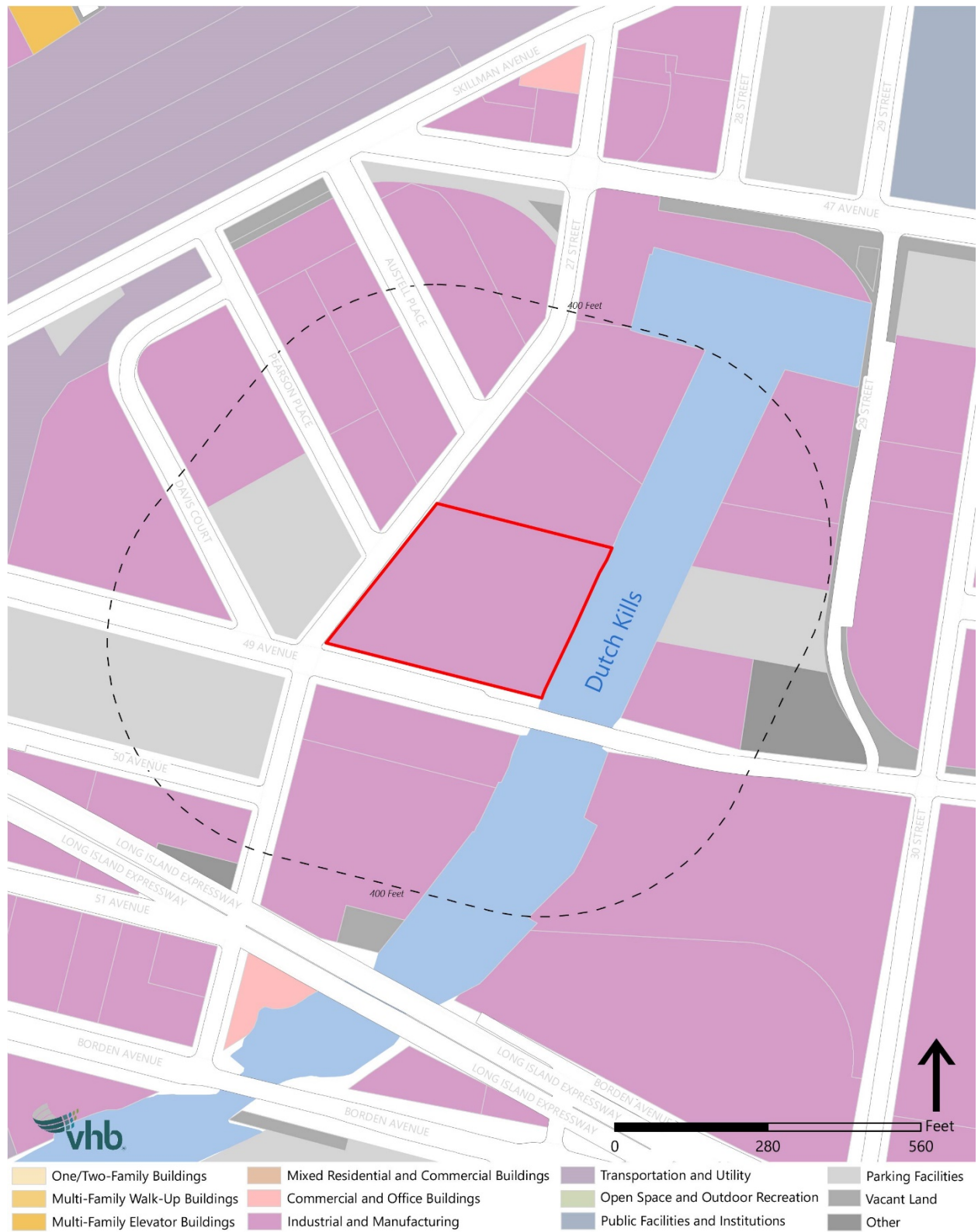
If a project would create major or large emission sources, the study area should extend to at least 1000-foot radius; for other manufacturing or processing facilities, the study area extends to a 400-foot radius.

Based on air pollutant emissions estimates, MANA is not a New York State major or large air pollution source. The New York City Department of Environmental Conservation (NYCDEP) has performed a site inspection on MANA's production and packaging facility and determined that NYCDEP permits/registrations are required for its boilers, process equipment of dust collection and potentially exhaust fans.

Therefore, the air quality impact of MANA to its 400-foot radius vicinity was assessed per *CEQR Technical Manual* guidance. The figure of land uses shown below (**Figure 2.8-3**) indicates that there are no sensitive receptors within 400 feet of the project site. As such, no further air toxic impact analysis is required for MANA. This proposed action is not changing the land-use of the site; it is only expanding the size of a manufacturing facility beyond the allowable site requirements. As such the evaluation of the emissions effect of other manufacturing facilities on this

manufacturing facility is not warranted. There would be no potential for significant adverse air quality impacts from the industrial production related to the Project Site.

Figure 2.8-3 Land Uses and Sensitive Receptors within Study Area



Conclusion

Based on the identification of surrounding land uses, the HVAC screening analysis, and exemption from air permit requirements due to the nature of activities taking place at the facility, there would be no potential for significant adverse stationary source air quality impacts from the proposed project's HVAC systems, even when assuming No. 2 fuel oil would be used. Additionally, based on air pollutant emissions estimates, MANA is not a New York State major or large air pollution source. Therefore, there would be no significant adverse air quality impacts on the surrounding areas as a result of the proposed action.

2.9

Noise

This section presents the results of the noise assessment to determine whether the proposed text amendment would increase noise exposure at existing receptors and whether new noise-sensitive receptors would be in an acceptable ambient noise environment.

Introduction

The applicant seeks a zoning text amendment to Zoning Resolution 43-121 to facilitate a 111,934 gsf horizontal and vertical enlargement of the existing three-story facility on the project site. The proposed zoning text amendment to ZR Section 43-121 (Expansion of Existing Manufacturing Facilities) would allow an approximately 50 percent increase in the size of the current facility at the project site. As such, the proposed zoning text amendment would introduce new noise-sensitive receptors. The purpose of the noise assessment under CEQR is to determine if:

- › The proposed development would significantly increase sound levels from mobile and stationary sources at existing noise receptors adjacent to the development site, including residential, commercial, and institutional land uses; and

- › New noise receptors introduced at the development site would be in an acceptable ambient sound level environment.

Per the 2014 *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Mobile sources include vehicular traffic; stationary sources include rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment.

Noise assessment includes the following:

- › Background on metrics used to describe noise;
- › The methodology and criteria used to assess potential impacts;
- › An assessment of the potential for the proposed development to significantly affect existing receptors due to new mobile or stationary sources;
- › Results from ambient sound level monitoring at the project site; and
- › An evaluation of the ambient sound levels at new receptor locations.

Noise Background

Noise is defined as unwanted or excessive sound. Sound becomes unwanted when it interferes with normal activities such as sleep, work, or recreation. How people perceive sound depends on several measurable physical characteristics. These factors include:

- › Level - Sound level is based on the amplitude of sound pressure fluctuations and is often equated to perceived loudness. Sound levels are most often measured on a logarithmic scale of decibels (dB). The decibel scale compresses the audible acoustic pressure levels which can vary from the threshold of hearing (0 dB) to the threshold of pain (120 dB).
- › Frequency - Audible sound is comprised of acoustic energy over a range of frequencies typically from 20 to 20,000 Hz. The human ear does not perceive sound levels at each frequency as equally loud. To compensate for this phenomenon in perception, a frequency filter known as A-weighting (dBA) is used to evaluate environmental noise levels. Pure tones have energy concentrated in a narrow frequency range and can be more audible to humans than broadband sounds.

Because sound levels are measured in dB, the addition of two sound levels is not linear. Adding two equal sound levels results in a 3 dB increase in the overall level. Research indicates the following general relationships between sound level and human perception:

- › A 3-dB increase is a doubling of acoustic energy and is the threshold of perceptibility to the average person.
- › A 10-dB increase is a tenfold increase in acoustic energy and is perceived as a doubling in loudness to the average person.

Table 2.9-1 presents a list of common outdoor and indoor sound levels.

