



DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

OFFICE OF THE CHAIR

**REVISED NEGATIVE DECLARATION**  
**Supersedes Negative Declaration Issued February 28, 2011**

July 11, 2011

**Project Identification**

CEQR No.11DCP080Q  
ULURP Nos. 110207ZMQ, N110208ZRQ,  
N110209ZRQ  
SEQRA Classification: Type 1

**Lead Agency**

City Planning Commission  
22 Reade Street  
New York, NY 10007  
Contact: Celeste Evans  
(212) 720-3321

**Name, Description, and Location of Proposal:**

**Sunnyside Woodside Rezoning**

This Revised Negative Declaration supersedes the Negative Declaration issued on February 28, 2011. This Revised Negative Declaration reflects the Zoning Map Amendment (C110207 ZMQ) and Inclusionary Housing Text Amendment (N110208ZRQ) modifications filed by the City Council on July 6<sup>th</sup>, 2011 subsequent to the issuance of the previous Negative Declaration.

The City Council modification to the proposal replaces the R7X and C4-5 districts with R7A and C4-4A districts. The modifications reduce the proposed residential densities from 5.0 FAR to 4.6 FAR. Consequently, this would eliminate two previously identified development sites, which reduces the number of dwelling units projected as a result of the rezoning by 32 units. This Revised Negative Declaration considers the effects of the modifications made by the City Council.

The New York City Department of City Planning (DCP) is proposing zoning map and text amendments (collectively referred to as the "proposed actions") affecting all or portions of approximately 130 blocks and 2,800 lots, roughly bounded by the Sunnyside Rail Yard, 37<sup>th</sup> Avenue, the Brooklyn-Queens Expressway, the NY Connecting Railroad, 72<sup>nd</sup> Street, Woodside, Roosevelt and 48<sup>th</sup> Avenues, and 39<sup>th</sup> Street in the Sunnyside Woodside neighborhood of Queens, Community District 2.

The proposed actions include four components:

1. A Zoning Map amendment to change all or portions of approximately 130 blocks currently zoned R4, R5, R6, R7-1, C4-2, C8-1 and M1-1 to R4, R4-1, R5B, R5D,

R6A, R7A, C4-4A to reinforce established development patterns. This action would result in a modest increase in residential and commercial density.

2. A Zoning Map amendment to update commercial overlay districts in the rezoning area by reducing overlay depth or eliminating overlays where only residential uses exist and establishing new C1-3 and C1-4 overlay districts to reflect existing commercial use patterns.
3. A text amendment to Appendix F of the NYC Zoning Resolution (ZR) to make the Inclusionary Housing Program applicable in R7A and C4-4A districts proposed to be mapped on Queens Boulevard.
4. A text amendment to ZR Sections 14-41 and 14-43 of the NYC Zoning Resolution (ZR) to make small sidewalk cafes permissible on Queens Boulevard and allow only small sidewalk cafés on Skillman Avenue.

It is the objective of the proposed actions to:

- Address concerns about recent development through the use of newer contextual zoning districts to more closely reflect residential building types and development patterns that characterize the neighborhood on a block-by-block basis. The proposed contextual zoning is intended to preserve the scale and character of Sunnyside and Woodside's blocks and ensure that future residential development would be more consistent with the surrounding neighborhood's building patterns.
- Provides opportunities for moderate growth. The proposed R7A and C4-4A districts would support new mixed-use, moderate-density developments along Queens Boulevard. Queens Boulevard is a wide street, functioning as one of the neighborhood's primary commercial corridors, and is well served by public transportation. An Inclusionary Housing program would be applied to the proposed R7A and C4-4A district to provide incentives for the construction or preservation of affordable housing units.
- The lower-scale residential land use patterns found in certain sections of the Sunnyside Gardens Special Planned Community Preservation District in Sunnyside would be more closely reflected by rezoning two areas that are currently zoned R7-1 and M1-1 to R4.
- The modifications to the commercial overlay districts are intended to prevent encroachment of commercial uses on residential blocks, make parking requirements more appropriate, and create new districts that would reflect existing commercial uses and provide new business location opportunities.
- The proposed text amendments for small sidewalk cafés would support the location of such uses along Queens Boulevard were they are currently restricted; and

Skillman Avenue, where currently all cafés, including those that are enclosed, are allowed.

Zoning updates for Sunnyside and Woodside would provide opportunities to channel new growth to appropriate locations near wide streets and transit, while more closely reflecting established built contexts and land use patterns that define portions of these neighborhoods. This rezoning effort would complement contextual zoning changes adopted in 2006 as part of the Maspeth-Woodside rezoning and the revised zoning regulations that were updated in 2009 for the Special Planned Community Preservation District that regulate development in Sunnyside Gardens. The related zoning text amendment would extend the existing inclusionary housing district on Queens Boulevard, established as part of the Maspeth-Woodside rezoning, west into Sunnyside and would also allow for only small sidewalk cafés operating along portions of Queens Boulevard and Skillman Avenue.

