

**NEGATIVE DECLARATION (Use of this form is optional)**

**Statement of No Significant Effect**

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning, acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

**Reasons Supporting this Determination**

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

**Noise**

To ensure that the proposed action would not result in a significant adverse noise impact an (E) Designation (E-542) would be established as part of the proposed action. Refer to "Determination of Significance Appendix: (E) Designation" for a list of the sites affected by the proposed (E) designation and the applicable (E) designation requirements. The noise analysis concluded that with the (E) Designation requirements in place, the proposed actions would not result in significant adverse impacts related to noise.

**Land Use, Zoning, and Public Policy**

A detailed analysis of the effects of the proposed actions on Land Use, Zoning and Public Policy was included in the EAS. The proposed actions would modify underlying bulk and use regulations of the M1-5B district to facilitate the proposed development. The proposed development would be compatible with land use patterns within the surrounding area and recent development trends. Additionally, the proposed actions would be consistent with the relevant WRP policies. Therefore, the analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed actions.

**Historic and Cultural Resources**


The proposed action would result in incremental in-ground disturbance at the project area and, as such, a Phase IA Archaeological Documentary Study was prepared to determine the presence of archaeological sensitivity. Based on the study, the NYC Landmarks Preservation Division in a letter dated August 23, 2018 determined that the project area was not archaeologically sensitive and the proposed action did not have the potential to result in significant adverse archaeological impacts.

The project area is within the National Register listed (90NR00770) and LPC Designated (LPC-00768) SoHo Cast Iron Historic District and includes one building, 423 Broadway (the Historic Building), that is listed as contributing to the N/SR and LPC listed SoHo Cast Iron Historic District. The proposed action would result in the restoration and maintenance of the Historic Building and the construction of a new 8-story building at the project area. In a letter dated February 20, 2018, LPC issued a Certificate of Appropriateness which found that the proposed development would be consistent with other tall buildings on corner and mid-block sites on Broadway, enhance the continuity of the street walls and anchor the end of the block, thereby strengthening the streetscape around this prominent site, reflect the history and tradition of artistic expression in the SoHo Cast Iron Historic District, harmonize with neighboring buildings, and buildings found throughout the SoHo Cast Iron Historic District; and that the design of the building base would be in keeping with the storefronts found at other modern buildings and will reflect elements of typical historic storefronts found throughout the historic district. Based upon these findings, the proposed action would not result in significant adverse impacts related to architectural resources.

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 CEQR #: 19DCP042M  
 SEQRA Classification: Unlisted

**Hazardous Materials**  
 A Phase II ESA was conducted for the project area and included soil, groundwater, and soil vapor sampling. Phase II analytical results indicated compounds at concentrations greater than regulatory soil cleanup objectives and exceeding groundwater regulatory criteria; analytics also indicated impacted soil vapor. Based upon the results of the Phase II ESA, a Remedial Action Plan was developed for the project area and approved, with minor alternations, by the NYC Department of Environmental Protection in a letter dated, May 14, 2019. The Applicant has committed to implement the required measures delineated in the DEP-approved RAP and CHASP as per DEP's letter and that a Remedial Closure Report would be submitted to DEP for review and approval after completion of the project, and that all remediation measures would be implemented prior to obtaining a Certificate of Occupancy from the New York City Department of Buildings. With these measures, the proposed action would not result in significant adverse impacts related to hazardous materials.

*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 06/14/19
SIGNATURE 	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 06/17/19
SIGNATURE	

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Determination of Significance Appendix: (E) Designation

To ensure that the proposed action would not result in significant adverse noise impacts an (E) Designation (E-542) will be placed on **Projected Development Site 1 (Block 231, Lot 1)** as described below:

Noise

The (E) Designation requirements for noise are as follows:

**In order to ensure an acceptable interior noise environment, future commercial office uses must provide a closed-window condition with a minimum of 30 dB(A) window/wall attenuation on all building facades to maintain an interior noise level of 50 dB(A) for commercial office uses. 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.**