Table 2.9-1 Common Indoor and Outdoor Sound Levels

Outdoor Sound Levels	Sound Pressure		Sound Level		Indoor Sound Levels
	μPa		dBA		
	6,324,555	-	110		Rock Band at 5 m
Jet Over-Flight at 300 m		-	105		
	2,000,000	-	100		Inside New York Subway Train
Gas Lawn Mower at 1 m		-	95		
	632,456	-	90		Food Blender at 1 m
Diesel Truck at 15 m		-	85		
Noisy Urban Area—Daytime	200,000	-	80		Garbage Disposal at 1 m
		-	75		Shouting at 1 m
Gas Lawn Mower at 30 m	63,246	-	70		Vacuum Cleaner at 3 m
Suburban Commercial Area		-	65		Normal Speech at 1 m
	20,000	-	60		
Quiet Urban Area—Daytime		-	55		Quiet Conversation at 1 m
	6,325	-	50		Dishwasher Next Room
Quiet Urban Area—Nighttime		-	45		
	2,000	-	40		Empty Theater or Library
Quiet Suburb—Nighttime		-	35		
	632	-	30		Quiet Bedroom at Night
Quiet Rural Area—Nighttime		-	25		Empty Concert Hall
Rustling Leaves	200	-	20		
		-	15		Broadcast and Recording Studios
	63	-	10		
		-	5		
Reference Pressure Level	20	-	0		Threshold of Hearing

μPa MicroPascals describe pressure. The pressure level is what sound level monitors measure.

dBA A-weighted decibels describe pressure logarithmically with respect to 20 μPa (the reference pressure level).

Source: Highway Noise Fundamentals, Federal Highway Administration, September 1980.

Because sound levels change over time, a variety of sound level metrics can be used to describe environmental noise. The following is a list of sound level descriptors that are used in the noise analysis:

L_{10} is the sound level which is exceeded for 10 percent of the time during a given time period. Therefore, it represents the higher end of the range of sound levels. The unit is commonly used in the *2014 CEQR Technical Manual* to evaluate acceptable thresholds for noise exposure for new receptors that would be introduced by a proposed development.

L_{eq} is the energy-average A-weighted sound level. The L_{eq} is a single value that is equivalent in sound energy to the fluctuating levels over a period of time. Therefore, the L_{eq} considers how loud noise events are during the period, how long they last, and how many times they occur. L_{eq} is commonly used to describe environmental noise and relates well to human annoyance. In accordance with the *2014 CEQR Technical Manual*, the L_{eq} sound level is used to assess the potential for significant increases in noise due to a proposed development at existing receptors in the study area.

Assessment Methodology

Potential noise impact has been assessed for existing receptors and new receptors that would be introduced by the proposed text amendment. Since the text amendment would introduce additional employees to the 49th Avenue site, these are considered “new receptors.” The analysis also considers “existing receptors” which are the current noise-sensitive receptors, such as offices, surrounding the project site. The following describes the results of the noise assessment for these two types of receptors.

Noise Assessment for Existing Receptors

Noise impact at existing nearby sensitive receptors is assessed according to the relative increase between No-Action and With-Action sound levels. Noise impact is assessed according to the increase in the L_{eq} sound level in accordance with the 2014 *CEQR Technical Manual*. If mobile or stationary sources associated with the proposed development would increase L_{eq} sound levels by 3 dB or more and absolute levels would exceed 65 dBA L_{eq} , the proposed development would cause a significant adverse impact prior to mitigation. Additionally, if No-Action condition noise levels are 60 dBA L_{eq} or less, a 5-dB increase would be considered a significant adverse noise impact.

Mobile Sources

As indicated in Section 2.7, “Transportation,” the proposed project would generate 62 daily vehicle trips (31 ins and 31 outs). These trips would primarily be production workers and would be distributed between three different shifts with three different start times and three different end times. As a result, the trips generated by the proposed project would be well below 50 auto trips in any given hour of the day. Since the anticipated increases in vehicle trips are below the Level 1 screening threshold of 50 vehicle trips per hour, there is no potential for significant traffic impacts as a result of the proposed project and no further traffic analysis is required.

Since the With-Action scenario would not generate sufficient vehicular traffic to exceed the threshold for a detailed transportation analysis according to Table 16-1 in the 2014 *CEQR Technical Manual*, the proposed development would not result in a doubling of noise passenger car equivalents (PCEs), which would be necessary to cause a 3-dBA increase in noise levels. Therefore, the proposed text amendment and the With-Action conditions would not cause a significant adverse vehicular noise impact.

Stationary Sources

The proposed text amendment is not anticipated to introduce any new substantial stationary source noise generators, such as unenclosed cooling or ventilation equipment, loudspeaker systems, stationary diesel engines, or other similar types of uses. The design and specifications for the mechanical equipment, such as heating,

ventilation, and air conditioning, are not known at this time. As the project design advances, mechanical equipment will be selected that incorporates sufficient noise reduction to comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code. This will ensure that mechanical equipment does not result in any significant increases in noise levels by itself or cumulatively with other project noise sources.

Noise Assessment for New Receptors

With-Action noise conditions at new sensitive receptors that would be introduced by the proposed development are evaluated according to absolute exterior sound level. The noise exposure guidelines for acceptable ambient conditions depend on the type of land use; for office buildings, the goal is to maintain interior noise levels of 50 dBA or lower. With-Action exterior sound levels are evaluated to determine if receptors would be in an acceptable ambient sound level environment. It is generally assumed that without specific information on a building's window and wall construction, the outdoor-to-indoor noise reduction of the building is 25 decibels. Therefore, exterior ambient sound levels exceeding 70 dBA (L10) would equate to an interior noise level of 45 dBA. Exterior sound levels exceeding 70 dBA (L10) are considered to be Marginally Unacceptable and the need to provide window/wall sound attenuation that is sufficient to reduce interior sound levels to acceptable levels must be considered.

The highest L₁₀ sound level is used to evaluate whether new receptors would be in an acceptable noise environment.

Noise Exposure Guidelines

The 2014 CEQR Technical Manual provides noise exposure guidelines for assessing ambient noise conditions at new commercial and office receptors, as shown in

Table 2.9-2.

Table 2.9-2 Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable External Exposure	Marginally Acceptable External Exposure	Marginally Unacceptable External Exposure	Clearly Unacceptable External Exposure
Commercial, or Office	All Times	L10 ≤ 65 dBA	65 < L10 ≤ 70 dBA	70 < L10 ≤ 80 dBA	L10 > 80 dBA

Source: Table 19-2, 2014 CEQR Technical Manual.

Existing Sound Levels

Noise monitoring was conducted on October 10, 2018, at two sites, as shown in **Figure 2.9-1**. Noise monitors were placed with a minimum of four feet between the microphone and nearby reflecting surfaces. With roadway activity dominating the overall noise environment, 20-minute noise measurements were conducted during weekday morning peak periods (8:00 – 9:00 AM), midday period (12:00 – 1:00 PM)

and evening peak period (5:00 – 6:00 PM). Measurements were conducted using a Type I sound level meter at ground level.

