17-18 Decatur Street
Block 3568, Lot 26
Queens, NY 11385

CEQR Number: 20DCP125Q

Environmental Assessment Statement

Lead Agency:
Department of City Planning
120 Broadway, 31St Floor
New York, NY 10271

Prepared for:
Bilyan Management

Prepared by:
Equity Environmental Engineering
500 International Drive, Suite 150
Mount Olive, NJ 07828

October 1, 2021

Contents

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* 17-18 Decatur Street Zoning Authorization

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency) 20DCP125Q	BSA REFERENCE NUMBER (if applicable)
ULURP REFERENCE NUMBER (if applicable) N200270ZAQ	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY Department of City Planning			NAME OF APPLICANT Bilyan Management, LLC		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, Deputy Director, EARD			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Kevin Williams, Equity Environmental Engineering LLC		
ADDRESS 120 Broadway			ADDRESS 500 International Drive, Suite 150		
CITY New York	STATE NY	ZIP 10271	CITY Mount Olive	STATE NJ	ZIP 07828
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 973-527-7451x301	EMAIL kevin.williams@equityenvironmental.com	

5. *Project Description*

"The Applicant", Bilyan Management LLC, is seeking a Zoning Authorization (the Proposed Action) to allow for a residential use in the M1-4D zoning district on Block 3568, Lot 26, "The Affected Area." In its entirety, the proposed Zoning Authorization would affect one lot that is approximately 4,246 SF. The Affected Area is located within the Ridgewood neighborhood of Queens Community District 5, and is located at 17-18 Decatur Street. The lot is bounded by Decatur Street to the west, Seneca Avenue to the north, St. Felix Avenue to the east, and Cypress Avenue to the south.

A Zoning Authorization pursuant to ZR 42-47 would permit a residential use at 17-18 Decatur Street. The subject parcel is a 4,246 SF lot that would be developed with a 7,562 GSF (7,002 ZSF; 1.65 FAR) residential building as permitted by the bulk regulations of ZR 43-61 (Bulk Regulations for Residential Uses in M1-1D through M1-5D Districts). The building would be 3 stories and 32 feet tall with 6 dwelling units with a cellar. Accessory parking is not required pursuant to the parking regulations of ZR 44-28 (Parking Regulations for Residential Uses in M1-1D through M1-5D Districts).; therefore, no accessory parking would be provided.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 5	STREET ADDRESS 1718 Decatur Street
TAX BLOCK(S) AND LOT(S) Affected Block 3568, Lot 26		ZIP CODE 11385

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Applicant's property is Block 3568, Lot 26. The 4,246 SF lot is located midblock on Decatur Street between Cypress Avenue and Seneca Avenue with 25 feet of street frontage and is bounded by Seneca Avenue to the north, St. Felix Avenue to the east, Cypress Avenue to the south, and Decatur Street to the west. Decatur Street is a 60-foot-wide, one-way northeast to southwest road with one moving lane in the northeast direction and curbside parking. Seneca Avenue is a 50-foot-wide, one-way northwest to southeast road with one moving lane in the southeast direction and curbside parking. Seneca Avenue becomes a two-way road west of Decatur Street. Cypress Avenue is a 60-foot-wide, two-way northwest to southeast road with one moving lane in each direction and curbside parking. St. Felix Avenue is a 55-foot-wide, one-way northeast to southwest road with one moving lane in the southwest direction and curbside parking. A freight rail line runs generally north to south along the southeast property line of the Affected Area.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-4D	ZONING SECTIONAL MAP NUMBER 6b

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.): 4,246 within affected area; 4,246 on Project Site
Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.):
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): 7,562 gsf
NUMBER OF BUILDINGS: 1 building
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 7,562 gsf
HEIGHT OF EACH BUILDING (ft.): 32'-0".
NUMBER OF STORIES OF EACH BUILDING: 3 stories

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: 4,246
The total square feet not owned or controlled by the applicant: 4,246

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: 4,246 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 42,46 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 2,972 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.)	7,562 (UG1)			
Type (*e.g.,* retail, office, school)	6 residential units			

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 21 NUMBER OF ADDITIONAL WORKERS:

Provide a brief explanation of how these numbers were determined: 6 units x 3.4 (ACS household size for Census Tract)

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): 2023

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18 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.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ 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?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ 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		
○ **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)	☐	☒
○ **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)	☐	☒
○ **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)	☐	☒
○ **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?	☒	☐
○ 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?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located 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.		
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?	☐	☒
○ 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?	☐	☒
○ 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?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☒
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?	☐	☒
(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?	☐	☒

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(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): 41x6=246		
○ 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): 126.7x7,493=949,363.1		
(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:		
○ 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? ***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.*	☐	☐
○ 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?	☐	☐
○ 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) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) see attached	☐	☒
(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 site 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?	☐	☒
(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		

	YES	NO
(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:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ 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.		

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	DATE
Kevin Williams	10/1/2021

SIGNATURE Kevin Williams

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.

IMPACT CATEGORY	Potentially Significant Adverse Impact 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? ☐ YES ☒ NO

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).

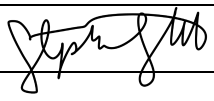
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. 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	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Stephanie Shellooe	October 1, 2021

SIGNATURE



NEGATIVE DECLARATION

Statement of No Significant Effect

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

Reasons Supporting this Determination

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

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The proposed action is a Zoning Authorization to allow for a residential use in the M1-4D zoning district on Block 3568, Lot 26. In its entirety, the proposed Zoning Authorization would affect one lot that is approximately 4,246 square feet. The affected area is located within the Ridgewood neighborhood of Queens Community District 5, and is located at 17-18 Decatur Street. The lot is bounded by Decatur Street to the west, Seneca Avenue to the north, St. Felix Avenue to the east, and Cypress Avenue to the south. The proposed actions would facilitate the development of a 7,562 gross square foot residential building as permitted by the bulk regulations of ZR 43-61. The building would be 3 stories and 32 feet tall with 6 dwelling units and a cellar. The existing land uses within the 400-foot study area consist of primarily low-density residential uses with some commercial buildings and manufacturing/industrial buildings. The proposed action is anticipated to result in a change in land use and zoning on Lot 26, from manufacturing to residential, however, given the existing residential character of the surrounding area, the change in land use and zoning would not constitute a significant adverse impact. Additionally, the proposed action would not affect public policy.

Hazardous Materials and Air Quality

An (E) designation (E-581) related to hazardous materials and air quality would be established as part of the approval of the proposed action. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials and air quality analyses conclude that with the (E) designation in place, the proposed action would not result in a significant adverse impact related to hazardous materials or air quality.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Rachel Antelmi at +1 212-720-3621.

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME	DATE
Stephanie Shellooe	October 1, 2021
SIGNATURE	

TITLE	
Chair, City Planning Commission	
NAME	DATE
Anita Laremont	October 4, 2021
SIGNATURE	

Project Name: 17-18 Decatur Street Authorization
CEQR # 20DCP125Q
SEQRA Classification: Unlisted

Determination of Significance Appendix

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

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	*Block 3568, Lot 26*

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-581**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

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

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** for hazardous materials would apply 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 he 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.

Project Name: 17-18 Decatur Street Authorization
CEQR # 20DCP125Q
SEQRA Classification: Unlisted

Air Quality

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

> ***Projected Development Site 1:*** *Any new residential development and/or enlargement on the above-referenced property must ensure the heating, ventilating, and air conditioning (HVAC) systems and the hot water equipment stack is located at least 35 feet above grade to avoid any potential significant adverse air quality impacts.*