In order to assess the impacts associated with the proposed actions, a Reasonable Worst Case Development Scenario was established. In total, under the council modifications, 9 projected development sites, considered most likely to be developed in the future with the proposed actions, were identified. As a result of the proposed actions, it is anticipated that new development on those sites would consist of 380 residential units, including 64 affordable units under the Inclusionary Housing program, and 89,125 gross sf of commercial space. Under the no-action scenario, it is anticipated that those sites would contain 86,245 gross sf of commercial space and 161 residential units. The projected incremental change on those sites include 219 dwelling units, of which 64 would be affordable pursuant to the Inclusionary Housing Program, a 2,880 square feet increase in the total amount of commercial space and a net reduction of 7,065 square feet of community facility space. In addition, a total of 23 potential development sites were identified; these sites are considered less likely to be developed in the future with the proposed actions. The affected area is currently zoned for R4, R5, R6, R7-1, C4-2, C8-1 and M1-1. The build year is 2020.

The reduction in density, as noted above results in the removal of two development sites previously analyzed in the EAS dated February 24, 2010 - one projected site, Site 8, and one potential site, Site K. With the removal of the projected site, the total number of residential units projected in the area decreases from 249 to 219 units. Consequently, the (E) designations for air and noise for those sites are no longer needed, and not included in the modified proposal. Additionally, the building heights on Sites 5 and 9 will be reduced from 125 feet to 80 feet. The height reduction on Sites 5 and 9 do not affect the applicability of the (E) designations previously identified for those sites. This Revised Negative Declaration has been updated to reflect the removal of two of the previously identified (E) designations.

To avoid the potential for significant adverse air quality, noise and hazardous materials, an (E) designation (E- 272) has been incorporated into the proposed actions, as described below.

The (E) designation requirements related to air quality would apply to the following

development sites:

**Projected Development Sites:**

- Block 189, Lot 5 (Projected Development Site 2)**
- Block 193, Lot 25 (Projected Development Site 3)**
- Block 188, Lot 43 (Projected Development Site 4)**
- Block 168, Lot 26 (Projected Development Site 6)**
- Block 157, Lot 28 (Projected Development Site 7)**
- Block 175, Lot 12 (Projected Development Site 10)**

**Potential Development Sites:**

- Block 189, Lot 45 (Potential Development Site E)**
- Block 193, Lots 30 (Potential Development Site F)**
- Block 188, Lot 5 (Potential Development Site G)**
- Block 163, Lot 37 (Potential Development Site H)**
- Block 168, Lot 31 (Potential Development Site J)**
- Block 160, Lot 5 (Potential Development Site L)**
- Block 141, Lot 10 (Potential Development Site M)**
- Block 152, Lot 5 (Potential Development Site N):**
- Block 152, Lot 1 (Potential Development Site O)**
- Block 140, Lot 47 (Potential Development Site P)**
- Block 196, Lot 1 (Potential Development Site R)**
- Block 196, Lot 42 (Potential Development Site S)**
- Block 175, Lot 7 (Potential Development Site U)**

The E designation text related to air quality is as follows:

**Block 189, Lot 5 (Projected Development Site 2):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing 41<sup>st</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 193, Lot 25 (Projected Development Site 3):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing 41<sup>st</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 188, Lot 43 (Projected Development Site 4):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 18 feet for oil No.4/2 from the lot line facing 41<sup>st</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 168, Lot 26 (Projected Development Site 6):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 16 feet for oil No.4/2 from the lot line facing 44<sup>th</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 157, Lot 28 (Projected Development Site 7):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 16 feet for oil No.4/2 from the lot line facing 44<sup>th</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 175, Lot 12 (Projected Development Site 10):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 13 feet for oil No.4/2 from the lot line facing 42<sup>nd</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 189, Lot 45 (Potential Development Site E):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 17 feet for oil No.4/2 from the lot line facing 40<sup>th</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 193, Lots 30 (Potential Development Site F):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing 40<sup>th</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 188, Lot 5 (Potential Development Site G):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing 42<sup>nd</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 163, Lot 37 (Potential Development Site H):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 25 feet for oil No.4/2 from the lot line facing 42<sup>nd</sup> Street and at least 22 feet from the lot line facing 43<sup>rd</sup> Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 168, Lot 31 (Potential Development Site J):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 17 feet for oil No.4/2 from the lot line facing 43<sup>rd</sup> Street and at least 14 feet from the lot line facing 47<sup>th</sup> Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 160, Lot 5 (Potential Development Site L):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 21 feet for oil No.4/2 from the lot line facing 43<sup>rd</sup> Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 141, Lot 10 (Potential Development Site M):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing 43<sup>rd</sup> Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 152, Lot 5 (Potential Development Site N):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 14 feet for oil No.4/2 from the lot line facing 47<sup>th</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 152, Lot 1 (Potential Development Site O):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 17 feet for oil No.4/2 from the lot line facing 46<sup>th</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 140, Lot 47 (Potential Development Site P):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 17 feet for oil No.4/2 from the lot line facing 43<sup>rd</sup> Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 196, Lot 1 (Potential Development Site R):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 12 feet for oil No.4/2 from the lot line facing 47<sup>th</sup> Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 196, Lot 42 (Potential Development Site S):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 17 feet for oil No.4/2 from the lot line facing 41<sup>st</sup> Street and at least 16 feet from the lot line facing 47<sup>th</sup> Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