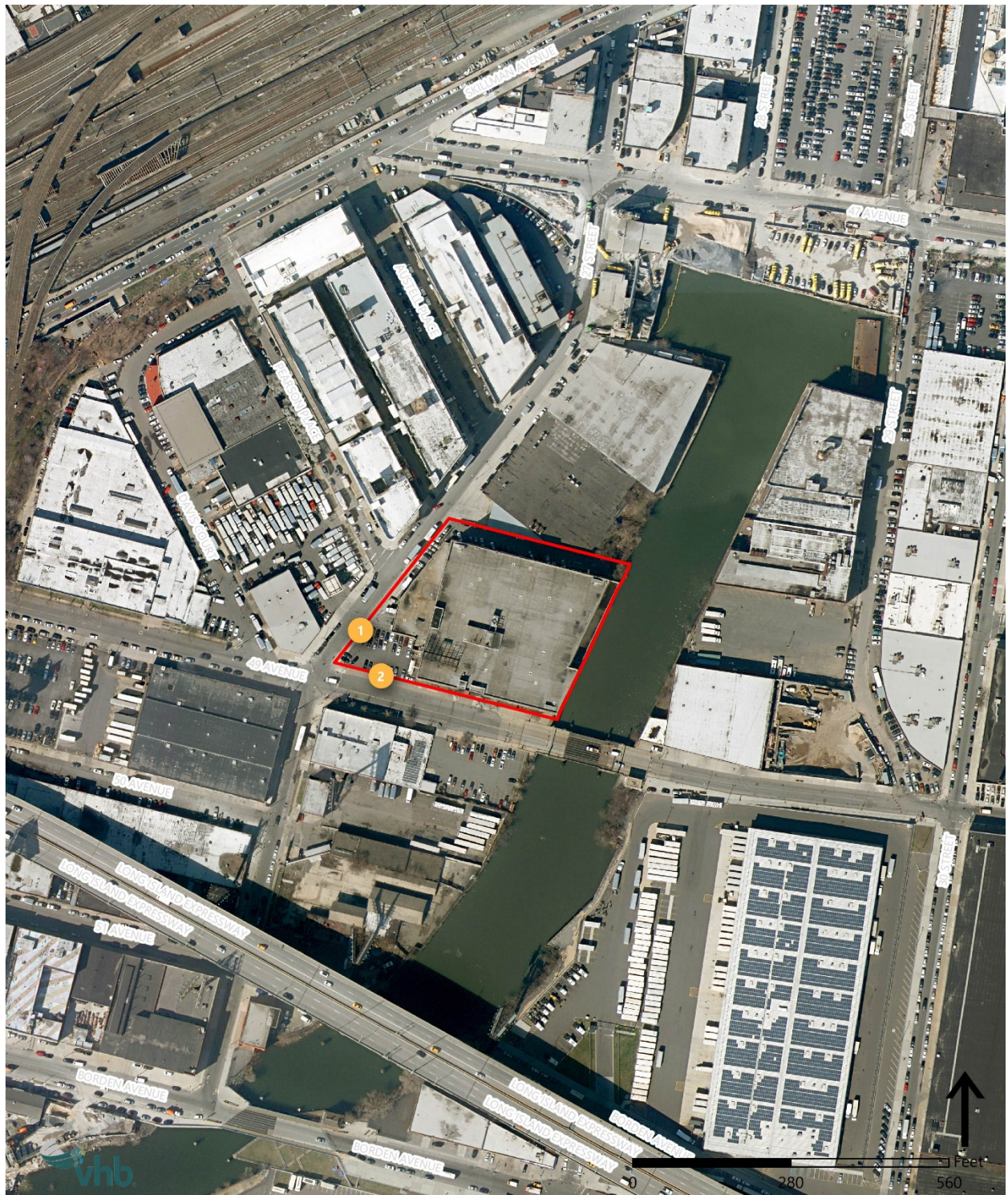
Table 2.9-3 summarizes the measurement results. The measured L_{eq} levels ranged from 71 dBA to 74 dBA and the L_{10} levels ranged between 72 and 77 dBA.

Table 2.9-3 Ambient Sound Level Measurements

Site	Location	Period	Time	Sound Level (dBA)								
				Lmin	L05	L10	L33	L50	L66	L90	Leq	Lmax
1	27 th Street	Morning	8:05 to 8:25 AM	56.8	75.7	72.0	67.1	62.4	62.4	59.7	70.8	91.5
		Midday	12:05 to 12:25 PM	59.6	78.2	75.2	70.2	65.8	65.8	62.2	72.3	88.0
		Evening	5:09 to 5:29 PM	59.2	77.2	75.4	71.5	67.3	67.3	64.1	74.0	97.6
2	49 th Avenue	Morning	8:32 to 8:52 AM	57.2	75.2	72.7	68.1	64.5	64.5	61.7	71.3	92.8
		Midday	12:28 to 12:48 PM	60.3	79.5	77.4	72.4	68.5	68.5	64.8	73.6	86.1
		Evening	5:32 to 5:52 PM	59.2	76.1	74.3	70.4	67.1	67.1	63.5	71.2	86.9

Source: VHB, 2018.

Figure 2.9-1 Noise Monitoring Locations



Project Site # Noise Monitoring Location

Acceptability Assessment

The *2014 CEQR Technical Manual* provides noise exposure guidelines for assessing ambient sound levels, as shown in **Table 2.9-2**. Based on these noise exposure guidelines, noise impact has been assessed to determine the level of acceptability for new sensitive receptors at all development sites. **Table 2.9-4** summarizes the L₁₀ sound levels at each measurement location. The table indicates whether the existing sound levels are considered to be acceptable according to the *2014 CEQR Technical Manual*.

Table 2.9-4 Existing Sound Level Acceptability, dBA

Site	Location	Period	L ₁₀	Acceptability
1	27 th Street	Morning	72.0	Marginally Unacceptable
		Midday	75.2	Marginally Unacceptable
		Evening	75.4	Marginally Unacceptable
2	49 th Avenue	Morning	72.7	Marginally Unacceptable
		Midday	77.4	Marginally Unacceptable
		Evening	74.3	Marginally Unacceptable

Source: VHB, 2018.

According to the noise exposure guidelines in the *CEQR Technical Manual*, existing L₁₀ sound levels are Marginally Unacceptable at all measurement locations and periods. The highest measured L₁₀ sound level was 77.4 dBA during the mid-day at Site 2 at 49th Avenue. Based on the finding of Marginally Unacceptable sound levels, sufficient outdoor-to-indoor sound attenuation of the window/wall must be specified to provide acceptable sound attenuation from the window/wall materials of the proposed development sites.

Noise Attenuation Measures

The most common measure for reducing interior noise from ambient sources is to specify sufficient outdoor-to-indoor sound attenuation for the proposed buildings. As shown in **Table 2.9-5**, the required level of attenuation varies based on the exterior sound levels and type of receptor. Based on a maximum L₁₀ sound level of 77.4 dBA, a composite outdoor-to-indoor window/wall sound attenuation of 28 dBA or more is required to obtain acceptable interior noise conditions in office spaces, as well as alternate means of ventilation such as well-sealed air conditioners, package-terminal air conditioners, or central air conditioning.

Table 2.9-5 Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
With-Action Sound Level	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation ^A	(I)	(II)	(III)	(IV)	$36 + (L_{10} - 80)^B$
	28 dBA	31 dBA	33 dBA	35 dBA	dBA

Note: ^A The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dBA less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation.

^B Required attenuation values increase by 1 dBA increments for L_{10} values greater than 80 dBA.

Source: New York City Department of Environmental Protection (2014 CEQR Technical Manual, Table 19-3)

The composite outdoor-to-indoor transmission classification (OITC) value of the window-wall structure is used to determine the necessary sound attenuation. Sound attenuation measures would be achieved through construction materials and techniques with sufficient OITC-rated windows and walls.

Therefore, a noise (E)-Designation (E-520) is proposed to be assigned to the project site. The text for the E Designation will be as follows:

Block 115, Lot 1

“In order to ensure an acceptable interior noise environment, future 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 50 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.”

With this commitment, no significant adverse impacts related to noise are expected and no further analysis is warranted.

Conclusion

A noise assessment was conducted to determine whether the proposed text amendment would significantly increase sound levels from mobile and stationary sources at existing noise receptors adjacent to the project site, and, if new noise receptors that would be introduced by the proposed development, they would be in an acceptable ambient sound level environment.

As the proposed project does not exceed the detailed transportation analysis thresholds of Table 16-1 in the 2014 CEQR Technical Manual, it would not result in a doubling of noise passenger car equivalents (PCEs), which would be necessary to cause a 3-dBA increase in noise levels. Therefore, there would not be a significant adverse vehicular noise impact and the existing noise measurements results are representative of the With-Action vehicular noise conditions.

The proposed text amendment is not anticipated to result in any substantial stationary source noise generators. The design and specifications for the building's mechanical equipment would incorporate sufficient noise reduction devices that would comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code.

Noise monitoring was conducted on October 10, 2018, at two sites. Based on a maximum L_{10} sound level of 77.4 dBA, a composite outdoor-to-indoor window/wall sound attenuation of 28 dBA or more is required to obtain acceptable interior noise conditions at commercial and office spaces, as well as alternate means of ventilation such as well-sealed air conditioners, package-terminal air conditioners, or central air conditioning. A noise (E) - Designation (E-520) will be assigned to the project site. With this commitment, no significant adverse impacts related to noise are expected and no further analysis is warranted.

