

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

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

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed action sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Hazardous Materials, Air Quality, and Noise

To ensure that the proposed action would not result in significant adverse hazardous materials, air quality, and noise impacts an (E) Designation (E-523) will be placed on the Proposed Development Site (Block 80; Lots 5, 6, 7, 9, 10, 11, and 12). Refer to "Determination of Significance Appendix: (E) Designation" for the applicable (E) designation requirements. The analyses conducted for hazardous materials, air quality, and noise conclude that with the (E) Designation requirements in place the proposed action would not result in significant adverse impacts related to hazardous materials, air quality, or noise.

Land Use, Zoning, and Public Policy

A detailed analysis of the effects of the proposed action on Land Use, Zoning, and Public Policy was included in the EAS. The proposed text amendment to the bulk provisions governing Block 3 of the Court Square Subdistrict would only affect limited portions of the project area and minorly alter existing site-specific zoning regulations. The analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed action.

Shadows

A detailed assessment of the potential for the proposed action to result in significant adverse shadows impacts is included in the EAS. A shadows impact has the potential to occur when incremental shadows would fall on a sunlight-sensitive resource or feature and reduces its direct sunlight exposure. The determination of the significance of the impact is based on the extent and duration of the incremental shadow and the specific context in which the impact occurs. Incremental shadows would reach six sunlight-sensitive resources identified in the Tier 3 assessment included in the EAS. Increases in shadow coverage would occur at three resources on the March 21/September 21 analysis day; four resources on the May 6/August 6 analysis day; and three resources on the June 21 analysis day. The extent and duration of project-generated incremental shadows would not significantly affect the viability of vegetation or the usability of open space. Additionally, the significance of the historic resources which would have the potential to be cast in incremental shadow is not derived from sunlight-sensitive features. Therefore, it was determined that the proposed action would not result in significant adverse impacts related to shadows.

Project Name: Court Square Block 3 Text Amendment

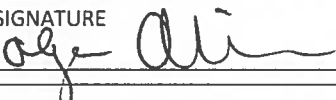
CEQR #: 19DCP038Q

SEQRA Classification: Unlisted

Urban Design and Visual Resources

The proposed zoning text amendment to height, setback, and tower provisions governing Block 3 of the Court Square Subdistrict would result in a shorter and more contextual development from the pedestrian perspective as compared to the No-Action condition and the proposed development's bulk and height would be more consistent with existing and planned buildings in the surrounding area. At street level, the proposed development and the No-Action development would appear identical, sharing the same amount of street frontage, a street wall location set at or near the street line, and active ground-floor uses. In addition, the proposed development would result in slight improvements to view corridors and visual resources both within the study area and visible from the study area, compared to No-Action condition. Therefore, it was determined the proposed actions would not have the potential to result in significant adverse impacts on urban design and visual resources.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA)

TITLE Acting Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE February 8, 2019
SIGNATURE 	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE February 11, 2019
SIGNATURE	

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SEQRA Classification: Unlisted

Determination of Significance Appendix: (E) Designation

To ensure that the proposed action would not result in significant adverse hazardous materials, air quality, and noise impacts, an (E) Designation (**E-523**) will be placed on the **Proposed Development Site (Block 80; Lots 5, 6, 7, 9, 10, 11, and 12)** as described below:

Hazardous Materials

The (E) Designation requirements for hazardous materials would apply to the **Proposed Development Site (Block 80; Lots 5, 6, 7, 9, 10, 11, and 12)** and are as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

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

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

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Air Quality

The (E) Designation requirements for air quality would apply to the **Proposed Development Site (Block 80; Lots 5, 6, 7, 9, 10, 11, and 12)** and are as follows:

Any new development or enlargement on the above-referenced property must exclusively use natural gas as the type of fuel for the heating, ventilating, air conditioning, and hot water (HVAC) system and ensure that the HVAC stack is located at the top of the bulkhead and at least 544 feet above grade to avoid any potential significant adverse air quality impacts.

Noise

The (E) Designation requirements for noise would apply to the **Proposed Development Site (Block 80; Lots 5, 6, 7, 9, 10, 11, and 12)** and are as follows:

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum attenuation as shown in Table F-13 of the EAS in order to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. To achieve up to 42 dBA of building attenuation, special design features that go beyond the normal double-glazed windows are necessary and may include using specifically designed windows (i.e., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.), and additional building attenuation. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.