Figure 1-1: Project Location Map

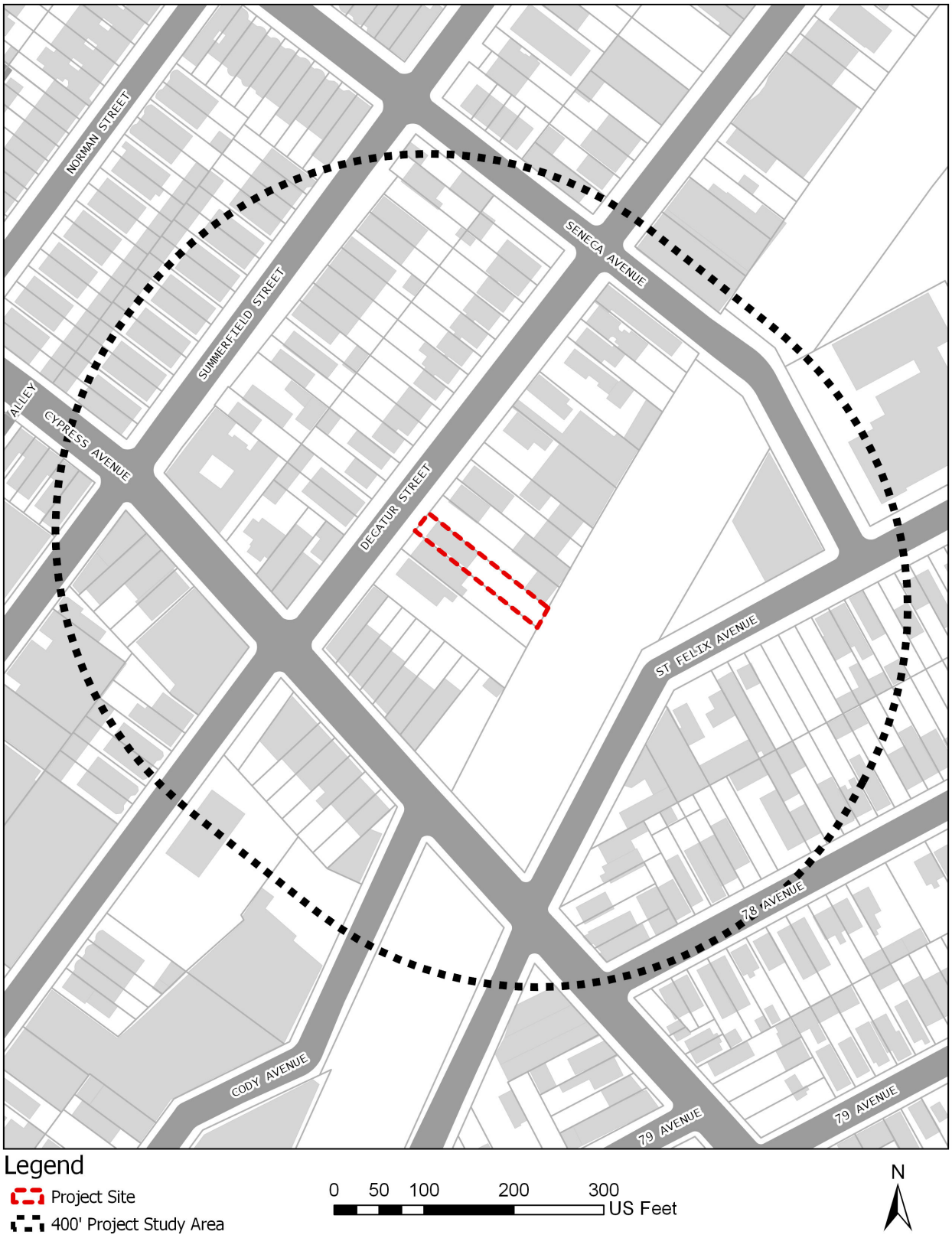


Figure 1-2: Aerial Map

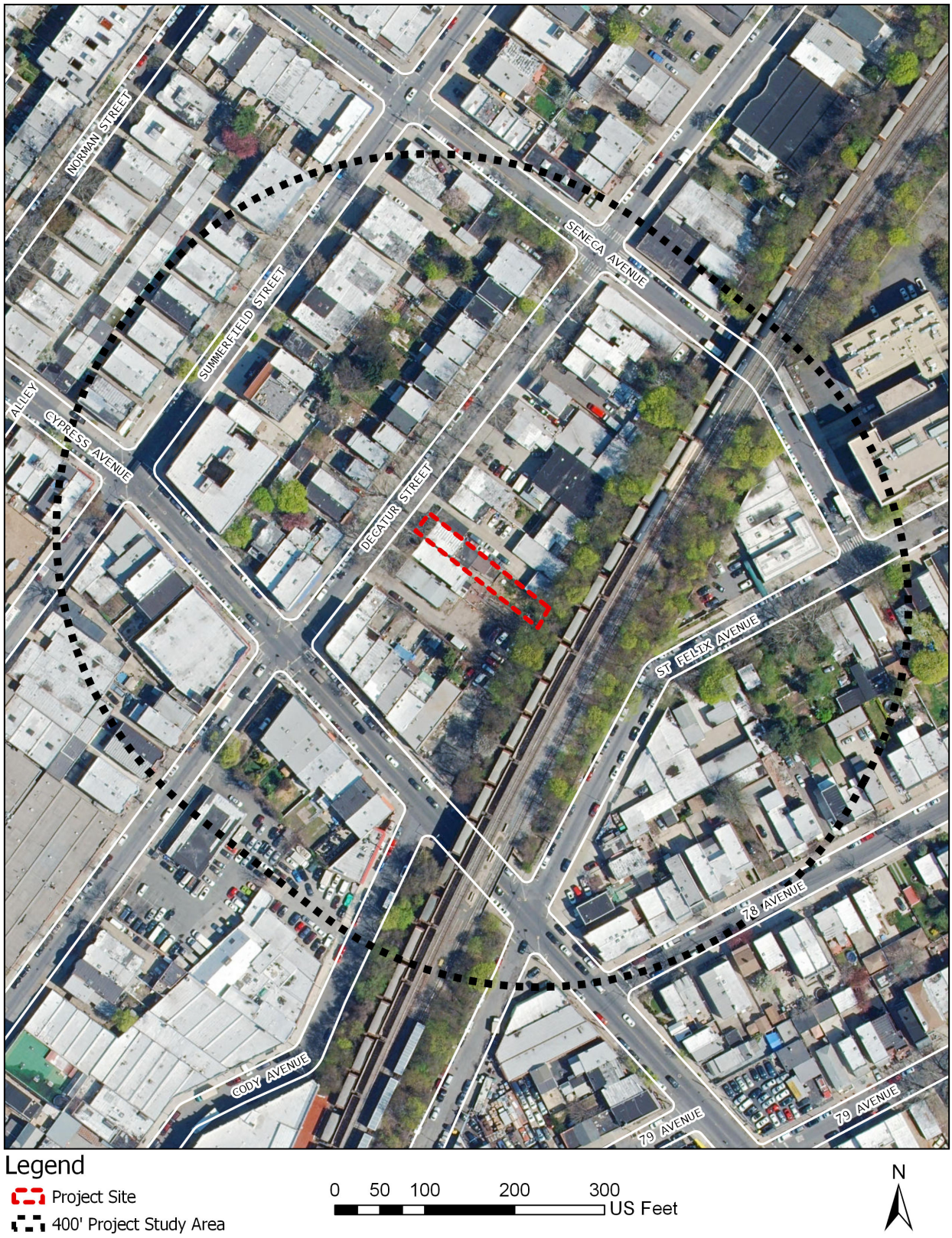


Figure 1-3: Land Use Map

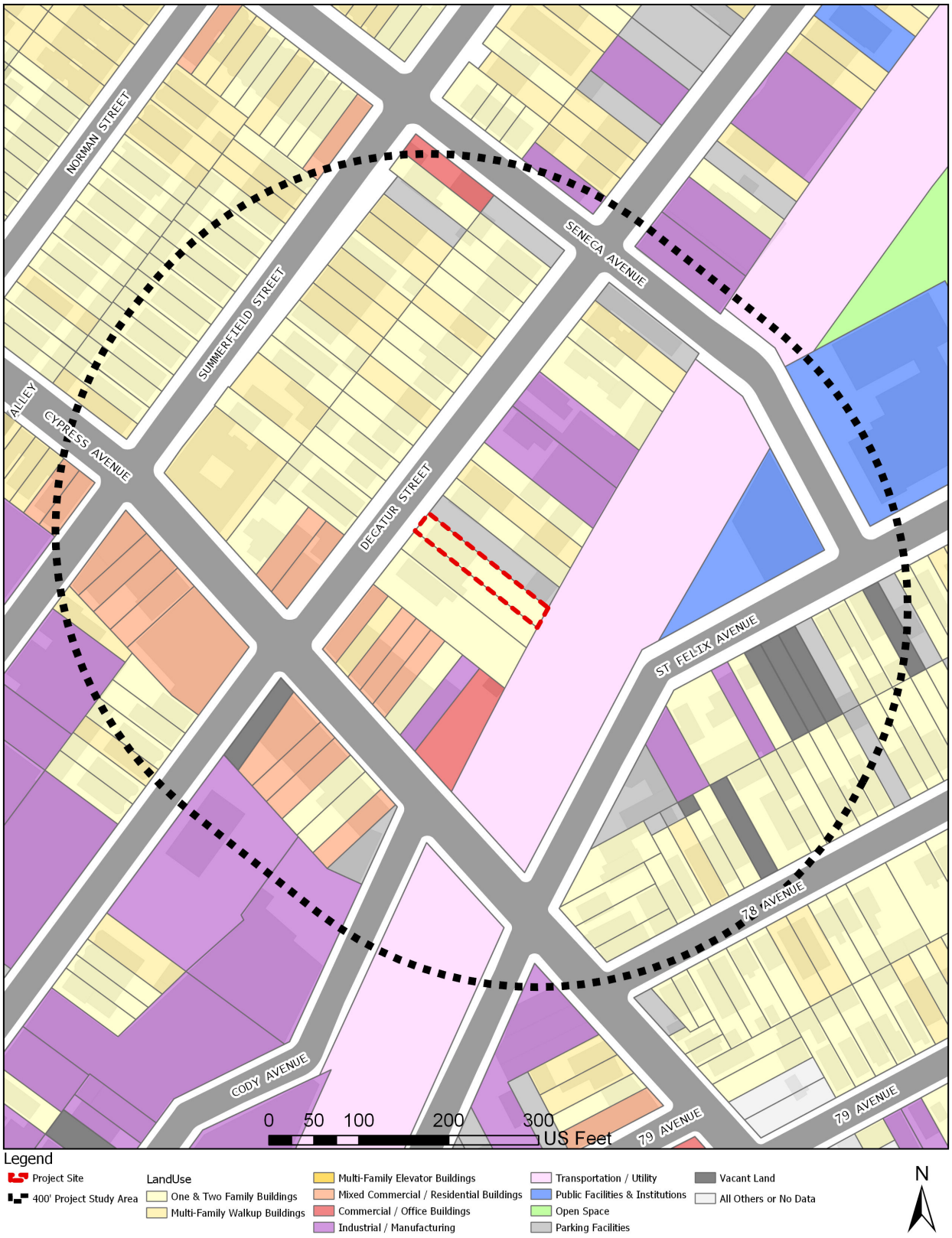


Figure 1-4: Zoning Map

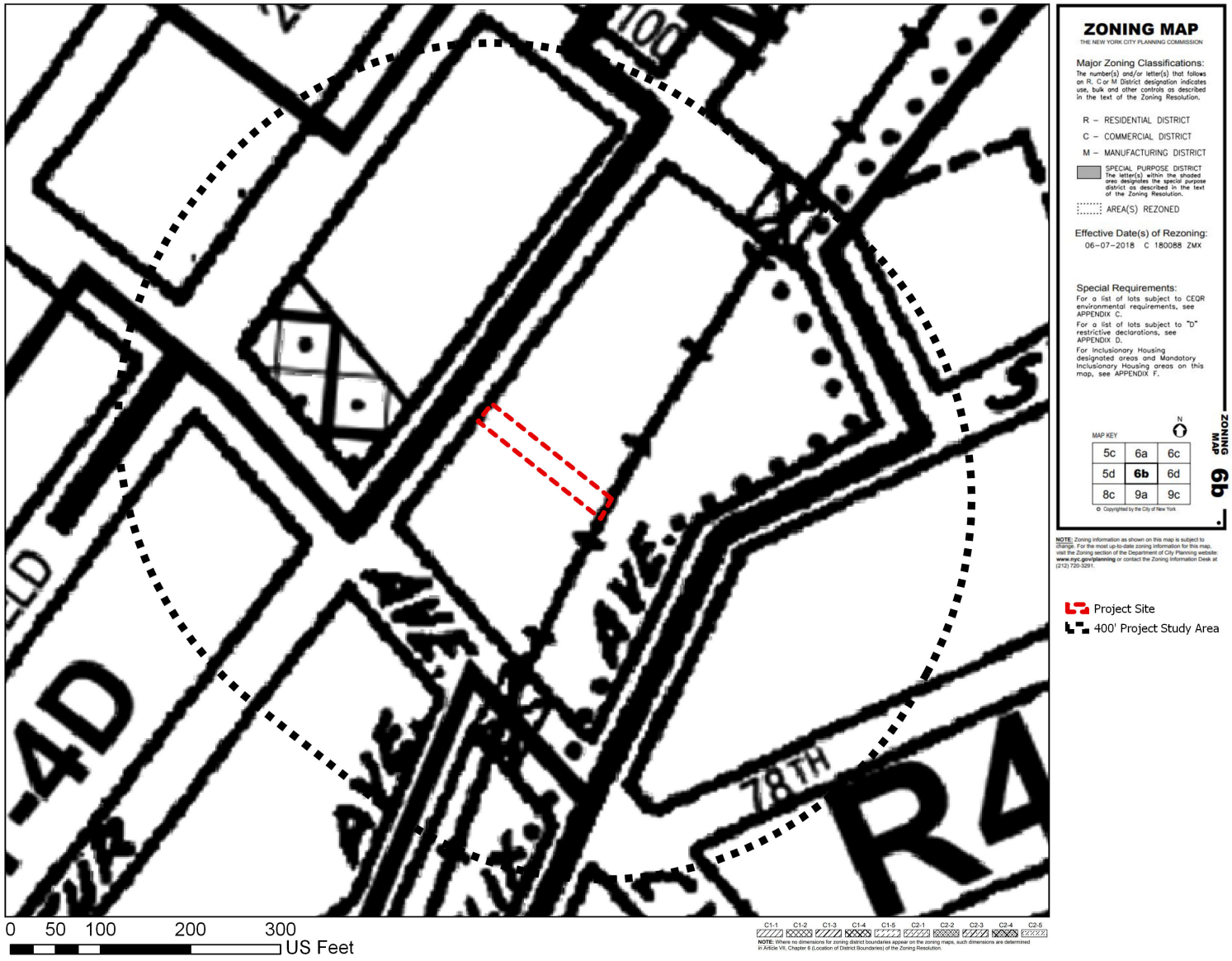


Figure 1-5: Tax Map

Figure 1-6: Photo Key

01 View of the Project Site, Decatur St. frontage

02 View of the Project Site, Decatur St. frontage

03 View of the Project Site, Decatur St. frontage

Photo Key

Decatur St.
12/13/2019

1.0 PROJECT DESCRIPTION

1.1 Introduction

"The Applicant", Bilyan Management LLC, is seeking a Zoning Authorization (the Proposed Action) to allow for a residential use in the M1-4D zoning district on Block 3568, Lot 26, "The Affected Area". In its entirety, the proposed Zoning Authorization would affect one lot that is approximately 4,246 SF. The Affected Area is located within the Ridgewood neighborhood of Queens Community District 5, and is located at 17-18 Decatur Street. The lot is bounded by Decatur Street to the west, Seneca Avenue to the north, St. Felix Avenue to the east, and Cypress Avenue to the south.

A Zoning Authorization pursuant to ZR 42-47 would permit a residential use at 17-18 Decatur Street. The subject parcel is a 4,246 SF lot that would be developed with a 7,562 GSF (7,002 ZSF; 1.65 FAR) residential building as permitted by the bulk regulations of ZR 43-61 (Bulk Regulations for Residential Uses in M1-1D through M1-5D Districts). The building would be 3 stories and 32 feet tall with 6 dwelling units with a cellar. Accessory parking is not required pursuant to the parking regulations of ZR 44-28 (Parking Regulations for Residential Uses in M1-1D through M1-5D Districts).; therefore, no accessory parking would be provided.

1.2 Background

The existing residential building at 17-18 Decatur Street (Block 3568, Lot 26), was constructed in 1915 and remains a legal, non-conforming use. The Affected Area was originally zoned M1-1 in 1961 before being rezoned M1-4D in 2000 as part of the Ridgewood and SOMA Rezoning (C 000639 ZMQ). Under the M1-4D zoning, the City Planning Commission may authorize new residences or enlargements on lots that meet one of the following criteria:
provided:

(1) the *zoning lot* contains a *building* that has one or more *stories* of lawful *residential* or *community facility uses* and no more than one *story* of *commercial* or *manufacturing uses* therein;

(2) the *zoning lot* contains no other *commercial* or *manufacturing uses*; and

(3) 25 percent or more of the aggregate length of the *block* fronts on both sides of the *street* facing each other is occupied by *zoning lots* containing *residential* or *community facility uses*.

1.3 Description of Surrounding Area

The Affected Area consists entirely of The Applicant's property on Block 3568, Lot 26 within the Ridgewood neighborhood of Queens Community District 5. The 4,246 SF lot is located midblock on Decatur Street between Cypress Avenue and Seneca Avenue with 25 feet of street frontage and is bounded by Seneca Avenue to the north, St. Felix Avenue to the east, Cypress Avenue to the south, and Decatur Street to the west. Decatur Street is a 60-foot-wide, one-way northeast to southwest road with one moving lane in the northeast direction and curbside parking. Seneca Avenue is a 50-foot-wide, one-way northwest to southeast road with one

moving lane in the southeast direction and curbside parking. Seneca Avenue becomes a two-way road west of Decatur Street. Cypress Avenue is a 60-foot-wide, two-way northwest to southeast road with one moving lane in each direction and curbside parking. St. Felix Avenue is a 55-foot-wide, one-way northeast to southwest road with one moving lane in the southwest direction and curbside parking. A freight rail line runs generally north to south along the southeast property line of the Affected Area.

The Affected Area is within an M1-4D zoning district and the surrounding area includes R6B, R5B and R4-1 residential zoning districts along with a C2-4 overlay on Cypress Avenue north of Decatur Street. The surrounding area includes manufacturing (warehouses, self-storage), two-family and multi-family buildings, commercial buildings, and Evergreen Park (open space) owned by the Parks and Recreation Department.

The area is well-served by transit. The Halsey Street subway station provides service for the L line and is located approximately 1,600 feet to the southwest. Stops for the B20 bus line runs both ways on Cypress Avenue and stops at the corner of Decatur Street and Cypress Avenue.

1.4 Description of Affected Area

The Affected Area consists solely of The Applicant's property on Block 3568, Lot 26 within the Ridgewood neighborhood of Queens Community District 5. The 4,246 SF lot is located on the south of Decatur Street midblock between Cypress Avenue and Seneca Avenue with 25 feet of street frontage. Decatur Street is a 60-foot-wide, one-way street running northeast to southwest with one moving lane in the northeast direction and curbside parking. Seneca Avenue is a 50-foot-wide, one-way northwest to southeast road with one moving lane in the southeast direction and curbside parking. Seneca Avenue becomes a two-way road west of Decatur Street. Cypress Avenue is a 60-foot-wide, two-way northwest to southeast road with one moving lane in each direction and curbside parking. St. Felix Avenue is a 55-foot-wide, one-way northeast to southwest road with one moving lane in the southwest direction and curbside parking. A freight rail line runs generally north to south along the southeast property line of the Affected Area.

The Applicant Owned Development Site

The Affected Area consists entirely of the applicant-owned Development Site at 17-18 Decatur Street, (Block 3568, Lot 26). The proposed CPC authorization would allow for the demolition of the existing 1,584 GSF residential building and development of a new three story, residential building with cellar and roof deck. The building would be approximately 7,562 GSF (7,002 ZSF; 1.65 FAR) of residential uses. There would be 6 market rate dwelling units and no parking spaces provided (no parking spaces are required).

1.5 Description of the Proposed Project

The Proposed Project is the demolition of the existing 2-story, 1,584 GSF residential building with 2 dwelling units and development of a new three story, residential building with cellar and roof deck. The building would be approximately 7,562 GSF (7,002 ZSF; 1.65 FAR) of residential uses. There would be 6 market rate dwelling units and no parking spaces provided (no parking spaces are required). The existing structure was originally built around 1915 and is a legally non-conforming, two-family detached home.

1.6 Description of Actions Necessary to Facilitate the Proposed Project

The action necessary to facilitate the Proposed Project is a Zoning Authorization from the City Planning Commission pursuant to ZR 42-47 (Residential Uses in M1-4D through M1-5D Districts) to allow residential use in an M1-4D.

1.7 Purpose and Need

The Applicant believes the increased residential density within the Affected Area is appropriate in this location and will activate the pedestrian realm on this block of Decatur Street and provide quality residential construction and would be located within an area well-served by transit. The Proposed Project would meet the bulk and parking requirements of the M1-4D district and would result in development consistent with nearby uses.

The proposed residential development would not be permitted without the requested Zoning Authorization. Therefore, the Proposed Action would allow for development that would improve the existing residential housing stock located on this block of Decatur Street at a density consistent with the site's M1-4D zoning.

1.8 Analysis Framework

This EAS studies the potential for individual and cumulative environmental impacts related to the Proposed Action. This environmental assessment considers the potential effects of the Proposed Action by comparing the No-Action Scenario to the With-Action Scenario.

Existing Conditions

The existing conditions form a baseline to project the No-Action and With-Action Scenarios. The Affected Area consists of 1 tax lot containing approximately 4,246 square feet of land, and is improved with a 2-story, 1,584 GSF 2-unit residential building that was constructed in approximately 1915.

Reasonable Worst-Case Development Scenario

In order to assess the possible effects of the Proposed Action, a Reasonable Worst-Case Development Scenario ("RWCDS") was developed for both the future without the Proposed Action (Future No-Action) and the future with the Proposed Action (Future With-Action) for a two-year build period (build year 2021). The framework for analysis considers the difference between the future absent the Proposed Action (the "Future No-Action Condition") and the future with the Proposed Action ("the Future With-Action Condition") in the 2021 build year.

Future Without the Proposed Action

The future No-Action Scenario for the Affected Area is the same as existing conditions. It is expected that the existing residence with remain as a legal non-conforming residential use in a manufacturing district. The existing residential building can remain as a legal non-conforming use but cannot be expanded under the M1-4D zoning designation without a Zoning Authorization from the City Planning Commission.

Future With the Proposed Action

A Zoning Authorization pursuant to ZR 42-47 would permit a residential use at 17-18 Decatur Street. The Proposed Action would only affect the Applicant-Owned lot, Block 3568, Lot 26 (the Projected Development Site). The subject parcel is a 4,246 SF lot that would be developed with a 7,562 GSF (7,002 ZSF; 1.65 FAR) residential building as permitted by the bulk regulations of ZR 43-61 (Bulk Regulations for Residential Uses in M1-1D through M1-5D Districts). The building would be 3 stories and 32 feet tall with 6 dwelling units with a cellar. Accessory parking is not required pursuant to the parking regulations of ZR 44-28 (Parking Regulations for Residential Uses in M1-1D through M1-5D Districts).; therefore, no accessory parking would be provided. The existing 2-story, 1,584 GSF 2-unit residential structure on site would be demolished to allow the Proposed Project.