Attachment A: WRP

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM

Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the [New York City Waterfront Revitalization Program](#) (WRP) which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: 27-11 49th Avenue Realty, LLC

Name of Applicant Representative: Jay Segal

Address: 200 Park Avenue, New York, NY 10166

Telephone: 212-801-9265 Email: SEGALJ@gtlaw.com

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The applicant is seeking a zoning text amendment to amend Zoning Resolution Section 43-121 (Expansion of Existing Manufacturing Facilities) to allow 50 percent increase in the size of its current manufacturing facility on the site. The proposed action would facilitate a two-story, 111,934-gsf vertical and horizontal enlargement of the existing three-story, 215,704-gsf facility on the project site for a total building height of approximately 103 feet (115 feet with bulkhead). The building's existing floors would be expanded on the western portion of the site and two partial floors would be added above. The proposed project would enable the owner to consolidate its operations, which are currently divided between the project site and another location (32-02 Queens Boulevard), into a single facility, and the efficiencies created through this consolidation would provide space for the company to grow its manufacturing operations.

2. Purpose of activity

MANA Products, Inc., of which the applicant is an affiliate ("MANA"), one of the country's largest contract manufacturers of cosmetics, is seeking to maintain its competitiveness by consolidating its operations in one location and expanding its current manufacturing capabilities in Long Island City, where it has been located since 1978. MANA's competitors, located outside of New York City in suburban environments, take advantage of uninhibited, single-expanse production floors to efficiently manufacture cosmetic products. MANA's current operations are constrained by space limitations and operations that are dispersed among two separate facilities (at the project site and the Queens Boulevard site). An expansion of the facility at the project site would enable the applicant to achieve the production efficiencies and accommodate the operational growth necessary to stay competitive while remaining in Long Island City.

C. PROJECT LOCATION

Borough: Queens Tax Block/Lot(s): Block 115, Lot 1

Street Address: 27-11 49th Avenue, Long Island City, New York

Name of water body (if located on the waterfront): Dutch Kills

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission

☒ Yes ☐ No

- | | | |
|---|--|--|
| ☐ City Map Amendment | ☐ Zoning Certification | ☐ Concession |
| ☐ Zoning Map Amendment | ☐ Zoning Authorizations | ☐ UDAAP |
| ☒ Zoning Text Amendment | ☐ Acquisition – Real Property | ☐ Revocable Consent |
| ☐ Site Selection – Public Facility | ☐ Disposition – Real Property | ☐ Franchise |
| ☐ Housing Plan & Project | ☐ Other, explain: _____ | |
| ☐ Special Permit | | |
- (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Board of Standards and Appeals

☐ Yes ☒ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit
- (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

- | | |
|--|---|
| ☐ Legislation | ☐ Funding for Construction, specify: _____ |
| ☐ Rulemaking | ☐ Policy or Plan, specify: _____ |
| ☐ Construction of Public Facilities | ☐ Funding of Program, specify: _____ |
| ☐ 384 (b) (4) Approval | ☐ Permits, specify: _____ |
| ☐ Other, explain: _____ | |

State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a [Joint Application for Permits?](#)

☐ Yes

☒ No

E. LOCATION QUESTIONS

1. Does the project require a waterfront site? ☐ Yes ☒ No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? ☒ Yes ☐ No
3. Is the project located on publicly owned land or receiving public assistance? ☐ Yes ☒ No
4. Is the project located within a FEMA 1% annual chance floodplain? (6.2) ☒ Yes ☐ No
5. Is the project located within a FEMA 0.2% annual chance floodplain? (6.2) ☒ Yes ☐ No
6. Is the project located adjacent to or within a special area designation? See [Maps – Part III](#) of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).
 - ☒ Significant Maritime and Industrial Area (SMIA) (2.1)
 - ☐ Special Natural Waterfront Area (SNWA) (4.1)
 - ☒ Priority Maritime Activity Zone (PMAZ) (3.5)
 - ☐ Recognized Ecological Complex (REC) (4.4)
 - ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (2.2, 4.2)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder or Not Applicable (N/A). For more information about consistency review process and determination, see **Part I** of the [NYC Waterfront Revitalization Program](#). When assessing each policy, review the full policy language, including all sub-policies, contained within **Part II** of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).

For those policies checked Promote or Hinder, provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.

		Promote	Hinder	N/A
I	Support and facilitate commercial and residential redevelopment in areas well-suited to such development.	☐	☐	☒
I.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	☐	☐	☒
I.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	☐	☐	☒
I.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	☐	☐	☒
I.4	In areas adjacent to SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	☐	☐	☒
I.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	☐	☐	☒

		Promote	Hinder	N/A
2	Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.	☒	☐	☐
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	☒	☐	☐
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☒
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	☐	☐	☒
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	☐	☐	☒
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	☒	☐	☐
3	Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.	☐	☐	☒
3.1.	Support and encourage in-water recreational activities in suitable locations.	☐	☐	☒
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	☐	☐	☒
3.3	Minimize conflicts between recreational boating and commercial ship operations.	☐	☐	☒
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	☐	☐	☒
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	☐	☐	☒
4	Protect and restore the quality and function of ecological systems within the New York City coastal area.	☐	☐	☒
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	☐	☐	☒
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☒
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	☐	☐	☒
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	☐	☐	☒
4.5	Protect and restore tidal and freshwater wetlands.	☐	☐	☒
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	☐	☐	☒
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	☐	☐	☒
4.8	Maintain and protect living aquatic resources.	☐	☐	☒

		Promote	Hinder	N/A
5	Protect and improve water quality in the New York City coastal area.	☐	☐	☒
5.1	Manage direct or indirect discharges to waterbodies.	☐	☐	☒
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	☐	☐	☒
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	☐	☐	☒
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	☐	☐	☒
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	☐	☐	☒
6	Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.	☒	☐	☐
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	☒	☐	☐
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in <i>New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms</i>) into the planning and design of projects in the city's Coastal Zone.	☒	☐	☐
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	☐	☐	☒
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	☐	☐	☒
7	Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.	☒	☐	☐
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	☒	☐	☐
7.2	Prevent and remediate discharge of petroleum products.	☒	☐	☐
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	☒	☐	☐
8	Provide public access to, from, and along New York City's coastal waters.	☒	☐	☐
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	☒	☐	☐
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	☐	☐	☒
8.3	Provide visual access to the waterfront where physically practical.	☒	☐	☐
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	☐	☐	☒

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	☐	☐	☒
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	☐	☐	☒
9	Protect scenic resources that contribute to the visual quality of the New York City coastal area.	☒	☐	☐
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	☒	☐	☐
9.2	Protect and enhance scenic values associated with natural resources.	☒	☐	☐
10	Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.	☐	☐	☒
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	☐	☐	☒
10.2	Protect and preserve archaeological resources and artifacts.	☐	☐	☒

G. CERTIFICATION

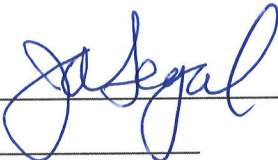
The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Greenberg Traurig, LLP, by Jay A. Segal, Esq.

Address: 200 Park Avenue, New York, NY 10166

Telephone: 212.801.9265 Email: segajc@gtlaw.com

Applicant/Agent's Signature: 

Date: 08.22.18

Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the [NYS Department of State Office of Planning and Development](#) and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

New York City Department of City Planning

Waterfront and Open Space Division

120 Broadway, 31st Floor

New York, New York 10271

212-720-3696

wrp@planning.nyc.gov

www.nyc.gov/wrp

New York State Department of State

Office of Planning and Development

Suite 1010

One Commerce Place, 99 Washington Avenue

Albany, New York 12231-0001

518-474-6000

www.dos.ny.gov/opd/programs/consistency

Applicant Checklist

- ☐ Copy of original signed NYC Consistency Assessment Form
- ☐ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☐ Environmental Review documents
- ☐ Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- ☐ Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp

NYC Waterfront Revitalization Program - Policy 6.2 Flood Elevation Worksheet

COMPLETE INSTRUCTIONS ON HOW TO USE THIS WORKSHEET ARE PROVIDED IN THE "CLIMATE CHANGE ADAPTATION GUIDANCE" DOCUMENT AVAILABLE AT www.nyc.gov/wrp

Enter information about the project and site in highlighted cells in Tabs 1-3. HighTab 4 contains primary results. Tab 5, "Future Flood Level Projections" contains background computations. The remaining tabs contain additional results, to be used as relevant. Non-highlighted cells have been locked.