**Block 175, Lot 7 (Potential Development Site U):** Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 11 feet for oil No.4/2 from the lot line facing 43<sup>rd</sup> Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

The (E) designation requirements related to noise would apply to the following development sites:

**Projected Development Sites:**

**Block 191, Lot 44 (Projected Development Site 1)**  
**Block 189, Lot 5 (Projected Development Site 2)**  
**Block 193, Lot 25 (Projected Development Site 3)**  
**Block 175, Lot 12 (Projected Development Site 10)**  
**Block 2281, Lot 25 (Projected Development Site 9)**

**Potential Development Sites:**

**Block 195, Lot 29 (Potential Development Site B)**  
**Block 190, Lot 5 (Potential Development Site C)**  
**Block 190, Lot 44 (Potential Development Site D)**  
**Block 189, Lot 45 (Potential Development Site E)**  
**Block 193, Lot 30 (Potential Development Site F)**  
**Block 162, Lot 47 (Potential Development Site I)**  
**Block 152, Lot 5 (Potential Development Site N)**  
**Block 196, Lot 1 (Potential Development Site R)**  
**Block 196, Lot 42 (Potential Development Site S)**  
**Block 197, Lot 1 (Potential Development Site T)**  
**Block 175, Lot 7 (Potential Development Site U)**  
**Block 173, Lot 1 (Potential Development Site V)**  
**Block 172, Lot 1 (Potential Development Site W)**  
**Block 129, Lot 67 (Potential Development Site X)**  
**Block 138, Lot 25 (Potential Development Site Q)**

The (E) designation text related to noise is as follows:

**Projected Development Sites:**

**Block 191, Lot 44 (Projected Development Site 1)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

**Block 189, Lot 5 (Projected Development Site 2)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

**Block 193, Lot 25 (Projected Development Site 3)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

**Block 175, Lot 12 (Projected Development Site 10)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

**Block 2281, Lot 25 (Projected Development Site 9)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.”

**Block 195, Lot 29 (Potential Development Site B)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 190, Lot 5 (Potential Development Site C)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 190, Lot 44 (Potential Development Site D)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 189, Lot 45 (Potential Development Site E)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 193, Lot 30 (Potential Development Site F)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 162, Lot 47 (Potential Development Site I)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 152, Lot 5 (Potential Development Site N)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 196, Lot 1 (Potential Development Site R)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 196, Lot 42 (Potential Development Site S)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 197, Lot 1 (Potential Development Site T)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 175, Lot 7 (Potential Development Site U)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 173, Lot 1 (Potential Development Site V)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning

**Block 172, Lot 1 (Potential Development Site W)**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an

**alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning**

**Block 129, Lot 67 (Potential Development Site X)**

**To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning**

**Block 138, Lot 25 (Potential Development Site Q)**

**To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dBA window/wall attenuation on all facades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.**

The (E) designation requirements related to hazardous materials would apply to the following development sites:

**Projected Development Sites:**

**Block 191, Lot 44 (Projected Development Site 1)  
Block 189, Lot 5 (Projected Development Site 2)  
Block 193, Lot 25 (Projected Development Site 3)  
Block 188, Lot 43 (Projected Development Site 4)  
Block 169, Lot 22 (Projected Development Site 5)  
Block 168, Lot 26 (Projected Development Site 6)  
Block 157, Lot 28 (Projected Development Site 7)  
Block 2281, Lot 25 (Projected Development Site 9)  
Block 175, Lot 12 (Projected Development Site 10)**

**Potential Development Sites:**

**Block 187, Lot 29 (Potential Development Site A)  
Block 195, Lot 29 (Potential Development Site B)  
Block 190, Lot 5 (Potential Development Site C)  
Block 190, Lot 44 (Potential Development Site D)  
Block 189, Lot 45 (Potential Development Site E)**

The (E) designation text related to Hazardous Materials is as follows:

**Task 1**

**The applicant submits to OER, for review and approval, a Phase 1A of the site along with a soil and groundwater 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 sample sites should be selected to adequately characterize the site, the specific source 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**

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

**If remediation is indicated from the 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 OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.**

**All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials.**

#### **Statement of No Significant Effect:**

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated February 24, 2011 prepared in connection with the ULURP Application (ULURP Nos. 110207ZMQ, N110208ZRQ, N 110209 ZRQ). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

#### **Supporting Statement:**

The above determination is based on an environmental assessment which finds that:

1. The (E) designations for air quality, noise and hazardous materials would ensure that the proposed action would not result in significant adverse impacts due to air quality.
2. No other significant adverse effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Celeste Evans at (212) 720-3321.

  
\_\_\_\_\_  
Celeste Evans, Deputy Director  
Environmental Assessment & Review Division  
Department of City Planning

Date: July 8, 2011

  
\_\_\_\_\_  
Amanda M. Burden, FAICP, Chair  
City Planning Commission

Date: July 11, 2011