Table 1.8-1: RWCDS Analysis Framework – Existing, No-Action and With-Action Calculations (Projected Sites)

Site Info			Existing/No-Action Conditions				With-Action Condition			
Block	Lot	Lot Area (gsf)	Zoning	Res. (gsf)	DU	Commercial (gsf)	Zoning	Res. (gsf)	DU	Commercial (gsf)
3568	26	4,246	M1-4D	1,584	2	0	M1-4D	7,562	6	0
Total		**4,246**		**1,584**	**2**	**0**		**7,562**	**6**	**0**

DU = Dwelling Units
gsf = gross square feet
Res. = Residential

Table 1.8-2: RWCDS Incremental Analysis Table

Use	No-Action Condition	With-Action Condition	Increment
Residential[1]	2 DUs 1,584 gsf	6 DUs 7,562 gsf	4 Dus 5,978 gsf
Market Rate (DUs)	2	6	4
Affordable (DUs)[2]	0	0	0
Commercial (gsf)	0	0	0
Residents[3]	7	21	14
Workers[4]	0	0	0

Notes: 'DUs' indicates Dwelling Units; 'gsf' indicates gross square feet

[3] Assumes 3.4 persons per residential dwelling unit per Census Tract information in the ACS 2016

2.0 ENVIRONMENTAL REVIEW

2.1 Land Use, Zoning, and Public Policy

The *CEQR Technical Manual* recommends procedures for analysis of land use, zoning and public policy to ascertain the impacts of a project on the surrounding area. Land use, zoning and public policy are described in detail below. This section considers existing conditions, development trends, and zoning and other public policies in relation to the Affected Area and the surrounding area as well as the larger area in which the Proposed Action may have an effect. Because the Proposed Action would permit development of a use (Residential) that is not permitted as of right under the Affected Area's M1-4D zoning, a preliminary assessment of Land Use, Zoning, and Public Policy is provided.

Methodology

Following CEQR Technical Manual guidance, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, including any future changes in zoning that could cause changes in land use, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. In addition, the preliminary assessment should include a basic description of the project facilitated by the Proposed Action in order to determine whether a more detailed assessment of land use would be appropriate. This information is essential for conducting the other environmental analyses and provides a baseline for determining whether detailed analysis is appropriate. CEQR requires an assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas. Additionally, an assessment of public policy should accompany the assessment which includes any public policies including formal or published plans in the study area. A preliminary assessment of land use, zoning and public policy is provided for informational purposes and to determine if a more detailed analysis is warranted. This preliminary assessment of land use, zoning, and public policy focuses on an overview of conditions in the Affected Area and a detailed review of the 400-foot radius study area.

2.1.1 Land Use

Pursuant to Chapter 4, Section 111 of the *2020 CEQR Technical Manual*, land use refers to the activity that is occurring on land and within the structures that occupy it. Types of uses include residential, retail, commercial, industrial, vacant land, and parks. DCP's Primary Land Use Tax Lot Output (PLUTO) database provides data on the following land use types: one- and two-family residential buildings, multi-family walk-up residential buildings, multi-family elevator residential buildings, mixed residential and commercial buildings, commercial and office buildings, industrial and manufacturing, transportation and utility, public facilities and institutions, open space and outdoor recreation, parking facilities, and vacant land.

Existing land use patterns of city blocks within approximately 400 feet of the Affected Area are presented in **Figure 1-4**. The *CEQR Technical Manual* suggests that an appropriate study area for land use and zoning is related to the type and size of the project being proposed as well as the location and neighborhood context of the area that could be affected by the project. Unless the project involves large scale, high density development or is a generic project, the study area should generally include at least the project site and the area within 400 feet of the site's boundaries.

Existing Conditions—Affected Area
The Affected Area, identified as Block 3542, Lot 26 on the New York City Tax Map, is located in the Ridgewood neighborhood of Queens between Cypress Avenue and Seneca Avenue on the south side of Decatur Street.

Projected Development Site
The Applicant's Site, 17-18 Decatur Street (Block 3568, Lot 26), is a 4,246 SF lot. The lot is currently improved with a 2-story, 1,584 GSF residential building with 2 dwelling units. It was constructed in 1915, prior to the 1961 zoning resolution that mapped this area as a manufacturing district. The 2000 Ridgewood and SOMA rezoning established an M1-4D district on the Affected Area. Currently UGs 4-14, 16 and 17 are permitted as-of-right; the proposed Zoning Authorization would allow residential UG 2 development at the Projected Development Site.

Other Affected Sites
As the Zoning Authorization from the City Planning Commission is only requested for the Projected Development Site, there are no other affected sites as part of this application.

Existing Conditions—Surrounding Area
Existing land uses within the 400-foot surrounding area consist of a commercial building, two-story multi-family residential buildings, and manufacturing/industrial buildings. There are additional existing residential apartment buildings located on Decatur Street adjacent to and across the street from the Projected Development Site. Local retail uses are located on Cypress Avenue a half block to the west. Freight tracks of the LIRR are located to the rear (south) of the Affected Area.

Analysis

Future No-Action Scenario

In the future without the Proposed Action, it is expected that no changes in use or occupancy would occur within the Affected Area since the existing residential use has been in place since approximately 1915. Expansion of the existing legal, non-conforming use would not be possible without the requested Zoning Authorization. Therefore, for the purposes of this analysis, it is assumed that conditions in the No-Action scenario would be consistent with the existing conditions.

There is one known active project in the Study Area. It is located at 16-16 Summerfield Street and is proposed to be a 4-story tall, 125-room hotel building. Hotels were not considered as a potential use for the Projected Development Site or the Affected Area because of the requirement that transient hotels shall obtain a special permit within a manufacturing district.

Future With-Action Scenario

Under the With-Action Scenario the proposed Zoning Authorization would allow for residential development of the Affected Area. No other sites would be affected by the Proposed Action.

Affected Area (Applicant's Project Site): Block 3568, Lot 26

The Applicant's Site, 17-18 Decatur Street (Block 3568, Lot 26), is a 4,246 SF lot with frontage on the south side of Decatur Street. The lot is currently improved with a 2-story, 1,584 GSF residential building with 2 dwelling units. Currently, UGs 4-14, 16 and 17 are permitted as-of-right by the site's M1-4D zoning. The proposed Zoning Authorization would permit residential UG 2 on the Projected Development Site.

The Projected Development Site (Affected Area) would be developed with a 7,562 GSF (7,002 ZSF; 1.65 FAR) residential building as permitted by the bulk regulations of ZR 43-61 (Bulk Regulations for Residential Uses in M1-1D through M1-5D Districts). The building would be 3 stories and 32 feet tall with 6 dwelling units with a cellar. Accessory parking is not required pursuant to the parking regulations of ZR 44-28 (Parking Regulations for Residential Uses in M1-1D through M1-5D Districts).; therefore, no accessory parking would be provided.

Conclusion

The Proposed Zoning Authorization would allow for a residential use in the manufacturing district in which the Affected Area is located. The existing 2-unit residential structure within the Affected Area would be demolished and replaced with a slightly higher intensity residential building that complies with the bulk regulations of the M1-4D district. This specific block of Decatur Street is predominantly residential, and local commercial uses are located a half block away on Seneca Avenue. The Proposed Action would allow for a use and density that is similar to residential development in the area and would therefore not result in a significant adverse impact to existing land uses.

2.1.2 Zoning

The *New York City Zoning Resolution* dictates the use, density and bulk of developments within New York City. The City has three basic zoning district classifications – residential (R), commercial (C), and manufacturing (M). These classifications are further divided into low, medium, and high-density districts.

Zoning designations within and around the project study area are depicted in **Figure 1-4**, while **Table 2.1-1** summarizes use, floor area and parking requirements for the zoning districts in the study area.

Existing Conditions—Affected Area

The Affected Area is within an M1-4D zoning district. The M1-4D district permits a maximum commercial FAR up to 2.0, manufacturing FAR of up to 2.0, and community facility FAR up to 6.5.

Existing Conditions—Surrounding Area

The zoning districts within 400 feet of the Affected Area are M1-4, M1-4D, R6, R6B, R5B, R4-1, and R3-2. R6B, R6 and R4-1 are medium density residence districts allowing residential and community facility development. M1-4 and M1-4D are light manufacturing districts that serve as buffers between M2 or M3 manufacturing districts and are often times adjacent to residential and commercial districts. The M1-4D district permits residential development by CPC Authorization.

Table 2.1-1: Summary of Existing Zoning Regulations

Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Parking (Required Spaces)
M1-4D	UGs 1-2 by authorization, 4-14, 16 and 17	2.0 FAR – Commercial & Industrial 1.65 FAR Residential 6.5 FAR Community Facility	None
M1-4	UGs 4-14, 16 and 17	2.0 FAR – Commercial & Industrial 6.5 FAR Community Facility	None
R6B	UGs 1-4	2.00 FAR - Residential 2.20 FAR-Residential (Inclusionary) 2.0 Community Facility	50% of dwelling units 25% of Inclusionary
R5B	UGs 1-4	2.00 FAR - Residential 2.20 FAR-Residential (Inclusionary) 2.0 Community Facility	66% of dwelling units 42.5% of Inclusionary
R4-1	UGs 1-4	0.75 FAR – Residential plus attic allowance 2.0 Community Facility	1 per DU
C2-4	Commercial UGs	Commercial FAR of 1.0 within R1-R5 Commercial FAR of 2.0 within R6-R10	1 per 1,000 SF

Source: Zoning Handbook, New York City Department of City Planning, January 2019

Existing zoning districts in the surrounding area include:

M1-4D

M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Nearly all industrial uses are allowed in M1 districts if they meet the stringent M1 performance standards. Offices, hotels and most retail uses are also permitted. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit, but houses of worship are allowed as-of-right. In M1-1D through M1-5D Districts, new residential uses are permitted by CPC authorization (ZR 42-47), in recognition of pre-existing residential buildings.

Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use.

M1-4

These districts are designed for a wide range of manufacturing and related uses which can conform to a high level of performance standards. Manufacturing establishments of this type, within completely enclosed buildings, provide a buffer between Residence (or Commercial) Districts and other industrial uses which involve more objectionable influences.

R5B

Although an R5B contextual district permits detached and semi-detached buildings, it is primarily a three-story rowhouse district typical of such neighborhoods as Windsor Terrace and Bay Ridge in Brooklyn. The traditional quality of R5B districts is reflected in the district's height and setback, front yard and curb cuts regulations that maintain the character of the neighborhood.

The floor area ratio (FAR) of 1.35 typically produces a building with a maximum street wall height of 30 feet, above which the building slopes or is set back to a maximum height of 33 feet. As in R4B districts, the front yard must be at least five feet deep and it must be at least as deep as one adjacent front yard and no deeper than the other, but it need not exceed a depth of 20 feet. Attached rowhouses do not require side yards but there must be at least eight feet between the end buildings in a row and buildings on adjacent zoning lots. Curb cuts are prohibited on zoning lot frontages less than 40 feet. Where off-street parking is required, on-site spaces must be provided for two-thirds of the dwelling units although parking can be waived when only one space is required. Requirements are lower for income-restricted housing units (IRHU) and are further modified within the Transit Zone. Front yard parking is prohibited.

R6B

R6B districts are often traditional row house districts, which preserve the scale and harmonious streetscape of neighborhoods of four-story attached buildings developed during the 19th century. Many of these houses are set back from the street with stoops and small front yards that are typical of Brooklyn's "brownstone" neighborhoods, such as Park Slope, Boerum Hill and Bedford Stuyvesant.

The Floor Area Ratio (FAR) of 2.0 and the mandatory Quality Housing regulations also accommodate apartment buildings at a similar four- to five-story scale. The base height of a new building before setback must be between 30 and 40 feet and the maximum height is 50 feet. For buildings providing a qualifying ground floor, the maximum base height and overall height increase by five feet. Curb cuts are prohibited on zoning lot frontages less than 40 feet. The street wall of a new building, on any lot up to 50 feet wide, must be as deep as one adjacent street wall but no deeper than the other. Buildings must have interior amenities for the residents pursuant to the Quality Housing Program.

Off-street parking is generally required for 50 percent of a building's dwelling units, but requirements are lower for income-restricted housing units (IRHU) and are further modified in certain areas, such as within the Transit Zone and the Manhattan Core, or for

lots less than 10,000 square feet. Parking can be waived if five or fewer spaces are required. Off-street parking is not allowed in front of a building.

R4-1

R4-1 contextual districts, like R3-1 districts, permit only one- and two-family detached and semi-detached houses. Despite a narrower minimum lot width of 25 feet for detached homes, houses in R4-1 districts tend to be larger than those in R3-1 districts because of the higher floor area ratio (FAR) of 0.75 plus an attic allowance. The perimeter wall may rise to 25 feet, compared to 21 feet in R3-1 districts, before sloping or being set back to a maximum building height of 35 feet. Sections of Middle Village in Queens and Bay Ridge in Brooklyn are in the R4-1 district.

Two side yards that total eight feet must be provided for a detached residence. There is no minimum width for each side yard but there must be eight feet between buildings on adjacent zoning lots. One four-foot side yard is required for each semi-detached residence, which must be on a lot at least 18 feet wide. Zero lot line buildings permitted in R4-1 districts, require only one eight-foot side yard. Front yards must be at least 10 feet deep and at least as deep as an adjacent front yard but need not exceed a depth of 20 feet. Parking must be within the side or rear yard or in a garage. An in-house garage is permitted within a semi-detached house, or in a detached house if the lot is 35 feet or wider. One off-street parking space is required for each dwelling unit.

R3-2

R3-2 districts are general residence districts that allow a variety of housing types, including low-rise attached houses, small multifamily apartment houses, and detached and semi-detached one- and two-family residences. It is the lowest density zoning district in which multiple dwellings are permitted. Because of their flexibility, R3-2 districts are mapped widely in all boroughs except Manhattan.

The 0.5 floor area ratio (FAR) may be increased by an attic allowance of up to 20% for the inclusion of space beneath a pitched roof. The perimeter wall may rise to 21 feet before sloping or being set back to a maximum building height of 35 feet. Lots with detached homes must be at least 40 feet wide; if occupied by semi-detached and attached buildings, lots must be at least 18 feet wide. The maximum street wall length for a building on a zoning lot is 125 feet. The maximum lot coverage of any residence is 35%. Front yards must be at least 15 feet deep. Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon; parking is also allowed within the front yard when the lot is wider than 35 feet. One off-street parking space is required for each dwelling unit. However, requirements are lower for income-restricted housing units (IRHU) and are further modified within the Transit Zone.

C2-4

C2-4 districts are commercial overlays mapped within residence districts. Mapped along streets that serve local retail needs, they are found extensively throughout the city's lower- and medium-density areas and occasionally in higher-density districts.

Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. C2-4 districts permit a slightly wider range of uses, such as funeral homes and repair services. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use.

When commercial overlays are mapped in R1 through R5 districts, the maximum commercial floor area ratio (FAR) is 1.0; when mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. Commercial buildings are subject to commercial bulk rules.

Overlay districts differ from other commercial districts in that residential bulk is governed by the residence district within which the overlay is mapped. All other commercial districts that permit residential use are assigned a specific residential district equivalent. Unless otherwise indicated on the zoning maps, the depth of overlay districts ranges from 100 to 200 feet.

Analysis

Future No-Action Scenario

Existing zoning is expected to continue in the surrounding area in the future without the Proposed Action. There are no known zoning changes within the zoning study area. The zoning in the study area consists of manufacturing, commercial and residential districts. Any new development in surrounding areas would be governed by the existing zoning regulations.