Background Information	
Project Name	MANA Products Text Amendment
Location	27-11 49th Avenue, Queens, NY
Type(s)	☐ Residential, Commercial, Community Facility ☐ Parkland, Open Space, and Natural Areas ☐ Tidal Wetland Restoration ☐ Critical Infrastructure or Facility ☒ Industrial Uses ☐ Over-water Structures ☐ Shoreline Structures ☐ Transportation ☐ Wastewater Treatment/Drainage ☐ Coastal Protection
Description	The applicant is seeking a zoning text amendment to amend Zoning Resolution Section 43-121 (Expansion of Existing Manufacturing Facilities) to allow 50 percent increase in the size of its current manufacturing facility on the site. The proposed action would facilitate a two-story, 111,934 gsf vertical and horizontal enlargement of the existing three-story, 215,704 gsf facility on the project site for a total building height of approximately 115 feet (including bulkhead).
Planned Completion date	2021

The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance document was developed by the NYC Department of City Planning. It is a guidance document only and is not intended to serve as a substitute for actual regulations. The City disclaims any liability for errors that may be contained herein and shall not be responsible for any damages, consequential or actual, arising out of or in connection with the use of this information. The City reserves the right to update or correct information in this guidance document at any time and without notice.

For technical assistance on using this worksheet, email wrp@planning.nyc.gov, using the message subject "Policy 6.2 Worksheet Error."

Last update: June 7, 2017

Establish current tidal and flood heights.

	FT (NAVD88)	Feet	Datum	Source
MHHW	8.34	8.34	NAVD88	NOAA tide gauge
1% flood height	10.00	10.00	NAVD88	FEMA PFIRMS
As relevant:				
0.2% flood height	14.00	14.00	NAVD88	Preliminary FIS
MHW	8.02	8.02	NAVD88	NOAA tide gauge
MSL	5.86	5.86	NAVD88	NOAA tide gauge
MLLW	3.29	3.29	NAVD88	NOAA tide gauge

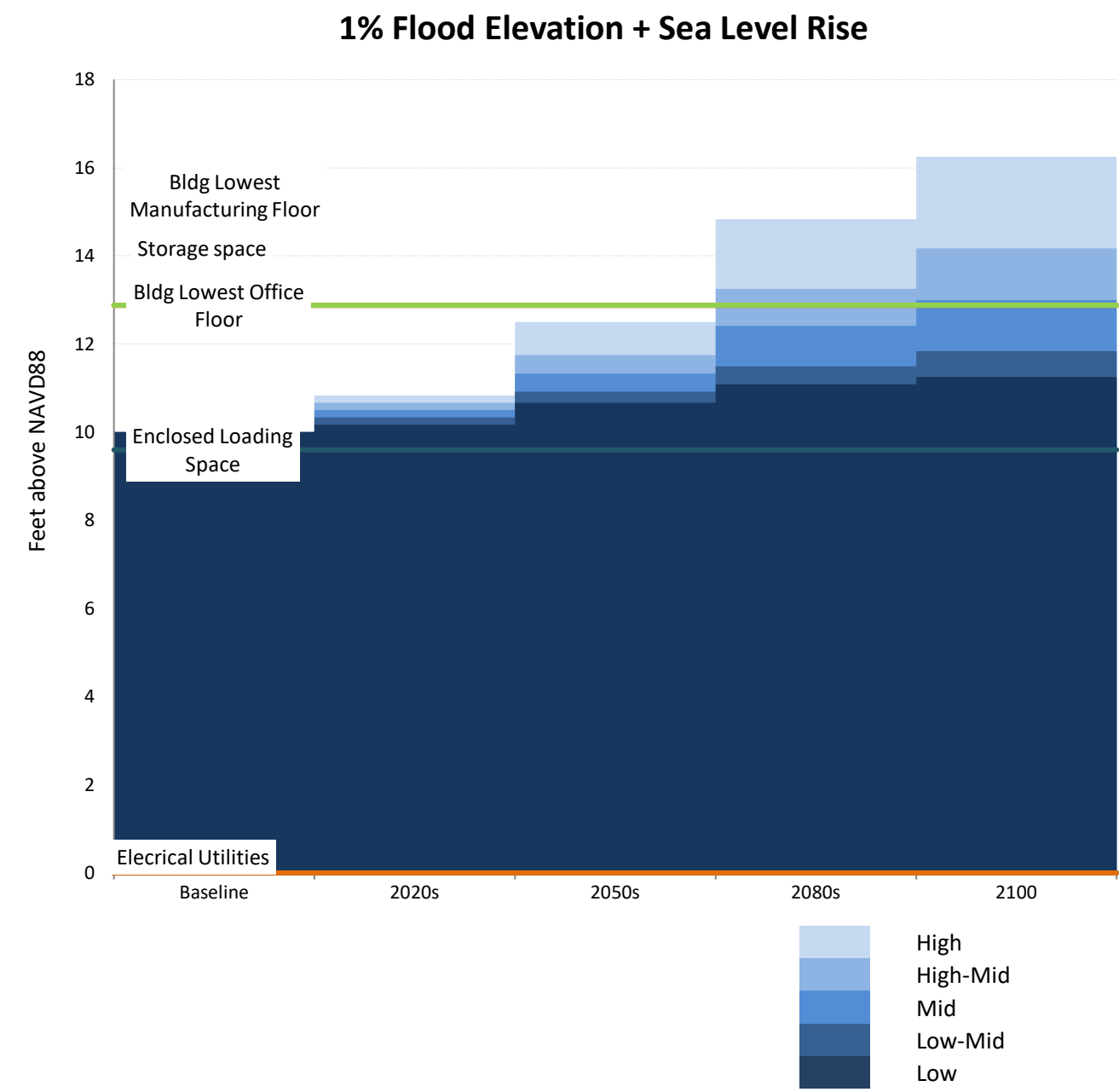
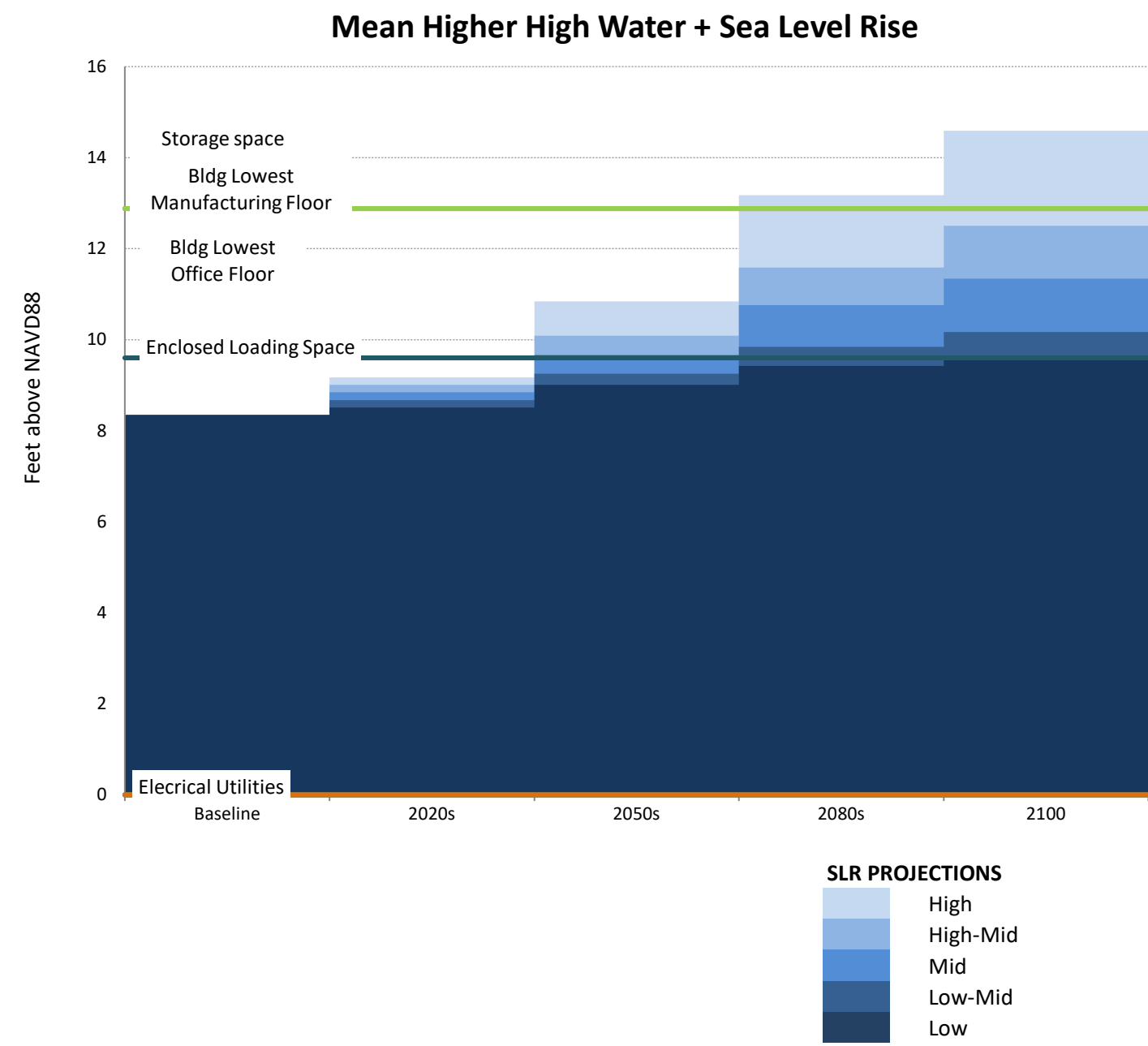
Data will be converted based on the following datums:

Datum	FT (NAVD88)
NAVD88	0.00
NGVD29	-1.10
Manhattan Datum	1.65
Bronx Datum	1.51
Brooklyn Datum (Sewer)	0.61
Brooklyn Datum (Highway)	1.45
Queens Datum	1.63
Richmond Datum	2.09
Station	The Battery
MLLW	3.29

Describe key physical features of the project.

Feature (enter name)	Feature Category	Lifespan	Elevation	Units	Datum	Ft	Ft Above NAVD88	Ft Above MHHW	Ft Above 1% flood height	Ft Above 0.2% flood height
Bldg Lowest Office Floor	☒ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	min 50 yrs	12.9	Feet	NAVD88	12.9	12.9	4.5	2.9	-1.1
building lobby and office space lowest floor elevation										
Bldg Lowest Manufacturing Floor	☒ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	min 50 yrs	12.9	Feet	NAVD88	12.9	12.9	4.5	2.9	-1.1
manufacutring space lowst floor elevation										
Storage space	☒ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	min 50 yrs	12.9	Feet	NAVD88	12.9	12.9	4.5	2.9	-1.1
storage space lowest floor elevation										
Enclosed Loading Space	☒ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	min 50 yrs	9.6	Feet	NAVD88	9.6	9.6	1.3	-0.4	-4.4
western portion of loading docks located in Zone X										
Electrical Utilities	☐ Vulnerable ☒ Critical ☐ Potentially Hazardous ☐ Other	min 50 yrs		Feet	NAVD88					
electrival service vault/chamber below sidewalk										
	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88					
	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88					
	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88					

Assess project vulnerability over a range of sea level rise projections.



	SLR (ft)					
	Low	Low-Mid	Mid	High-Mid	High	
Baseline	0.00	0.00	0.00	0.00	0.00	2014
2020s	0.17	0.33	0.50	0.67	0.83	2020s
2050s	0.67	0.92	1.33	1.75	2.50	2050s
2080s	1.08	1.50	2.42	3.25	4.83	2080s
2100	1.25	1.83	3.00	4.17	6.25	2100

MHHW+SLR (ft above NAVD88)

	Low	Low-Mid	Mid	High-Mid	High	
Baseline	8.34	8.34	8.34	8.34	8.34	Baseline
2020s	8.51	8.67	8.84	9.01	9.17	2020s
2050s	9.01	9.26	9.67	10.09	10.84	2050s
2080s	9.42	9.84	10.76	11.59	13.17	2080s
2100	9.59	10.17	11.34	12.51	14.59	2100

1%+SLR (ft above NAVD88)

	Low	Low-Mid	Mid	High-Mid	High	
Baseline	10.00	10.00	10.00	10.00	10.00	Baseline
2020s	10.17	10.33	10.50	10.67	10.83	2020s
2050s	10.67	10.92	11.33	11.75	12.50	2050s
2080s	11.08	11.50	12.42	13.25	14.83	2080s
2100	11.25	11.83	13.00	14.17	16.25	2100

0.2%+SLR (ft above NAVD88)

	Low	Low-Mid	Mid	High-Mid	High
Baseline	14.00	14.00	14.00	14.00	14.00
2020s	14.17	14.33	14.50	14.67	14.83
2050s	14.67	14.92	15.33	15.75	16.50
2080s	15.08	15.50	16.42	17.25	18.83
2100	15.25	15.83	17.00	18.17	20.25

	0	1
Bldg Lowest Office Floor	13	12.88
Bldg Lowest Manufacturing Floor	13	12.88
Storage space	12.88	12.88
Enclosed Loading Space	9.6	9.6
Electrical Utilities	0	0
0	0	0
0	0	0
0	0	0

SLR (in)					
Low	Low-Mid		Mid	High-Mid	High
	0	0	0	0	0
	2	4	6	8	10
	8	11	16	21	30
	13	18	29	39	58
	15	22	36	50	75

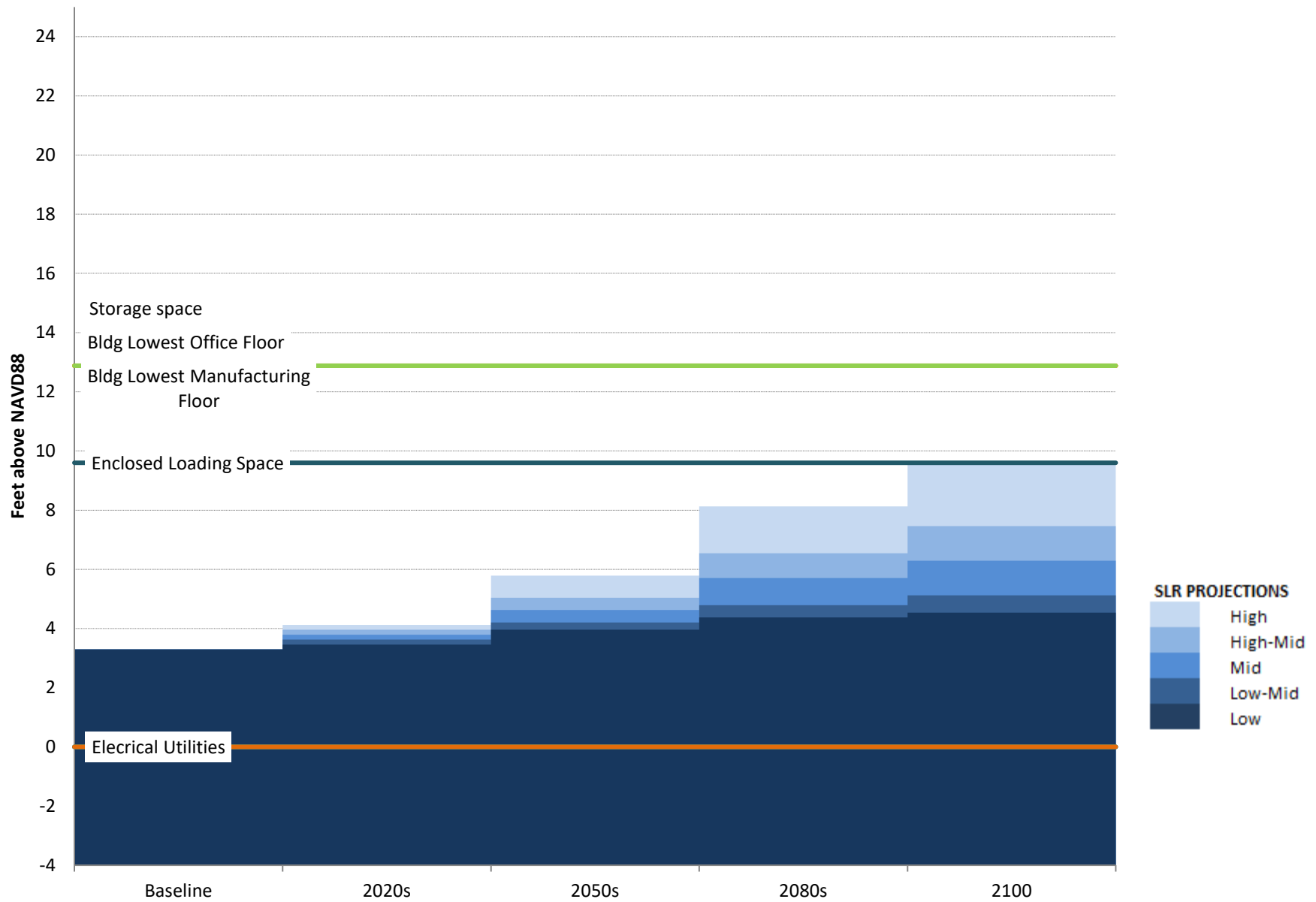
MLLW+SLR (ft above NAVD88)

Low	Low-Mid		Mid	High-Mid	High
	3.29	3.29	3.29	3.29	3.29
	3.46	3.62	3.79	3.96	4.12
	3.96	4.21	4.62	5.04	5.79
	4.37	4.79	5.71	6.54	8.12
	4.54	5.12	6.29	7.46	9.54

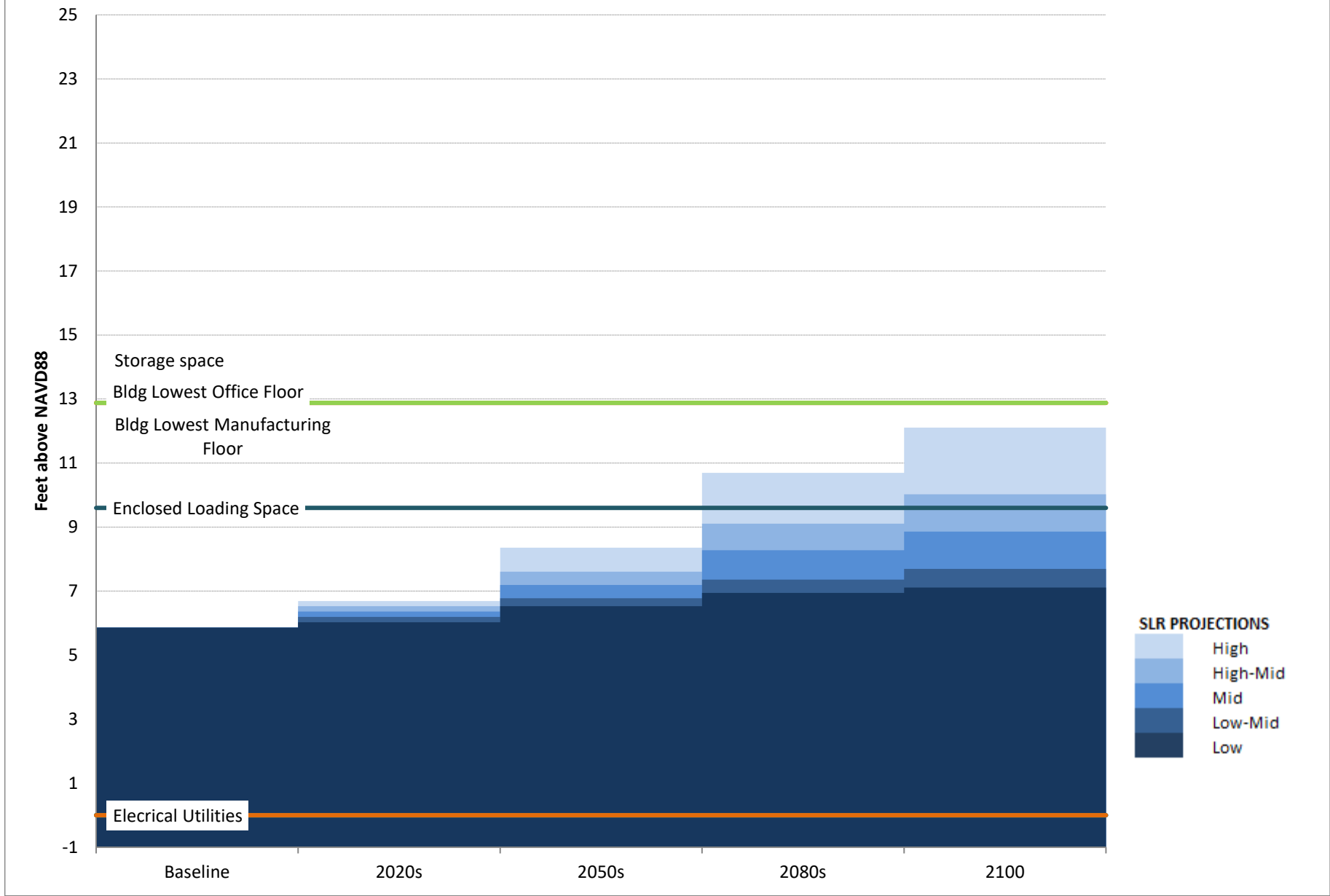
MSL+SLR (ft above NAVD88)

Low	Low-Mid		Mid	High-Mid	High
	5.86	5.86	5.86	5.86	5.86
	6.03	6.19	6.36	6.53	6.69
	6.53	6.78	7.19	7.61	8.36
	6.94	7.36	8.28	9.11	10.69
	7.11	7.69	8.86	10.03	12.11