Future With-Action Scenario

A Zoning Authorization pursuant to ZR 42-47 would permit a residential use in the Affected Area. It would be developed with a 7,562 GSF (7,002 ZSF; 1.65 FAR). The building would be 3 stories and 32 feet tall with 6 dwelling units. Accessory parking is not required; therefore, no accessory parking would be provided.

Conclusion

The Proposed Action would authorize a residential use in the Affected Area. The proposed Zoning Authorization would allow a use and bulk of development that is consistent with the existing built form along Decatur street, which are two-family residential and multifamily walk-up buildings. Therefore, no significant adverse impacts are expected as a result of the Proposed Action, and further analysis is not required.

2.1.3 Public Policy

Officially adopted and promulgated public policies describe the intended use applicable to an area or particular site(s) in the City. The Affected Area is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, or an Industrial Business Zone (IBZ), The Affected Area is not located within the Waterfront Revitalization Program boundaries or the Jamaica Bay Watershed boundaries.

The Affected Area is within a Designated Area Within Manufacturing Districts according to Appendix J. As the Affected Area does not contain and will not contain any self-service storage facilities, this policy is not applicable to the Proposed Action.

Future No-Action Scenario

There are no relevant changes to public policy expected in the study area in the Future No-Action Scenario.

Future With-Action Scenario

There are no relevant changes to public policy expected in the study area in the Future With-Action Scenario.

Conclusion

The Proposed Action would not adversely affect the neighborhood, impair the appropriate use or development of adjacent property or be detrimental to the public welfare. Therefore, the Proposed Action would not pose a potential significant adverse effect to public policy.

2.2 Historic and Cultural Resources

Per the *2020 CEQR Technical Manual,* an Historic and Cultural Resources Assessment for archaeological resources is required for projects that would result in any in-ground disturbance. An assessment for architectural resources would be required for projects that resulted in new construction, demolition or significant physical alteration to any building; a change in scale, visual prominence or visual context of a building; additions to or removal of historic landscape features; screening or elimination of publicly accessible views; or introduction of a significant new shadows on an historic landscape or structure if the features of the structure depend on sunlight.

Methodology

In general, potential impacts to architectural resources can include both direct, physical impacts and indirect, contextual impacts. Direct impacts include demolition of a resource and alterations to a resource that cause it to become a different visual entity. Contextual impacts can include the isolation of a property from its surrounding environment, or the introduction of visual, audible, or atmospheric elements that are out of character with a property or that alter its setting. The study area for architectural resources is, therefore, larger than the archaeological resources study area to account for any potential impacts that may occur where proposed activities could physically alter architectural resources or be close enough to them to potentially cause physical damage or visual or contextual impacts.

Following the guidelines of the 2020 CEQR Technical Manual, the architectural resources study area for this project is defined as being within an approximately 400-foot radius of the Project Site. Within the study area, architectural resources that were analyzed include known architectural resources, defined as National Historic Landmarks (NHLs); properties listed in the State or National Register of Historic Places (S/NR) or determined eligible for such listing (S/NR-eligible); and New York City Landmarks (NYCLs), Interior Landmarks, Scenic Landmarks, Historic Districts, and properties calendared for landmark designation by the Landmarks Preservation Commission (LPC).

Architectural Resources

Per CEQR Technical Manual guidelines, impacts on historic resources are considered on those sites affected by the Proposed Action and in the area surrounding identified development sites. The historic resources study area is therefore defined as the project site plus an approximately 400-foot radius around the proposed action area.

To determine whether the Proposed Action has the potential to affect nearby off-site historic or architectural resources, the study area was screened for historic and architectural resources. No architectural resources were found in the project area that were considered historic or significant.

The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and by letter dated October 2, 2019 indicating that the Study Area does not contain any sites of buildings of known architectural significance (see **Appendix A**).

Cultural and Archaeological Resources

Unlike the architectural evaluation of a study area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts to archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Archeological resources are physical remains, usually subsurface, of the prehistoric and historic periods such as burials, foundations, artifacts, wells and privies. The CEQR Technical Manual requires a detailed evaluation of a project's potential effect on the archeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated.

The Proposed Action would result in new in-ground construction on the Projected Development Site. As noted, the LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on October 2, 2019 (see **Appendix A**). The LPC has indicated that no cultural resources of archaeological significance are associated with the Affected Area. Therefore, significant adverse impacts to archaeological resources are not expected because of the Proposed Action, and further analysis is not required.

Conclusion

No architectural or archaeological resources were identified within the Affected Area or within the 400-foot study area. LPC was contacted for project review and indicated that no resources were associated with the Affected Area. No significant adverse impacts to architectural or archaeological resources are expected to occur as a result of the Proposed Action and further analysis is not required.

2.3 Urban Design and Visual Resources

According to the CEQR Technical Manual, urban design is the totality of components that may affect a pedestrian's experience of public space. Elements that play an important role in the pedestrian's experience include streets, buildings, visual resources, open space, and natural features, as well as wind as it relates to channelization and downwash pressure from tall buildings. Pursuant to the 2020 CEQR Technical Manual, an assessment of Urban Design may be warranted when a Proposed Action may affect one or more of the elements that contribute to the pedestrian experience of an area, specifically the arrangement, appearance, and functionality of the built environment. As stated in the CEQR Technical Manual, the Study Area for urban design is the area where the project may influence land use patterns and the built environment, and is generally consistent with the Study Area used for the land use analysis (i.e., 400 feet around the project sites). For visual resources, existing publicly accessible view corridors within the Study Area should be identified. The purpose of the preliminary assessment is to determine whether any physical changes proposed by a project may raise the potential to significantly and adversely affect elements of urban design, which would warrant the need for a detailed urban design and visual resources assessment.

Within the Study Area there are no potential visual resources, and there would be no significant adverse effects to visual resources as a result of the Proposed Action.

Preliminary Assessment

The Affected Area consists of a single midblock lot along Decatur Street in Queens and is described in detail in **Section 1.4** and **2.1.1.**

As stated in the project description and **Section 1.3**, the surrounding area includes manufacturing (warehouses and self-storage uses), two-family and multi-family buildings, commercial buildings, and a park owned by the Parks and Recreation Department. The one- and two-family homes are between one and two stories in height, with either brick or aluminum siding facades. Most homes include a stoop and fenced-in front yard with scattered plantings. Three-story mixed-use commercial and residential buildings are along Cypress Avenue, with ground floor retail and upper floors residential and exhibit similar built-form to midblock residential uses. Sidewalks in the area are wide and in good repair, with regular tree plantings.

The traffic grid is regular, with smaller residential roads such as Decatur Street and Summerfield Street feeding into larger collector roads. The bounding roads include Decatur Street, Cypress Avenue, Seneca Avenue, and St. Felix Avenue. Decatur Street is a 60-foot-wide, one-way northeast to southwest road with one moving lane in the northeast direction and curbside parking. Seneca Avenue is a 50-foot-wide, one-way northwest to southeast road with one moving lane in the southeast direction and curbside parking. Seneca Avenue becomes a two-way road west of Decatur Street. Cypress Avenue is a 60-foot-wide, two-way northwest to southeast road with one moving lane in each direction and curbside parking. St. Felix Avenue is a 55-foot-wide, one-way northeast to southwest road with one moving lane in the southwest direction and curbside parking. A freight rail line runs generally north to south along the southeast property line of the Affected Area.

Figure 2.3-1 below shows an aerial view of the Affected Area and the Study Area (400' buffer around the Affected Area).

Figure 2.3-1: Aerial Map

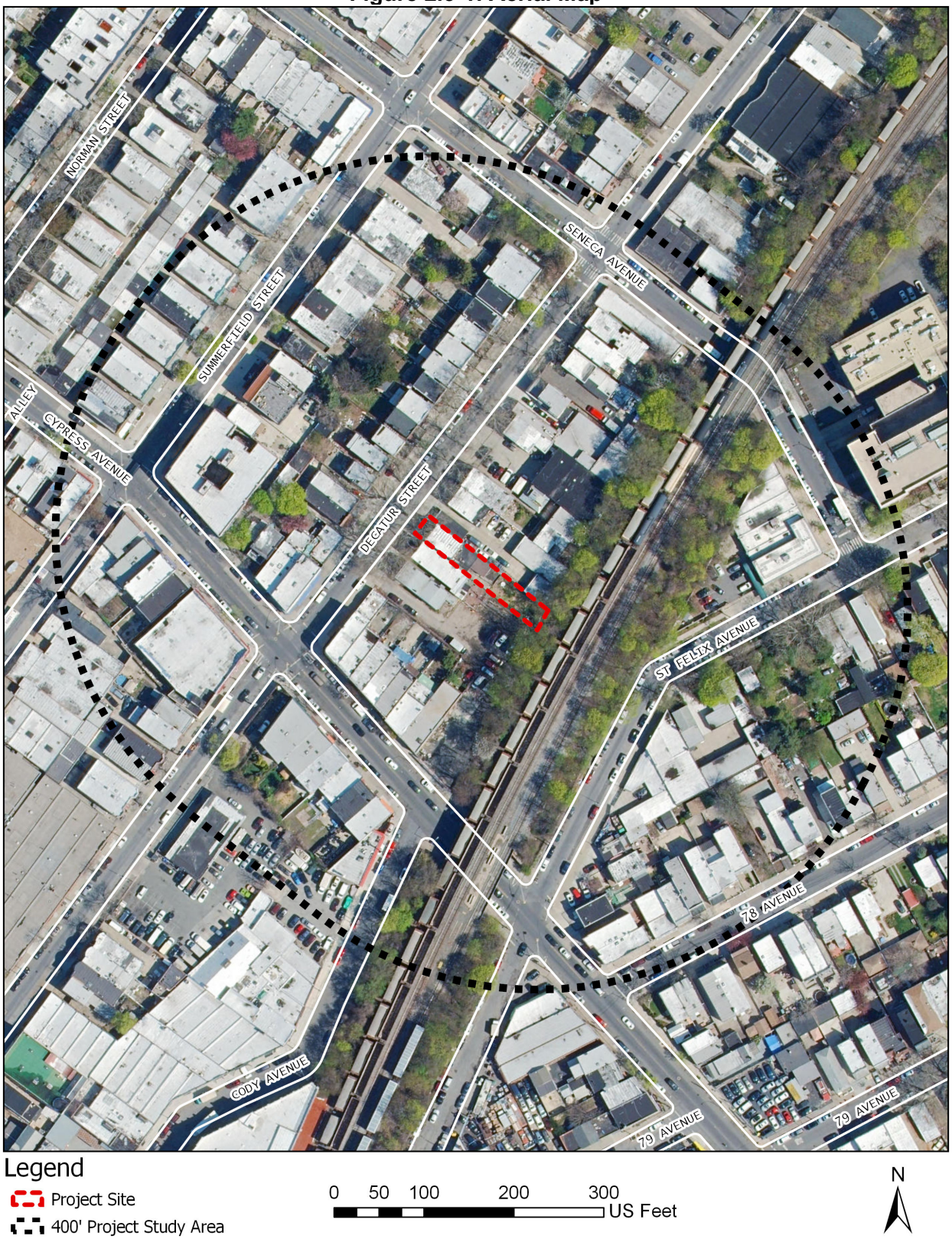


Figure 2.3-2: Photo Key

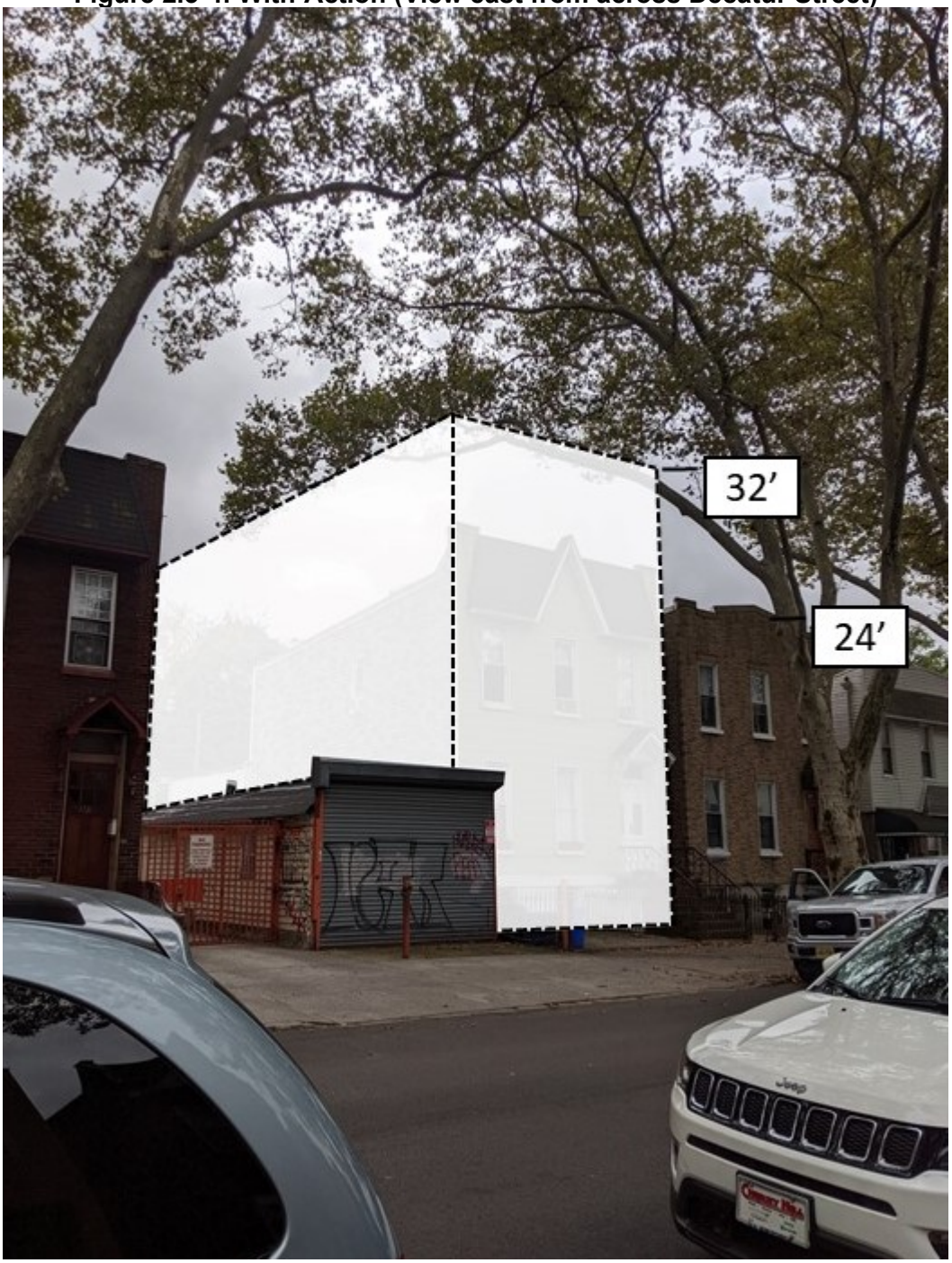
1. View of the Site facing southeast from Decatur Street.

2. View of Decatur Street facing northeast (Site at right).

The following figures show the reasonable worst-case development (as described in **Section 1.8**) building massing and compares these massings to existing conditions.

Figure 2.3-3: Existing and No-Action Conditions (View east from across Decatur Street)

Figure 2.3-4: With-Action (View east from across Decatur Street)



Analysis

Future No-Action Scenario

Under no-action conditions it is presumed that no additional floor area or changes in use would occur at the Affected Area or within the Study Area and existing conditions would prevail. There are no active construction projects within the Study Area. The existing 27-foot-tall, 1,584 GSF residential building would remain.