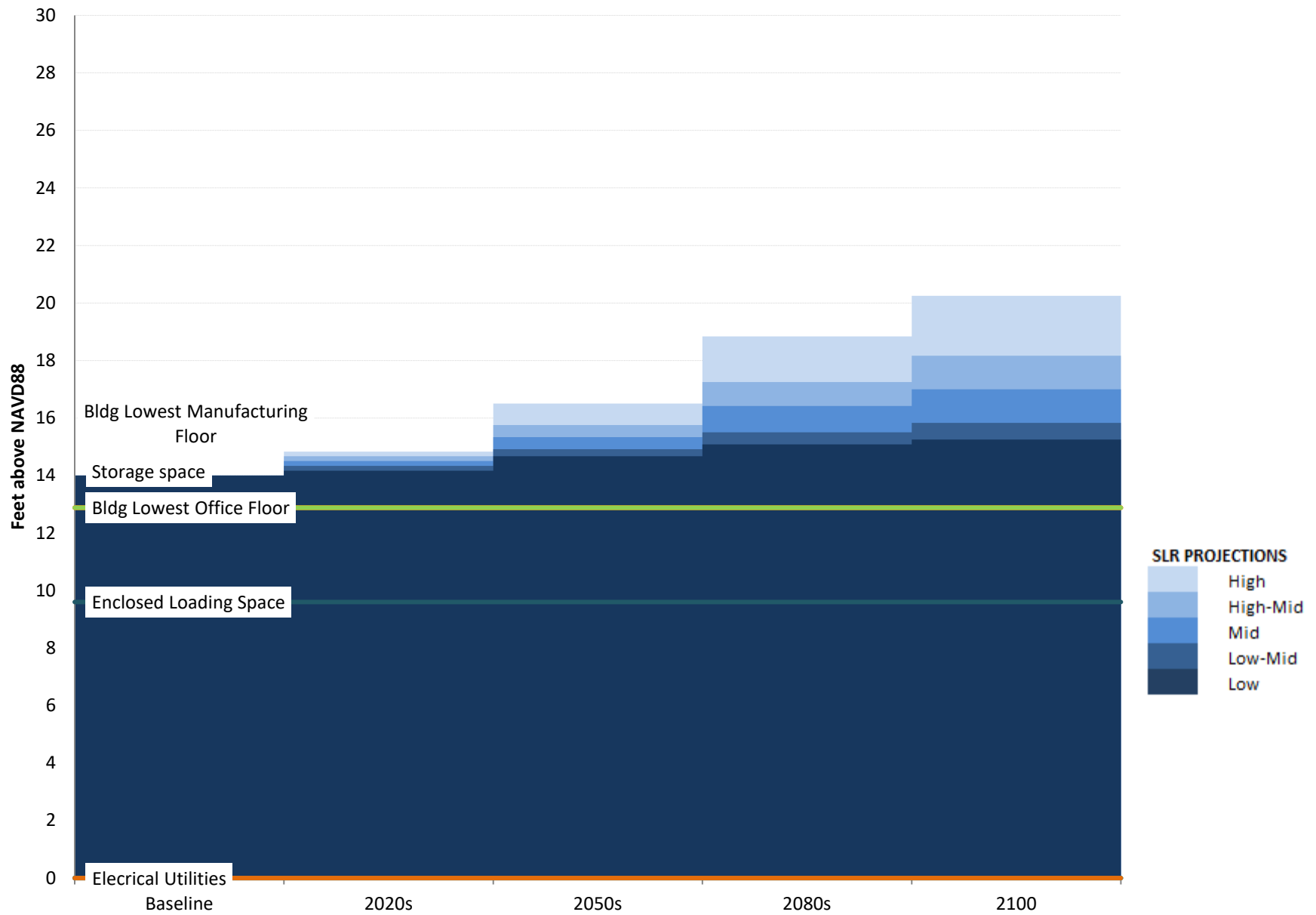
Mean Lower Low Water + Sea Level Rise



Mean Sea Level + Sea Level Rise



0.2% Flood Elevation + Sea Level Rise



Attachment B: LPC Determination

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-Q

Project:

Address: 27-11 49 AVENUE, **BBL:** 4001150001

Date Received: 4/25/2018

☒ **No architectural significance**

☒ **No archaeological significance**

☐ **Designated New York City Landmark or Within Designated Historic District**

☐ **Listed on National Register of Historic Places**

☐ **Appears to be eligible for National Register Listing and/or New York City
Landmark Designation**

☐ **May be archaeologically significant; requesting additional materials**

Gina Santucci

5/3/2018

SIGNATURE

Gina Santucci, Environmental Review Coordinator

DATE

File Name: 33305_FSO_DNP_05032018.doc

Attachment C: Hazardous Materials



September 7, 2018

Anthony Howard
Project Manager
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

**Re: MANA Products Text Amendment
Block 115, Lot 1
CEQR # 18DCP189Q**

Vincent Sapienza, P.E.
Commissioner

Angela Licata
*Deputy Commissioner of
Sustainability*

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
Fax (718) 595-4422
alicata@dep.nyc.gov

Dear Mr. Howard:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the April 2018 Environmental Assessment Statement prepared by Nancy M. Doon and the March 2018 Phase I Environmental Site Assessment (Phase I) prepared by Vanasse Hangen Brustlin, Inc., on behalf of 27-11 49th Avenue Realty, LLC., (applicant), for the above referenced project. It is our understanding that the applicant is seeking a zoning text amendment from the New York City Department of City Planning (DCP) to amend Zoning Resolution section 43-121, Expansion of Existing Manufacturing Facilities. As currently proposed, the amendment would facilitate an approximately 50 percent increase in the size of an existing 213,938 gross square foot building to enable the owner to consolidate its manufacturing operations, from two separate locations into one single facility. The project site is currently improved with a three-story manufacturing building and is bounded by 49th Avenue, 27th Street and Newtown Creek in the Long Island City neighborhood of Queens Community District 2. It should be noted that Newtown Creek was designated as a Superfund site by the United States Environmental Protection Agency (EPA) in September 2010 and is currently in the Remedial Investigation and Feasibility Study phase.

The March 2018 Phase I report revealed that historical on-site and surrounding area land uses consists of manufacturing uses including Mana Productions cosmetic company, Ferguson plumbing supplies, Larkin Cold Storage, Degnom Contracting Company, a blacksmith and contractor machinery storage facility, a sheet metal and machine shop, a lumber supply facility, Fuel Oil Company, a truck rental company, Hunters Point Recycling facility, as well as several other manufacturing/industrial facilities. Regulatory databases such as the New York State Department of Environmental Conservation SPILLS, Leaking Underground Storage Tank, Leaking Storage Tanks (LTANKS), Resource Conservation and Recovery Act Generators, and Petroleum Bulk Storage (PBS) Underground Storage Tanks (USTs) and PBS Aboveground Storage Tanks (ASTs) identified several sites in close proximity to the project site. The SPILLS database reported 21 SPILLS within a 1/8-mile radius of the project site and the LTANKS database reported 48 LTANKS within a 1/2-mile radius of the project site. The PBS USTs and the PBS ASTs databases reported 18 USTs and 27 ASTs within a 1/4-mile

radius of the project site. Based on the age of the building that currently occupies the project site, asbestos containing materials, lead based paint and polychlorinated biphenyls could be present in the structure. The Phase I also reported one Historical Cleaner within a 1/8-mile radius of the project site.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

- DCP should inform the applicant that based on the historical on-site and surrounding area land uses, a Phase II Environmental Site Assessment (Phase II) is necessary to adequately identify/characterize the surface and subsurface soils of the subject parcels. A Phase II Investigative Protocol/Work Plan summarizing the proposed drilling, soil, groundwater, and soil vapor sampling activities should be developed in accordance with the *City Environmental Quality Review Technical Manual* and submitted to DEP for review and approval. The Work Plan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil, groundwater and soil vapor sampling locations. Soil and groundwater samples should be collected and analyzed by a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) certified laboratory for the presence of volatile organic compounds (VOCs) by EPA Method 8260, semi-volatile organic compounds by EPA Method 8270, pesticides by EPA Method 8081, polychlorinated biphenyls by EPA Method 8082, Target Analyte List metals (filtered and unfiltered for groundwater samples). The soil vapor sampling should be conducted in accordance with NYSDOH's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York. The soil vapor samples should be collected and analyzed by a NYSDOH ELAP certified laboratory for the presence of VOCs by EPA Method TO-15. An Investigative Health and Safety Plan (HASP) should also be submitted to DEP for review and approval.
- DCP should also instruct the applicant that the Phase II Work Plan and HASP should be submitted to DEP for review and approval prior to the start of any fieldwork.

Future correspondence and submittals related to this project should include the following CEQR number **18DCP189Q**. If you have any questions, you may contact Ms. Cassandra Scantlebury at (718) 595-6756.

Sincerely,



Wei Yu

Deputy Director, Hazardous Materials

cc: R. Weissbard
T. Estes
C. Scantlebury
M. Wimbish
R. Dobruskin – DCP
O. Abinader - DCP

Attachment D: Text Amendment

MANA Products Text Amendment

**ARTICLE IV
MANUFACTURING DISTRICT REGULATIONS**

**Chapter 3
Bulk Regulations**

**43-00
FLOOR AREA REGULATIONS**

* * *

**43-12
Maximum Floor Area Ratio**

* * *

**43-121
Expansion of existing manufacturing buildings**

M1 M2 M3

In all districts, as indicated, where a #building or other structure# used for a conforming #manufacturing use# was in existence prior to December 15, 1961, such #building or other structure# may be expanded for a #manufacturing use#. Such expansion may consist of an #enlargement#, or additional #development#, on the same #zoning lot#, provided that:

- (a) the resulting total #floor area# shall not be greater than the highest of:
 - (1) 150 percent of the #floor area# existing on December 15, 1961; or
 - (2) 110 percent of the maximum #floor area# otherwise permitted under the provisions of Section 43-12 (Maximum Floor Area Ratio).
- (b) the resulting #floor area ratio# shall not exceed the highest of:
 - (1) 150 percent of the maximum #floor area ratio# otherwise permitted under the provisions of Section 43-12;
 - (2) 110 percent of the #floor area ratio# existing on December 15, 1961; or
 - (3) a #floor area ratio# of 2.4, provided that in the event this paragraph, (b)(3), is utilized, the City Planning Commission shall administratively certify and the City Council approve, that such expansion will not adversely affect the surrounding area.

In an M3-2 District within the Long Island City Subarea 2 Designated Area (as set forth in APPENDIX J of this Resolution), the provisions of this Section shall also apply to a #building or other structure# on a #zoning lot# larger than two acres, used for a conforming #manufacturing use#, that was in existence prior to December 31, 1965.

The parking reduction provisions of Section 44-27 (Special Provisions for Expansion of Existing Manufacturing Buildings) shall apply to such expansion.

* * *