Future With-Action Scenario

The Proposed Project is the demolition of the existing 2-story, 1,584 GSF residential building with 2 dwelling units and development of a new three story, residential building with cellar and roof deck. The building would be approximately 7,562 GSF (7,002 ZSF; 1.65 FAR) of residential uses. The existing structure was originally built around 1915 and is a legally non-conforming, two-family detached home.

The Proposed Action would be similar in context with the existing buildings along Decatur Street, which are predominantly residential multi-family. There would be no increase in density and an approximately 5-foot increase in building height, and no other changes that may impact Urban Design. The increase in building height is not expected to have significant adverse impacts on Urban Design.

Conclusion

The development facilitated by the Proposed Action would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood. It would not significantly change the pedestrian experience, nor would it disturb the vitality, walkability, or the visual character of the area. Therefore, the Proposed Action would not result in any significant adverse impacts to the constituent elements of Urban Design, and a detailed analysis is not warranted.

2.4 Hazardous Materials

Per the *2020 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 (VOCs and SVOCs), methane, polychlorinated biphenyls (PCBs), and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). Per the *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: a) hazardous materials exist on a site; and b) action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

Pursuant to *CEQR Technical Manual* methodology, actions that would result in ground disturbance in an area where current or past uses on or near the site raise the potential for the presence of hazardous materials should be assessed for hazardous materials.

Methodology

The hazardous materials assessment generally begins with a Phase 1 ESA, which is a qualitative evaluation of the environmental conditions present at a site, based on a review of available information site observations, and interviews. Pursuant to the *2020 CEQR Technical Manual*, the Phase 1 ESA is conducted in accordance with the standards established by the current ASTM Phase 1 ESA Standard and includes research and field observations to determine whether the site may contain contamination from either past or present activities on the site or as a result of activities on adjacent or nearby properties. If a potential Recognized Environmental Condition (REC) is identified during this assessment, then further subsurface investigations may be conducted as part of a Phase II ESA to confirm the presence and extent of the contamination.

Introduction

The Subject Property is known as 17-18 Decatur Street and is located at 17-18 Decatur Street, Queens, NY. It is 4,290 square feet and is currently developed with a 2-story, 1,584 GSF residential building with 2 dwelling units.

Summary of Phase I Environmental Site Assessment

Conditions at the project site resulting from previous and existing uses and those in surrounding areas were determined from a Phase 1 Environmental Site Assessment (ESA) prepared by Equity Environmental Engineering in September 2019. The Phase I ESA was performed pursuant to ASTM Standard E-1527-13. The purpose of this Phase I ESA is to determine whether any type of hazardous substance or petroleum product exists within or adjacent to the property in question. Environmental hazards would include, but not be limited to, hazardous/toxic wastes or raw chemicals stored, dumped, or spilled on the site, underground and above ground storage of petroleum or hazardous materials; and identification of potential off-site sources of hazardous waste contamination, such as industrial facilities adjacent to the subject property.

Scope of Work

The Phase I ESA conducted at the Subject Property was in general accordance with ASTM Standard E 1527-13 and included the following:

- Site and vicinity reconnaissance;
- Description of current site operations;
- Historical source review and description of historical site conditions;
- Interviews with owners, operators, and/or occupants of the Site, and/or local officials, as applicable;
- Review of environmental databases and regulatory agency records;
- Review of previous environmental reports/documentation, as applicable;
- Review of environmental liens, if provided or authorized to be obtained by the user; and
- Preparation of a report summarizing findings, opinions, and conclusions

Typically, a Phase I ESA does not include sampling or testing of air, soil, groundwater, surface water, or building materials. These activities would be carried out in a Phase II ESA, if required.

Findings of the Phase I ESA

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release, or a material threat of a release into structures on the property or into the ground, groundwater or surface waters of the property. Historic RECs (HRECs) are RECs previously remediated to government standards. Controlled RECs (CRECs) are RECs in which some form or institutional or engineering control has been implemented to contain the REC. De minimis RECs are those that do not present a threat to health or the environment and would not be the subject of an enforcement action by a government agency. A Vapor Encroachment Condition (VEC) is the presence or likely presence of chemical of concern vapors in the subsurface of the target property caused by the release of vapors from contaminated soil and/or groundwater either on or near the target property. All RECs and VECs are discussed below. The Phase I ESA has revealed the following environmental conditions:

- **RECs** - Equity found no RECs associated with the property.
- **HRECs** - Equity found no HRECs associated with the property.
- **CRECs** - Equity found no CRECs associated with the property.
- **VECs** - The EDR Vapor Encroachment database identified numerous VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to a historical dry cleaner, two leaking USTs, five abandoned leaking oil drums, and an oil spill of unknown quantity at the intersection of Cypress Avenue and Summerfield Street . Based on these findings, a possible vapor encroachment cannot be ruled out.

Conclusion

The Phase I ESA was submitted to DEP for review and approval. The Phase I ESA could not rule out VECs for the Projected Development Site, and it was recommended that a Phase II be

prepared and submitted to DEP for their review and approval. By letter dated June 23, 2020, DEP concurred with the findings and the recommendation for an E-Designation for the property. Because an occupied building exists on the Projected Development Site and a Phase II investigation would not be possible until the building is vacated and demolished, The Applicant has opted to place an E-Designation on the property:

E-Designation E-581

The text for (E) designation E-581 related to hazardous materials is 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 he 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.

With this (E) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted.

2.5 Air Quality

When assessing the potential for air quality significant adverse impacts, the *CEQR Technical Manual* seeks to determine a Proposed Action's effect on ambient air quality or the quality of the surrounding air. Ambient air can be affected by motor vehicles, referred to as "mobile sources," or by fixed facilities, referred to as "stationary sources." This can occur during operation and/or construction of a project being proposed. The pollutants of most concern are carbon monoxide, lead, nitrogen dioxide, ozone, relatively coarse inhalable particulates (PM_{10}), fine particulate matter ($PM_{2.5}$), and sulfur dioxide.

The *CEQR Technical Manual* generally recommends an assessment of the potential impact of mobile sources on air quality when an action increases traffic or causes a redistribution of traffic flows, creates any other mobile sources of pollutants (such as diesel train usage), or adds new uses near mobile sources (e.g., roadways, parking lots, garages). The *CEQR Technical Manual* generally recommends assessments when new stationary sources of pollutants are created, when a new user might be affected by existing stationary sources, or when stationary sources are added near existing sources and the combined dispersion of emissions would impact surrounding areas.

Introduction

The Proposed Action would introduce a new 6-unit residential use to the neighborhood. The Project Site is located at 17-18 Decatur Street in Queens Community District 5.

The Project Site is located within an M1-4D manufacturing zoning district. Therefore, the potential that nearby emission sources could adversely affect the proposed project occupants must be considered. Additionally, the proposed project would result in the development of a building that would have an HVAC system that would be an emission source. Accordingly, potential adverse impacts from the proposed building stack on existing buildings must also be evaluated.

Mobile Sources

According to the *CEQR Technical Manual*, projects, whether site-specific or generic, may result in significant adverse mobile source air quality impacts when they increase or cause a redistribution of traffic; create any other mobile sources of pollutants (such as diesel trains, helicopters etc.); or add new uses near mobile sources (roadways, garages, parking lots, etc.). Projects requiring further assessment include:

- *Projects that would result in the placement of operable windows, balconies, air intakes or intake vents generally within 200 feet of an atypical source of vehicular pollutants;*
- *Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on such a roadway or would add new uses near such a roadway;*
- *Projects that would generate peak hour auto traffic or divert existing peak hour traffic of 170 or more auto trips in this area of the City;*
- *Projects that would generate peak hour heavy-duty diesel vehicle traffic or its equivalent in vehicular emissions resulting from 12 or more heavy-duty diesel vehicles (HDDVs) for paved roads with average daily traffic of fewer than 5,000 vehicles, 19 or more HDDVs*

for collector roads, 23 or more HDDVs for principal and minor arterials, or 23 or more HDDVs for expressways and limited-access roads;
- *Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents;*
- *Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal); and/or*
- *Projects that would substantially increase the vehicle miles traveled in a large area.*

The Proposed Action would not result in operable windows or air intakes within 200 feet of an atypical roadway. It would not result in the creation of a covered roadway or affect any covered roadway. Peak hour trip generation is far below the 170-car threshold identified in Section 17-210 of the CEQR Technical Manual as potentially warranting further assessment. The project would not generate diesel traffic. The project would not create a new sensitive receptor adjacent to large parking facilities. The project would not result in the creation of a new parking facility. The project would not result in any other mobile sources of pollution and would not significantly increase vehicle miles traveled in a large area.

To ensure the project would not cause an adverse impact on the mobile source emissions, a mobile source impact screening for PM2.5 was conducted. The screening included the use of the worksheet provided in the CEQR Technical Manual Section 210 and the NYS DOT Highway Functional Classification. The screening included the calculation of the equivalent HDDV trips for 50 passenger cars on Decatur Street. Decatur is classified as a major collector road by NYS DOT and passes the screening calculation (see **Table 2.5-1**) Therefore, no further assessment of the potential for mobile source air quality adverse impacts is warranted.

Table 2.5-1: Mobile Screening for PM2.5

Road Types	Equ. truck	Screen value	PM2.5 Screen
Paved road < 5000 veh/day	24	13	Fail Screen
Collector roads	10	20	Pass Screen
Principal and minor arterials	2	23	Pass Screen
Expressways and limited access roads	2	23	Pass Screen

Stationary Sources

According to the *2020 CEQR Technical Manual*, projects may result in stationary source air quality impacts when one or more of the following occurs:

- *New stationary sources of pollutants are created (e.g., emission stacks for industrial plants, hospitals, and other large institutional uses);*
- *Certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use;*
- *Structures near such stacks are introduced so that the structures may change the dispersion of emissions from the stacks so that surrounding uses are affected;*
- *Fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems are used;*

- *Large emission sources are created (e.g., solid waste or medical-waste incinerators, cogeneration facilities, asphalt/concrete plants, or power-generating plants, etc.);*
- *New sensitive uses are located near a large emission source;*
- *Medical, chemical or research labs are created or result in new uses being located near them;*
- *Operation of manufacturing or processing facilities is created;*
- *New sensitive uses created within 400 feet of manufacturing or processing facilities;*
- *New uses created within 400 feet of a stack associated with commercial, institutional, or residential developments (and the height of the new structures would be similar to or greater than the height of the emission stack);*
- *Potentially significant odors are created;*
- *New uses near an odor-producing facility are created;*
- *"Non-point" sources that could result in fugitive dust are created;*
- *New uses near nonpoint sources are created; and/or*
- *A generic or programmatic action is introduced that would change or create a stationary source or that would expose new populations to such a station*

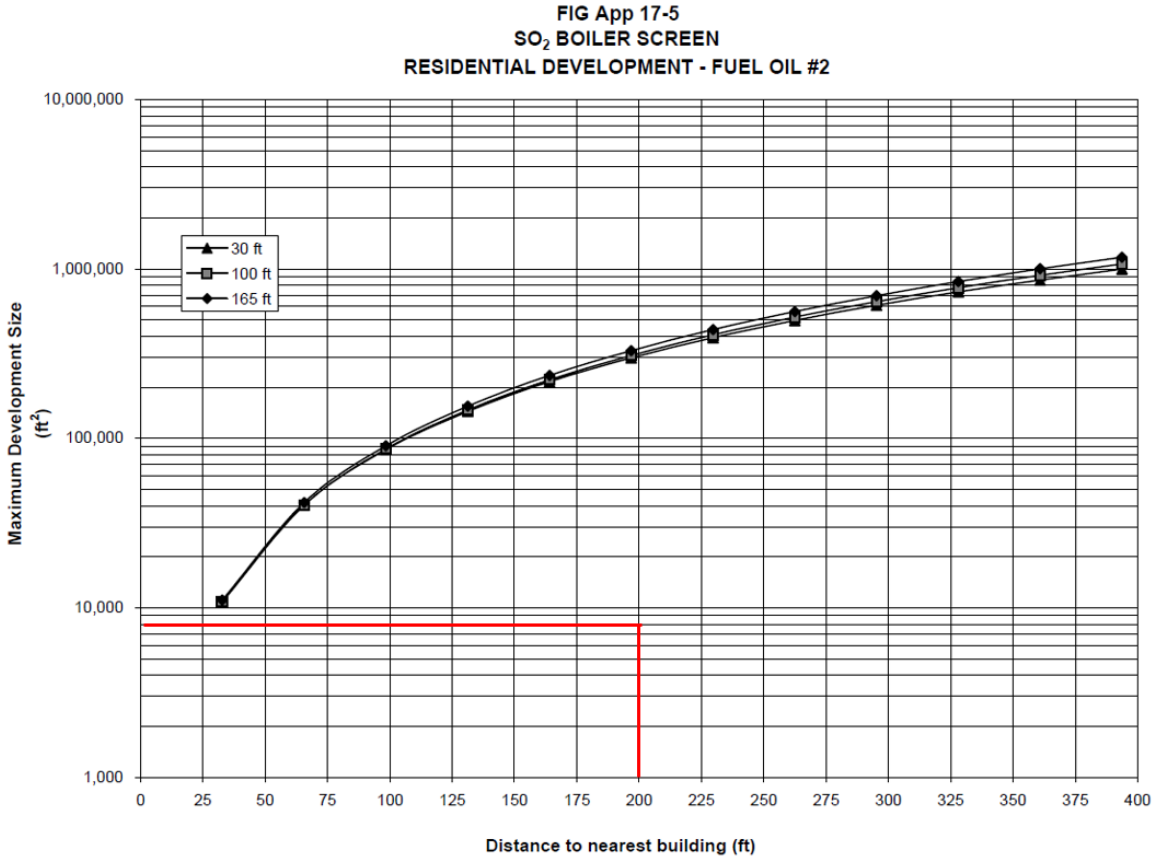
Impacts from boiler emissions at Projected Development Sites are a function of fuel oil type, stack height, minimum distance from the source to the nearest building, and square footage of the development. Per the project sponsor, the existing building utilizes natural gas. Additionally, an HVAC Design Plan was designed by the architect, so details about the HVAC system are provided in the plans.

A survey of the land use map indicates the closest building of equal or greater height (that could be affected by the Proposed Projects source of emissions) is a four (4) story residential building located at Cypress Avenue and Summerfield Street, approximately 200 feet west of the subject building. Therefore, the nearest operable window of equal or greater height from the proposed HVAC stack location is approximately 200 feet. An Air Quality Screening based on this information is shown below in **Figure 2.5-1.** The proposed building is below the 10,000 GSF threshold where HVAC impacts may be expected to occur, and therefore no adverse impacts are anticipated.

To preclude the potential for significant adverse impacts related to air quality, an (E) designation, E-581, would be incorporated into the rezoning proposal for Block 2389 Lot 20. The text for (E) designation E-581 is as follows:

> *Block 3568, Lots 26: Any new residential development and/or enlargement on the above-referenced property must ensure the heating, ventilating, and air conditioning (HVAC) systems and the hot water equipment stack is located at least 35 feet above grade to avoid any potential significant adverse air quality impacts.*

Figure 2.5-1: HVAC Screen



Industrial Emissions

A search of potential industrial sites was performed to identify any NYC DEP Air Quality Permits issued within 400 feet of the Affected Area. The study area and uses preliminarily identified as manufacturing or industrial based on NYCDCP MAPPLUTO database are identified in **Figure 2.5-2**. This search was performed to determine if hazardous air toxics would have the potential to impact the Proposed Project.

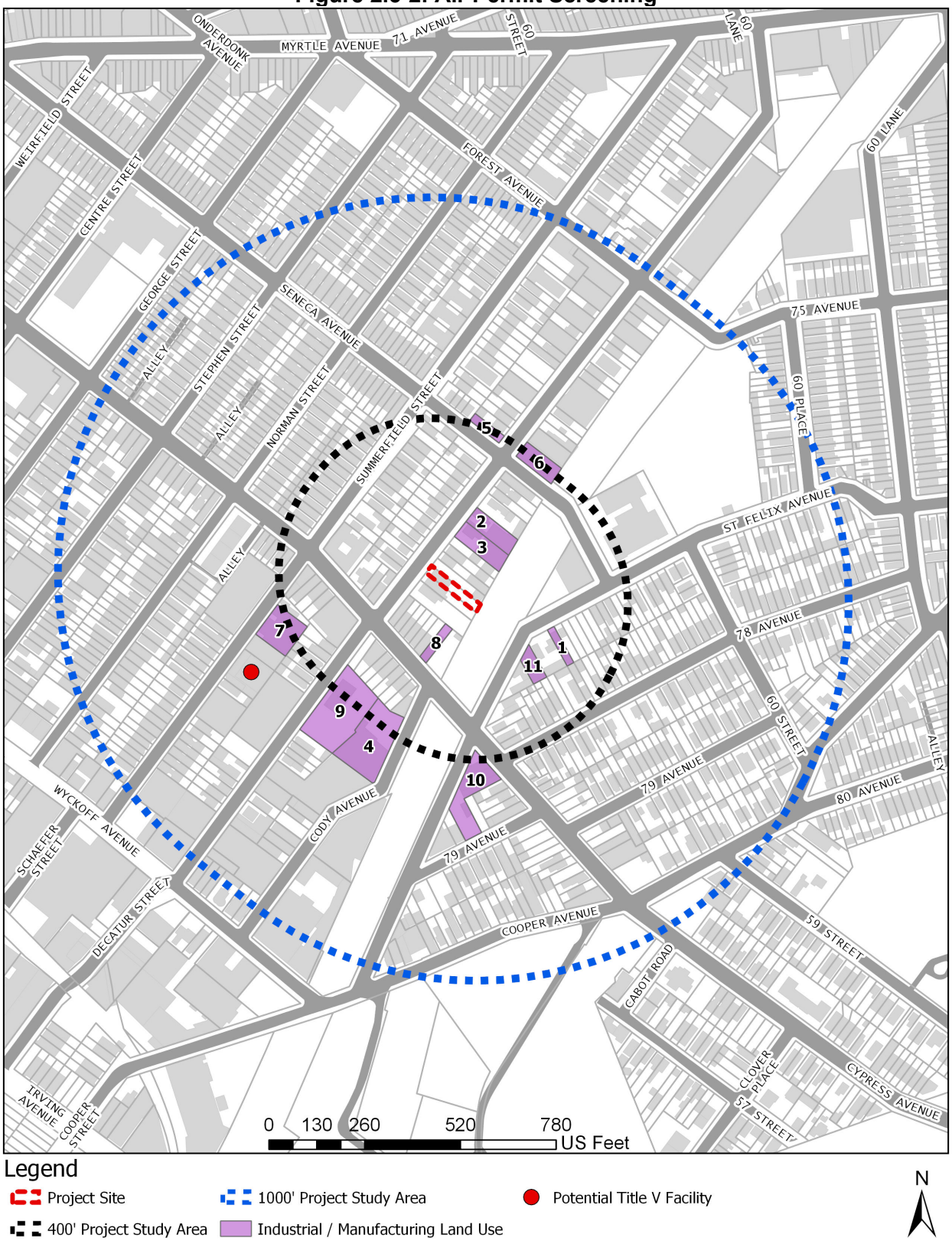
While 11 sites were identified as potentially manufacturing or industrial in nature, these uses were screened further using Google and in field assessment on September 10, 2019. **Table 2.5-2** shows the 11 properties within approximately 400 feet that were screened as potentially industrial or manufacturing sites – these sites were further reviewed for permit activity and the actual use currently present at the site. As shown in **Table 2.5-2**, only two sites were determined to have industrial or manufacturing type uses with active DEP industrial permits. 1740 Decatur Street has three active air permits and 16-16 Cody Avenue has one active air permit.

Additionally, one Title V permit was identified within the 1,000-foot buffer as indicated in **Figure 2.5-2**. Barker Bros Inc. located at 1666 Summerfield Street was issued a Title V Facility permit on 7/1/2010 and it expired on 6/30/2015. To verify the permit activities were no longer present at the property, the site contact number provided on the permit was called. The site contact verified that The Barker Bros Inc. business was sold in 2014. The property is now operated by Strange Edition Studio and Arts Center. No other active Title V permits are within the 1,000-foot buffer.

Table 2.5-2: Air Permits

OBJECTID	Block	Lot	Address	Permit
1	3569	19	58-38 ST FELIX AVENUE	No Record Found
2	3568	36	1740 DECATUR STREET	PB064311, PB048205, PB048105
3	3568	33	1734 DECATUR STREET	No Record Found
4	3556	61	16-63 CODY AVENUE	No Record Found
5	3578	63	1801 DECATUR STREET	Expired - PA023099
6	3579	21	1802 DECATUR STREET	No Record Found
7	3555	45	1668 SUMMERFIELD STREET	No Record Found
8	3568	11	1113 CYPRESS AVENUE	No Record Found
9	3556	36	1660 DECATUR STREET	No Record Found
10	3558	3	77-06 79 AVENUE	No Record Found
11	3569	14	58-26 ST FELIX AVENUE	Expired - PB043803, PB042802

Figure 2.5-2: Air Permit Screening



Site 2: 1740 Decatur Street

1740 Decatur Street was identified as an industrial use property with three current air permits registered to Zale Contracting. The permits include emissions of from a paint spray booth, a wood finishing spray booth, and wood working. The emissions from the permit were screened using the CEQR 2020 Technical Manual method for industrial source screening and Table 17-3. Calculated concentrations to impact the Proposed Development were compared to short term standard to compare to Shot-term and Annual Concentration Guidelines (SGCs/AGCs) available in the DEC DAR-1 Guidelines for Evaluation and Control of Ambient Air Contaminants Under Part 212. Site 4 is approximately 150 feet from the Proposed Development, therefore a screening distance of 130 feet was used. The CAS number for the wood fines contaminant is NY075-00-0, however because there is no SCG available the Particulate Matter 2.5 microns (PM2.5) was used because it is the most conservative of the PM standards. Similarly, the emissions of xylene, Ethyl-3-ethoxypropionate, Cellulose Nitrate, and Ethyl Benzene were all combined as a single emission titled Miscellaneous Organic Compounds. The emissions of each compound were calculated based on the total emission percentages provided in permit PB048205. The emission percentages by weight of the miscellaneous organic compounds used were xylene at 31.25%, Ethyl-3-ethoxypropionate at 31.25%, Cellulose Nitrate at 31.25%, and Ethyl Benzene at 6.25%. These percentages were used to determine the individual compounds emission rates that were included in the miscellaneous organic compounds emissions on permit PB048205. The total miscellaneous organic compounds and the separate compound concentrations were calculated an included in the results show in **Table 2.5-3**.

The calculated concentrations annual and hourly emissions of each contaminant were compared to corresponding SGCs and AGCs. Screening results can be found in **Table 2.5-3** below. All contaminants past the initial conservative screening except for Ethyl 3-Ethoxypropionate. The short-term emissions of Particulates and Ethyl 3-Ethoxypropionate were significantly higher than the applicable SGCs and required further analysis using the EPA AERMOD model.

The AERMOD model of the emissions and the Proposed Development used the Breeze AERMOD version 19191. All existing buildings on block 3568 were included in the model to include the effects of building downwash on the stack emissions. The building footprints were obtained from the NYC MAPPLUTO Database. The Zale Contracting stack characteristics were included on the existing air permit, and consisted of stack height (33 feet), diameter (2.5 feet), exit velocity (33 m/s), and exit temperature (297 kelvin). The model was run with and without building downwash and the higher of the resulting concentrations was used.

The analysis was conducted using the latest five consecutive years of meteorological data (2014-2018). Surface data was obtained from La Guardia Airport and upper air data was obtained from Brookhaven station, New York. The data were processed by Trinity Consultants, Inc. using the current EPA AERMET and EPA procedures. These meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period.

Receptors for the Proposed Development were evenly spread around the building to ensure that any part of the building that may have operable windows or doors would not have a significant adverse impact. This included receptors every ten feet around the outside of the Proposed Development at heights of 6-feet, 15-feet, 25-feet, and 33-feet.

The model was run for a generic emission rate of 1 g/s and resulting concentration was multiplied by the 24-hour emission rate of 0.0265 g/s (0.21 lb/hr) for particulates and the hourly emission rate of 0.0677 g/s (or 0.5375 lb/hr) for Ethyl 3-Ethylpropionate. The resulting highest average 24-hour concentration for particulates was 10.35 ug/m^3 and the highest average 1-hour concentration for Ethyl 3-Ethylpropionate was 76.80 ug/m^3. These peak concentrations were detected toward the center of the northwestern wall of the Proposed Development at a height of 33-feet. Both concentrations are significantly less than the applicable SGCs for Particulate Matter 2.5 (35 ug/m^3) and Ethyl 3-Ethylpropionate (140 ug/m^3). Therefore, Particulate and Ethyl 3-Ethylpropionate emissions from Zale Contracting, located at 1740 Decatur Street, would not cause significant adverse impacts on the Proposed Development sensitive land uses.

Site 4: 16-63 Cody Avenue

16-63 Cody Avenue was identified as an industrial use property with one current air permit registered to Cody Woodworking. The permit includes emissions of solid particles from various wood working equipment in the shop. The emissions from the permit were screened using the CEQR 2020 Technical Manual method for industrial source screening and Table 17-3. Calculated concentrations to impact the Proposed Development were compared to short term standard to compare to Shot-term and Annual Concentration Guidelines (SGCs/AGCs) available in the DEC DAR-1 Guidelines for Evaluation and Control of Ambient Air Contaminants Under Part 212. Site 4 is approximately 350 feet from the Proposed Development, therefore a screening distance of 330 feet was used. The CAS number for the wood fines contaminant is NY075-00-0, however because there is no SCG available the Particulate Matter 2.5 microns (PM2.5) was used because it is the most conservative of the PM standards.

The calculated concentrations annual and 24-hour emissions of wood fines are 0.0017 ug/m^3 and 0.0641 ug/m^3, respectively. Screening results can be found in **Table 2.5-3** below. Both of these are significantly below applicable SCGs and ACGs, therefore there is no potential for significant adverse impacts from Cody woodworking to the Proposed Development.

Table 2.5-3: Industrial Source Screening Results

Treatment Emissions		Short-term		Annual		Pass/Fail	AERMOD Concentration
		Concentration	SGC	Concentration	AGC		
Contaminant name	CAS No.	ug/m3	ug/m3	ug/m3	ug/m3		ug/m3
Zale Contracting - Permits: PB048105, PB048205, PB064311 - Spray Booth & Woodworking							
Solids	NY075-00-0	66.76	35	0.29	12	Use AERMOD	10.35 (Pass)
Ethyl Alcohol	64-17-5	4,007.29	----	5.71	45,000	Pass	----
N-Butyl Acetate	123-86-4	2,989.27	95,000	4.26	17,000	Pass	----
Misc. Organic Compounds	NY990-00-00	1,591.81	----	2.27	----	Pass	----
Xylene*	1330-20-7	497.44	22,000	0.71	100	Pass	----
Ethyl 3-Ethoxypropionate*	763-69-9	497.44	140	0.71	64	Use AERMOD	76.8 (Pass)
Cellulose Nitrate*	9004-70-0	497.44	----	0.71	----	Pass	----
Ethyl Benzene*	100-41-7	99.49	----	0.14	1,000	Pass	----
Ethyl Acetate	141-78-6	1,018.02	----	1.45	3,400	Pass	----
Isobutyl Acetate	110-19-0	1,018.02	----	1.45	565	Pass	----
Toluene	108-88-3	1,388.21	37,000	1.98	5,000	Pass	----
Cody Woodworking - Permit: PB048807 – Woodworking							
Wood fine	NY075-00-0	0.0641	35	0.0017	12	Pass	----

*These compounds were not included in the original list of contaminants on permit PB048205. These were screened because they were included in the list of chemicals included in the wood coating's material safety data sheet (MSDS). The emission rates for these chemicals was determined based on the percent by weight from the MSDS and the combined emission rate for misc. organic compounds. The sum of the four compounds is equal to the emissions labeled misc. organic compounds.

2.6 Noise

Introduction

Equity Environmental Engineering, LLC (Equity) conducted noise monitoring on Tuesday, September 10th, 2019.

The Proposed Project would allow noise-sensitive residential development in an area where such use is not permitted except by Zoning Authorization. Therefore, an assessment of the potential for adverse effects on project occupants from ambient noise is warranted. The projected development would not create a significant stationary noise generator. Additionally, project-generated traffic would not double vehicular traffic on nearby roadways, and therefore would not result in a perceptible increase in vehicular noise. Therefore, this noise assessment is limited to an assessment of ambient noise that could adversely affect occupants of the development. The predominant noise source at the Affected Area is vehicular traffic on surrounding streets and elevated railway noise.

Framework of Noise Analysis

Noise is defined as any unwanted sound, and sound is defined as any pressure variation that the human ear can detect. Humans can detect a large range of sound pressures, from 20 to 20 million micropascals, but only those air pressure variations occurring within a particular set of frequencies are experienced as sound. Air pressure changes that occur between 20 and 20,000 times a second, stated as units of Hertz (Hz), are registered as sound.

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents a sound pressure that is 10 times higher. However, humans do not perceive a 10-dB increase as 10 times louder. Instead, they perceive it as twice as loud.

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise measurements are often adjusted, or weighted, as a function of frequency to account for human perception and sensitivities. The most common frequency weightings used are the A- and C-weightings. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighting is the most commonly used for environmental measurements, and sound levels measured using this weighting are denoted as dBA. The letter “A” indicates that the sound has been filtered to reduce the strength of very low and very high frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high frequency bands are significantly affected by C-weighting.

Table 2.6-1: Noise Levels of Common Sources

Sound Source	SPL (dB(A))
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A)Is perceived as a doubling or halving in SPL.	
Source: 2020 CEQR Technical Manual	

The following is typical of human response to relative changes in noise level:

- 3-dBA change is the threshold of change detectable by the human ear;
- 5-dBA change is readily noticeable; and
- 10-dBA change is perceived as a doubling or halving of the noise level.

The SPL that humans experience typically varies from moment to moment. Therefore, various descriptors are used to evaluate noise levels over time. Some typical descriptors are defined below.

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity, level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.

- Lmax is the highest SPL measured during a given period of time. It is useful in evaluating L_{eq}s for time periods that have an especially wide range of noise levels.

- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_X). Examples include L_{10}, L_{50}, and L_{90}. L_{10} is the A-weighted sound level that is exceeded 10% of the measurement period.

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law (i.e., the SPL changes in inverse proportion to the square of the distance from the sound source). In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For "line" sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Quality Review (CEQR) noise exposure guidelines for exterior noise levels. As shown in **Table 2.6-2** below and as per the *CEQR Technical Manual 2020*, noise standards classify noise exposure into four categories based on noise level limits and land use, for vehicular traffic, rail, and aircraft noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable, Table 19-3 of the *CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA (L_{10} *or Ldn, depending on the source*) or below.

Table 2.6-2: Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1.Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA							
2. Hospital, Nursing Home		$L_{10} \leq 55$ dBA		55<L_{10}≤65 dBA		65<L_{10}≤80 dBA		L_{10}>80dBA	
3. Residence, residential hotel or motel	7 am to 10 pm	L_{10}≤65dBA		65<L_{10}≤70 dBA		70<L_{10}≤80 dBA		L_{10}>80dBA	
	10 pm to 7 am	L10≤55dBA		55<L_{10}≤70 dBA		70<L_{10}≤80 dBA		L_{10}>80dBA	
4. School, museum, library, court house of worship, transient hotel or motel, public meeting room, auditorium, out- patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM- 10 PM)		Same as Residential Day (7 AM –10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM –10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Source: New York City Department of Environmental Protection (adopted policy 1983).

Notes:

(i) In addition, any new activity shall not increase the ambient noise level by 3 dBA or more;

1 Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

2 Tracts of land where serenity and quiet are extraordinarily important and serve an important public need and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and nursing homes.

3 One may use the FAA-approved L_{dn} contours supplied by the Port Authority, or the noise contours may be computed from the federally approved INM Computer Model using flight data supplied by the Port Authority of New York and New Jersey.

4 External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are octave band standards).

Table 2.6-3 CEQR TM: Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Noise Level with Proposed Project	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation[1]	(i) 28 dB(A)	(ii) 31 dB(A)	(iii) 33 dB(A)	(iv) 35 dB(A)	$36 + (L_{10} - 80)^2$ dB(A)

Source: New York City of Environmental Protection

Notes:

1) The above composite window-wall attenuation values are for residential dwellings. Commercial and office spaces/meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.
2) Required attenuation values increase by 1 dB(A) increments for L10 values greater than 80 dBA.

Measurement Location and Equipment

Because the predominant noise sources in the area of the proposed project consists of vehicular traffic and at-grade rail noise, noise monitoring was conducted during peak weekday vehicular travel periods (AM, Midday, PM) on a typical midweek day. Pursuant to CEQR Technical Manual Methodology, measurements were conducted for one-hour (location 1) and twenty-minute (location 2) periods during each of the peak periods at the monitoring locations; monitoring location 1 was taken at the back of the Project Site for one hour to assess noise generated by the at-grade rail line, and location 2 was monitored for 20 minutes on the sidewalk in front of 17-18 Decatur Street. The noise monitoring locations are shown in **Figure 2.6-1** and **Photos 2.6-1 and 2.6-2** below.

Noise monitoring was conducted using a two Casella CEL-633A sound level meters with wind screen. The monitor was placed on a tripod at a height of approximately four feet above the ground, away from any other noise-reflective surfaces. The monitors were calibrated prior to and following each monitoring session. Periods of peak vehicular traffic around the Project Area constitute a worst-case condition for noise. Noise meter calibration certification and back up data are provided in Appendix B.

Photo 2.6-1: ***Noise Monitoring Location One (1)***
17-18 Decatur Street adjacent to rail line

Photo 2.6-2: ***Noise Monitoring Location Two (2)***
17-18 Decatur Street at street frontage

Figure 2.6-1: ***Noise Monitoring Locations***

Measurement Conditions

Monitoring was conducted during typical midweek conditions, on Tuesday, September 10th, 2019. The weather was dry and wind speeds were moderate during all monitoring periods. The sound meter was calibrated before and after each monitoring session.

Existing Conditions

Based on the noise measurements, the predominant source of noise is vehicular traffic.

Table 2.6-4 *below contains the results for the measurements taken at Location 1:*

Table 2.6-4 *Noise Levels (dB) at Location 1*			
Tuesday, September 10th, 2019			
Time	**7:57 am – 8:57 am**	**12:09 pm – 1:09 pm**	**4:30 pm – 5:30 pm**
L_{max}	71.6	82.0	67.4
L_{10}	52.0	56.5	50.5
L_{eq}	50.1	54.4	48.7
L_{50}	48.0	49.5	47.0
L_{90}	44.0	45.5	46.0
L_{min}	40.3	41.8	44.4

Note: **Bold** denotes L_{10} or L_{eq} noise level exceedances, according to Table 19-2 of the CEQR Technical Manual.

Location 1 was positioned in the rear yard of the property, out of sight from any road or street, therefore no traffic counts were made at this location.

Table 2.6-5 *below contains the results for the measurements taken at Location 2:*

Table 2.6-5 *Noise Levels (dB) at Location 2*			
Tuesday, September 10th, 2019			
Time	**7:59 am – 8:21 am**	**12:10 pm – 12:30 pm**	**4:35 pm – 4:56 pm**
L_{max}	80.7	93.0	93.8
L_{10}	66.0	67.5	67.0
L_{eq}	63.2	67.6	68.1
L_{50}	59.0	62.0	65.0
L_{90}	54.5	56.0	59.5
L_{min}	53.3	53.1	56.3

Note: **Bold** denotes L_{10} or L_{eq} noise level exceedances, according to Table 19-2 of the CEQR Technical Manual.

Table 2.6-6 *below contains the traffic counts and vehicle classifications during each monitoring period for 60 minutes:*

Table 2.6-6 ***Location 2:*** *Traffic volumes and vehicle classifications*			
	8:23 am – 8:43 am	**12:15pm – 1:15pm**	**4:37pm – 5:37pm**
Car/ Taxi	14	14	44
Van/Light Truck/SUV	30	21	40
Medium Truck	8	3	4
Heavy Truck	2	11	3
Bus	5	4	3
Train	0	0	0

Stationary Sources

It is assumed that the building mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the Proposed Actions would not result in any significant adverse noise impacts related to building mechanical equipment.

Determination of Impacts/Building Attenuation Requirements

The 2020 *CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. For a residential use such as would occur under the Proposed Action, an L_{10} or L_{eq} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. An L_{10} or L_{eq} of between 70 and 80 dB(A) is identified as marginally unacceptable general external exposure. The highest recorded L_{10} at Location One (1) of the subject property was 56.5 dB(A) during the midday monitoring period. The highest recorded L_{10} or L_{eq} at Location Two (2) of the subject property was 68.1 dB(A) during the evening monitoring period.

Based on the results of the noise monitoring, noise attenuation is not required, and there would be no significant adverse impacts from noise.

Appendix A: Agency Correspondence

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: LA-CEQR-Q (DEPARTMENT OF CITY PLANNING)
Address: 1718 DECATUR STREET BBL: 4035680026
Date Received: 10/1/2019

[X**] No architectural significance**

[X**] 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

10/2/2019

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 34549_FSO_DNP_10022019.docx

Appendix B: Noise Back-Up

INSTRUMENT CALIBRATION REPORT

Pine Environmental Services LLC
92 North Main St, Building 20
Windsor, NJ 08561
Toll-free: (800) 301-9663

Pine Environmental Services, Inc.

Instrument ID 35634
Description Casella SLM TYPE 2
Calibrated 9/6/2019 12:16:50PM

Manufacturer Casella
Model Number CEL-63X - A
Serial Number/ Lot Number 0166064
Location New Jersey
Department

State Certified
Status Pass
Temp °C 23
Humidity % 44

Calibration Specifications

Group # 1
Group Name 114 db check / data transfer
Test Performed: N/A **As Found Result:** **As Left Result:**

Test Instruments Used During the Calibration **(As Of Cal Entry Date)**

Test Standard ID	Description	Manufacturer	Model Number	Serial Number / Lot Number	Next Cal Date / Last Cal Date/ Expiration Date Opened Date

Notes about this calibration

Calibration Result Calibration Successful
Who Calibrated Roger Rambough

All instruments are calibrated by Pine Environmental Services LLC according to the manufacturer's specifications, but it is the customer's responsibility to calibrate and maintain this unit in accordance with the manufacturer's specifications and/or the customer's own specific needs.

Notify Pine Environmental Services LLC of any defect within 24 hours of receipt of equipment
Please call 800-301-9663 for Technical Assistance

INSTRUMENT CALIBRATION REPORT

Advanced Labs, Inc.

Pine Environmental Services, Inc

Instrument ID 35634
Description CEL-63X Sound Level Meter
Calibrated 1/23/2019

Manufacturer Casella
Model Number CEL-63X
Serial Number 166064
Location New Jersey
Temp 71

Classification
Status pass
Frequency Yearly
Department Lab
Humidity 20

Calibration Specifications

Group # 1
Group Name Acoustic Tests Performed
Test Performed: Yes **As Found Result: Fail** **As Left Result: Pass**

Test Instruments Used During the Calibration

				(As Of Cal Entry Date)	
Test Instrument ID	Description	Manufacturer	Serial Number	Last Cal Date	Next Cal Date
B&K 4226	Brüel & Kjær 4226	Brüel & Kjær	2590968	5/10/2018	5/10/2019
B&K 4228	Brüel & Kjær 4228	Brüel & Kjær	2667476	5/7/2018	5/7/2019

Notes about this calibration

Calibration Result Calibration Successful
Who Calibrated David Galego

Advanced Labs, Inc. hereby certifies that this instrument is calibrated and functions to meet the manufacture's specifications using NIST traceable standards, or is derived from accepted values of physical constants.

INSTRUMENT CALIBRATION REPORT

Pine Environmental Services LLC
92 North Main St, Building 20
Windsor, NJ 08561
Toll-free: (800) 301-9663

Pine Environmental Services, Inc.

Instrument ID R197578
Description Casella 63X
Calibrated 9/9/2019 9:16:18AM

Manufacturer Casella
Model Number 63-X
Serial Number/ Lot Number 4638013
Location New Jersey
Department

State Certified
Status Pass
Temp °C 24
Humidity % 49

Calibration Specifications

Group # 1
Group Name Calibrate with Noise Calibrator 114.0dB
Test Performed: Yes **As Found Result: Pass** **As Left Result: Pass**

Test Instruments Used During the Calibration **(As Of Cal Entry Date)**

Test Standard ID	Description	Manufacturer	Model Number	Serial Number / Lot Number	Last Cal Date/ Opened Date	Next Cal Date / Expiration Date

Notes about this calibration

Calibration Result Calibration Successful
Who Calibrated Roger Rambough

All instruments are calibrated by Pine Environmental Services LLC according to the manufacturer's specifications, but it is the customer's responsibility to calibrate and maintain this unit in accordance with the manufacturer's specifications and/or the customer's own specific needs.

Notify Pine Environmental Services LLC of any defect within 24 hours of receipt of equipment
Please call 800-301-9663 for Technical Assistance

INSTRUMENT CALIBRATION REPORT

Advanced Labs, Inc.

Pine Environmental Services, Inc

Instrument ID R197578
Description CEL-63X Sound Level Meter
Calibrated 1/9/2019

Manufacturer Casella
Model Number CEL-63X
Serial Number 4638013
Location New Jersey
Temp 72

Classification
Status pass
Frequency Yearly EOM
Department Lab
Humidity 24

Calibration Specifications

Group # 1
Group Name Acoustic Tests Performed
Test Performed: Yes **As Found Result: Fail** **As Left Result: Pass**

Test Instruments Used During the Calibration

Test Instrument ID	Description	Manufacturer	Serial Number	(As Of Cal Entry Date) Last Cal Date	Next Cal Date
B&K 4226	Brüel & Kjær 4226	Brüel & Kjær	2590968	5/10/2018	5/10/2019
B&K 4228	Brüel & Kjær 4228	Brüel & Kjær	2667476	5/7/2018	5/7/2019

Notes about this calibration

Calibration Result Calibration Successful
Who Calibrated David Galego

Advanced Labs, Inc. hereby certifies that this instrument is calibrated and functions to meet the manufacture's specifications using NIST traceable standards, or is derived from accepted values of physical constants.

equity environmental engineering

WORKING TOGETHER TO DESIGN SOLUTIONS

Noise Job Field Sheet

Name of Project: 1718 Decatur Street

Project Address: 1718 Decatur Street , Queens, New York

Date(s) of Field Work: September 10, 2019 Tuesday

Personnel: John Vrabel & Gene Bove

Project Specific Scope of Work:

1 x 1-hour monitoring location during AM, Midday, & PM peak period. (Location 1)
1 x 20-minute monitoring location during AM, Midday, & PM peak period. (Location 2)
Phase I to be conducted – 9 AM meet at Wyckoff site first
Site Contact: Yoav 917-627-9190
Maximum Billable Hours for the Day: 15 Both meters pinerentels

I. Start of Noise Monitoring Day

Departure Time: 0530 Arrival Time: 0740

Weather Conditions (temp, wind speed, precipitation): Overcast, dry, 72°

Meter Type: Casella-pine Meter Serial #: 0166064 Meter Location: Location 1
Meter Type: Casella-pine Meter Serial #: 4638013 Meter Location: Location 2

*If more locations are needed for a project use a second Field Sheet

Calibrator Serial #: 3339189 Meters used on: 0166064 & 4638013

Were Photos Taken of Each Location? Y / N *Discuss specific photo instructions w/ Project Manager

**On a separate sheet of paper (field book or on the last page) make a sketch of the noise meter locations and the distances to nearest wall, fence, building, or other solid surfaces.*

II. Morning Session 7:30 AM – 9:00 AM

Before Measurement:

Meter Serial #: 0166664 Time: 752 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 4635013 Time: 750 Calibration Passed at 114 dB? (Y) / N

After Measurement:

Meter Serial #: 0166664 Time: 948 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 4635013 Time: 948 Calibration Passed at 114 dB? (Y) / N

*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
Location 1	757	843
Location 2	803	843

*If more locations are needed for a project use a second Field Sheet

20-min

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
Location 1	—	—	—	—	—	—
Location 2	16	30	8	2	5	0

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):
there is an automotive garage next to the site, loud noises constantly. mostly near location 1

Please place noise meters in their respective cases between sessions to avoid damage.

III. Midday Session 12:00 PM – 1:30 PM

Before Measurement:

Meter Serial #: 0166064 Time: 1157 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 4838013 Time: 1159 Calibration Passed at 114 dB? (Y) / N

After Measurement:

Meter Serial #: 0166064 Time: 120 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 4638013 Time: 120 Calibration Passed at 114 dB? (Y) / N
*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
Location 1	1209	109
Location 2	1210	1230

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
Location 1	—	—	—	—	—	—
Location 2	14	21	3	11	4	0

20 min

*If more locations are needed for a project use a second Field Sheet

left

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):
1213- truck idled in front of meter for 2 minutes

Please place noise meters in their respective cases between sessions to avoid damage.

IV. Evening Session 4:30 PM – 6:00 PM

Before Measurement:

Meter Serial #: 0166006 Time: 430 Calibration Passed at 114 dB? Y / N
Meter Serial #: 463018 Time: 420 Calibration Passed at 114 dB? Y / N

After Measurement:

Meter Serial #: 0166006 Time: 545 Calibration Passed at 114 dB? Y / N
Meter Serial #: 463018 Time: 545 Calibration Passed at 114 dB? Y / N
*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
Location 1	435	535
Location 2	430	450

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
Location 1	-	-	-	-	-	-
Location 2	44	40	4	3	3	0

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):
4dl Motorcycle recording in front of meter at 430-458

Please place noise meters in their respective cases between sessions to avoid damage.

V. End of Noise Monitoring Day

- Please return all noise meters to their cases.
- Do not return dead batteries to the cases, throw them out.
- Did you take photos? (Y) / N
- Did you complete the site sketch? (Y) / N
- If a meter(s) was rented, please scan in calibration documents. 2x Pine rentals

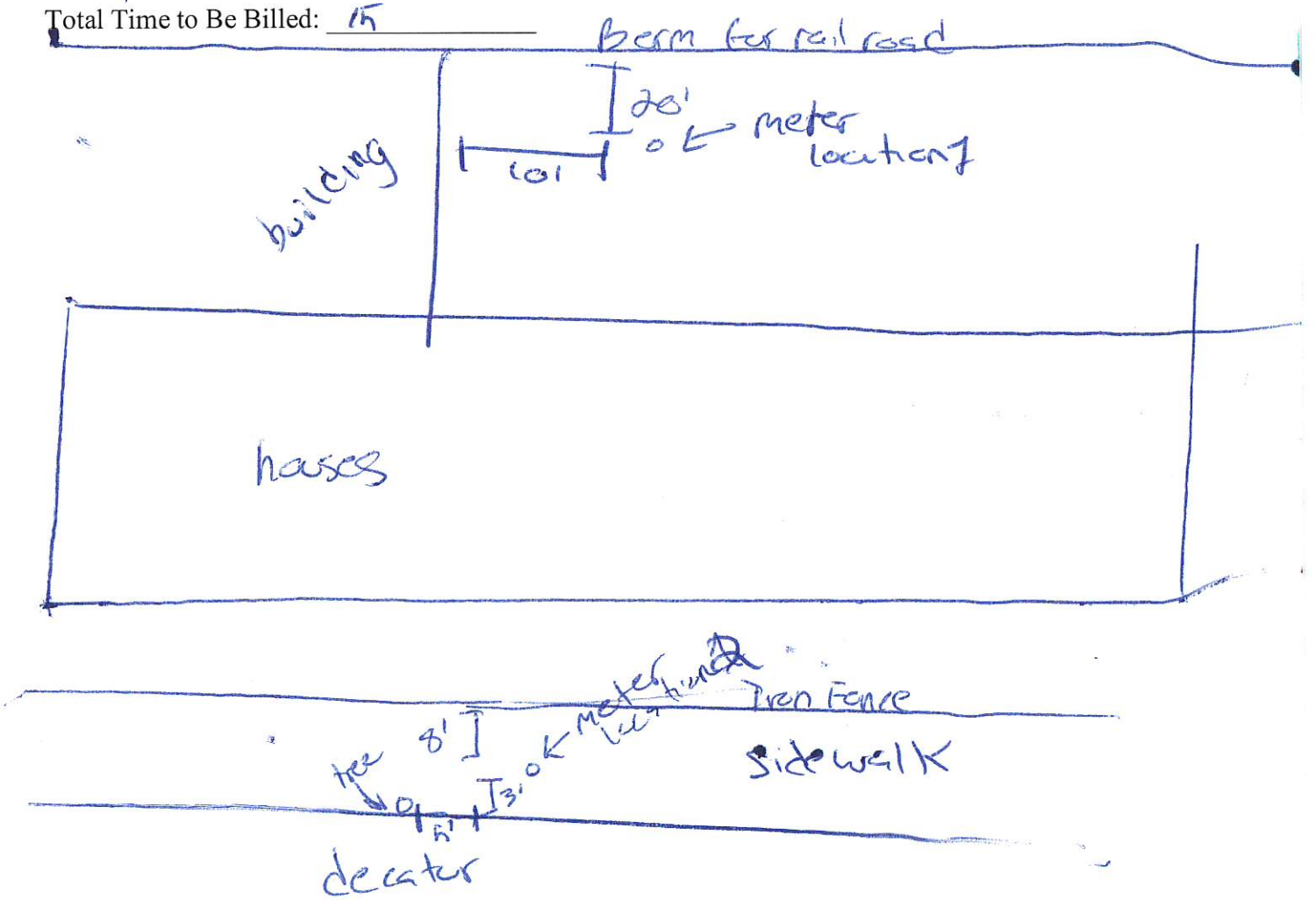
Anything of note/concern for the day: _____

_____

_____

Departure Time: _____ Arrival Time: _____

Total Time to Be Billed: 15



Legend

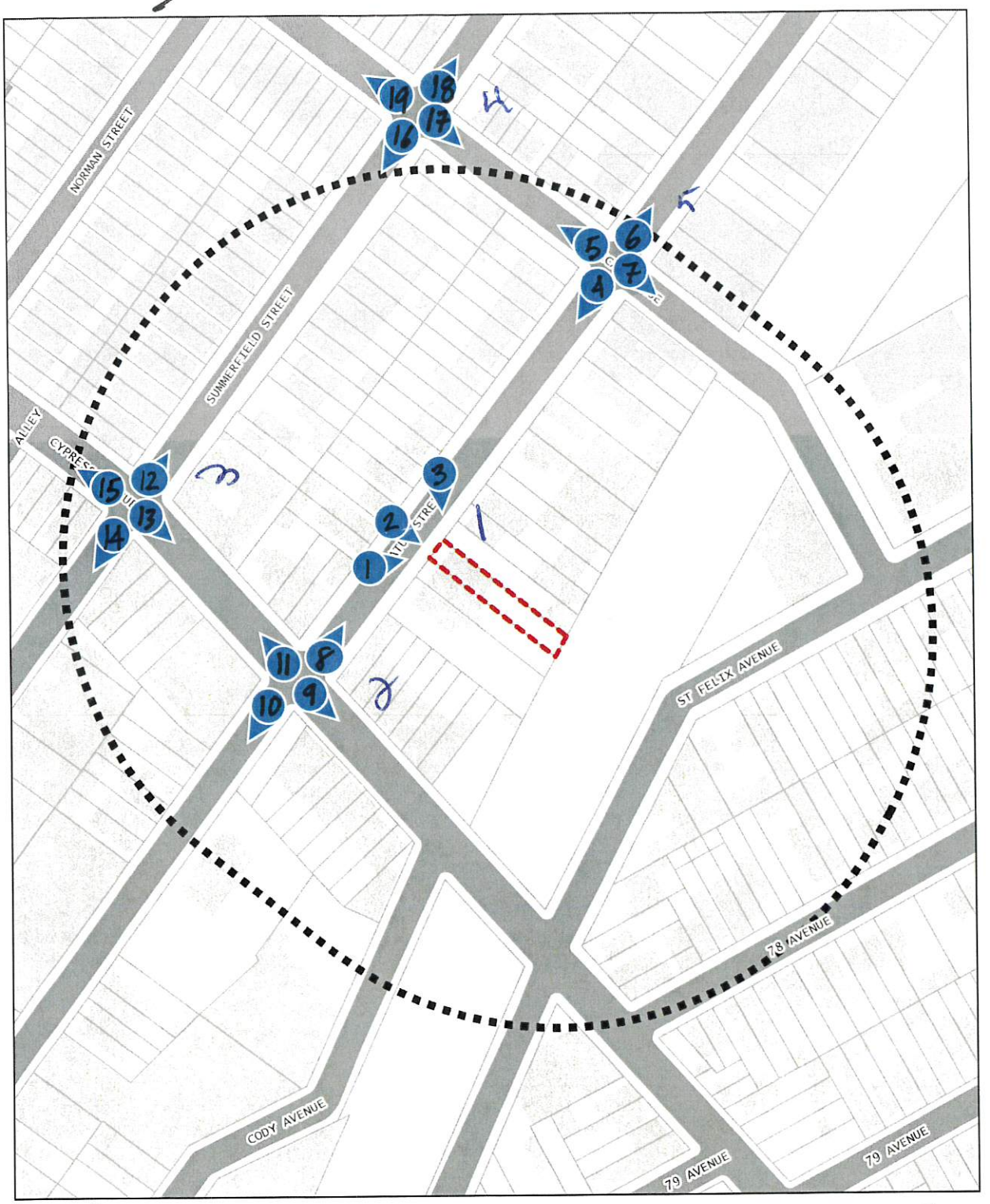
Project Site

Noise Monitoring Locations

0 20 40 80 120 US Feet

N

1718 Decatur Street, BK



Legend

Project Site

400' Project Study Area

0 50 100 200 300 US Feet

N

Casella CEL Ltd.

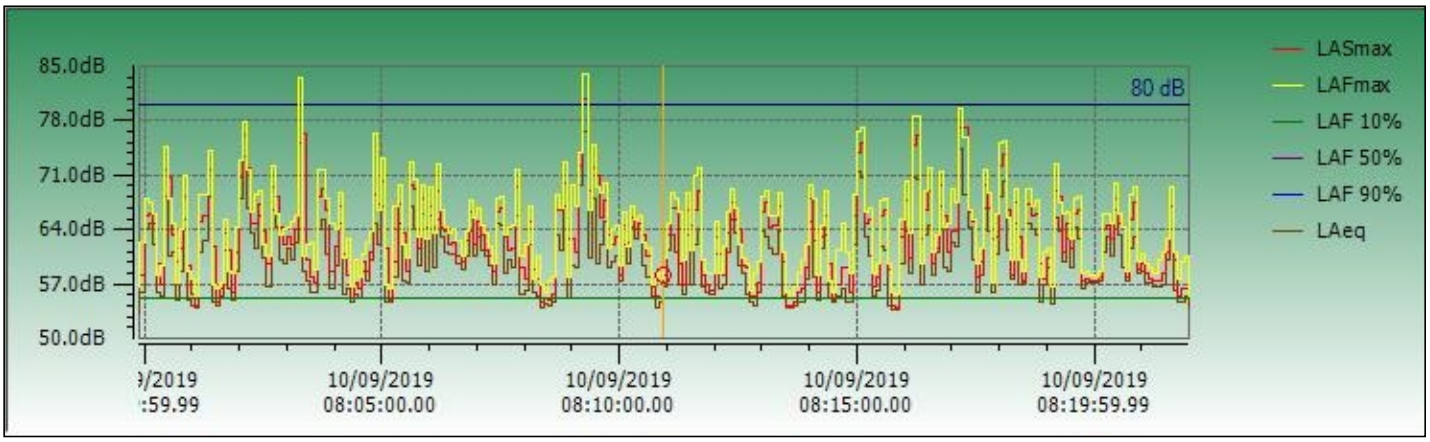
Report On CEL-63X

Instrument Model	**CEL-633A**			
Serial Number	0166064	LAF 10%	56.5 dB	Result
LASmax	82 dB	LAF 50%	49.5 dB	
LASmin	41.8 dB	LAF 90%	45.5 dB	
Start Date & Time	9/10/2019 12:09:02 PM	Calibration (Before) Date	9/10/2019 11:57:39 AM	
Duration	01:00:01 HH:MM:SS	Calibration (After) Date	9/10/2019 1:20:18 PM	
LAeq	54.4 dB	Calibration Drift	0.0 dB	
End Date & Time	9/10/2019 1:09:03 PM	Battery Low	No	
Notes				

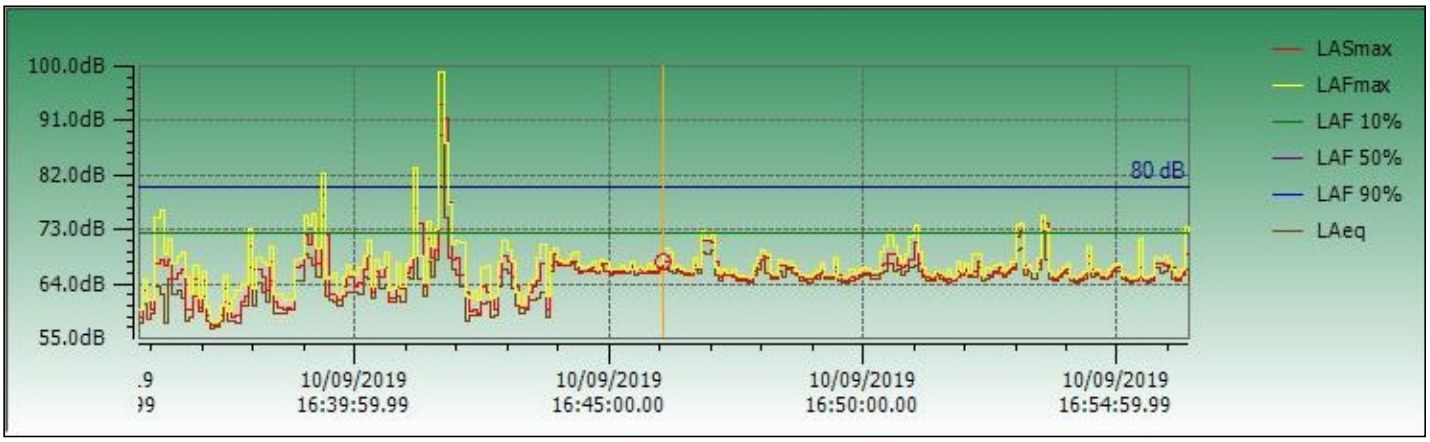
Instrument Model	CEL-633A			
Serial Number	0166064	LAF 10%	50.5 dB	Result
LASmax	67.4 dB	LAF 50%	47 dB	
LASmin	44.4 dB	LAF 90%	46 dB	
Start Date & Time	9/10/2019 4:33:51 PM	Calibration (Before) Date	9/10/2019 4:30:10 PM	
Duration	01:01:53 HH:MM:SS	Calibration (After) Date	9/10/2019 5:45:59 PM	
LAeq	48.7 dB	Calibration Drift	0.0 dB	
End Date & Time	9/10/2019 5:35:44 PM	Battery Low	No	
Notes				

Instrument Model	CEL-633A			
Serial Number	0166064	LAF 10%	52 dB	Result
LASmax	71.6 dB	LAF 50%	48 dB	
LASmin	40.3 dB	LAF 90%	44 dB	
Start Date & Time	9/10/2019 7:57:36 AM	Calibration (Before) Date	9/10/2019 7:55:26 AM	
Duration	01:00:01 HH:MM:SS	Calibration (After) Date	9/10/2019 9:16:49 AM	
LAeq	50.1 dB	Calibration Drift	-0.8 dB	
End Date & Time	9/10/2019 8:57:37 AM	Battery Low	No	
Notes				

Instrument Model	CEL-633A			
Serial Number	4638013	LAF 10%	66 dB	Result
LASmax	80.7 dB	LAF 50%	59 dB	
LASmin	53.3 dB	LAF 90%	54.5 dB	
Start Date & Time	9/10/2019 7:59:53 AM	Calibration (Before) Date	9/10/2019 7:55:55 AM	
Duration	00:22:07 HH:MM:SS	Calibration (After) Date	9/10/2019 9:17:55 AM	
LAeq	63.2 dB	Calibration Drift	0.3 dB	
End Date & Time	9/10/2019 8:22:00 AM	Battery Low	No	
Notes				



Instrument Model	CEL-633A			
Serial Number	4638013	LAF 10%	67 dB	Result
LASmax	93.8 dB	LAF 50%	65 dB	
LASmin	56.3 dB	LAF 90%	59.5 dB	
Start Date & Time	9/10/2019 4:35:45 PM	Calibration (Before) Date	9/10/2019 4:31:43 PM	
Duration	00:20:40 HH:MM:SS	Calibration (After) Date	9/10/2019 5:46:12 PM	
LAeq	68.1 dB	Calibration Drift	0.1 dB	
End Date & Time	9/10/2019 4:56:25 PM	Battery Low	No	
Notes				



Instrument Model	CEL-633A			
Serial Number	4638013	LAF 10%	67.5 dB	Result
LASmax	93 dB	LAF 50%	62 dB	
LASmin	53.1 dB	LAF 90%	56 dB	
Start Date & Time	9/10/2019 12:10:37 PM	Calibration (Before) Date	9/10/2019 11:59:11 AM	
Duration	00:20:01 HH:MM:SS	Calibration (After) Date	9/10/2019 1:21:30 PM	
LAeq	67.6 dB	Calibration Drift	0.0 dB	
End Date & Time	9/10/2019 12:30:38 PM	Battery Low	No	
Notes