

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)		
INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.		
1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.	Potentially Significant Adverse Impact	
	YES	NO
<b>IMPACT CATEGORY</b>		
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?  If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Check determination to be issued by the lead agency:		
<input type="checkbox"/> <b>Positive Declaration:</b> 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 <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).		
<input type="checkbox"/> <b>Conditional Negative Declaration:</b> A <i>Conditional Negative Declaration</i> (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.		
<input checked="" type="checkbox"/> <b>Negative Declaration:</b> If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i> . The <i>Negative Declaration</i> may be prepared as a separate document (see <a href="#">template</a> ) or using the embedded <i>Negative Declaration</i> on the next page.		
<b>4. LEAD AGENCY'S CERTIFICATION</b>		
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 May 17, 2019	
SIGNATURE 		

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

**Statement of No Significant Effect**

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, 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 the EAS, which finds that the proposed project and related actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this Determination are noted below.

**Hazardous Materials, Air Quality, and Noise**

An (E) designation (E-537) related to hazardous materials, air quality and noise has been assigned to site(s) affected by the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of these sites and all applicable (E) designation requirements. With the (E) designation measures in place, the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality and noise .

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

An analysis of land use, zoning, and public policy is included in this EAS. The proposed action, a zoning map amendment from M1-1 to R7X/C2-4 with a zoning text amendment to map a Mandatory Inclusionary Housing designated area would facilitate the development of a mixed-use 11-story building with approximately 244 dwelling units, ground-floor retail, and parking on the Proposed Development Site, Block 704 Lots 1, 12, and 42, 44-01 Northern Boulevard. The analysis considered the full buildout of the proposed development site, which includes all lots in the rezoning area. The analysis concludes that the proposed actions would not result in any significant adverse land use, zoning, or public policy impacts to the project site or the surrounding study area.

**Transportation**

A detailed analysis of transportation for traffic and pedestrians is included in this EAS. A significant adverse impact related to transportation for traffic or pedestrians would result when the proposed project would impose a condition where levels of service deteriorate to levels classified as unacceptable by the 2014 CEQR Technical Manual. The analysis shows that the future with the action would not result in more than 50 vehicle trips per intersection, or a condition of less than 90 square feet per pedestrian. The analyses conclude that the proposed actions would not result in significant adverse impacts related to vehicular or pedestrian traffic.

TITLE Acting Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning
NAME Olga Abinader	DATE May 17, 2019
SIGNATURE 	

TITLE Chair, Department of City Planning	
NAME Marisa Lago	DATE May 20, 2019
SIGNATURE	

**Project Name: 44-01 Northern Boulevard**

**CEQR #: 19DCP108Q**

**SEQRA Classification: Unlisted**

### Determination of Significance Appendix: (E) Designation

To ensure that there would be no significant adverse hazardous materials, air quality, noise impacts associated with the proposed project, an (E) designation (E-537) will be assigned to the projected site as explained below.

#### Projected Development Site 1:

Block 705, Lots 1, 12, 42

#### Hazardous Materials

##### Task 1

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

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.

#### Air Quality

To ensure that there would be no significant adverse air quality impacts associated with the proposed project, an E designation (E-537) will be placed on the Projected Development Site 1 (Block 705, Lots 1, 12, 42) as follows:

**Project Name: 44-01 Northern Boulevard**

**CEQR #: 19DCP108Q**

**SEQRA Classification: Unlisted**

Block 705, Lots, 1, 12, 42 (Projected Development Site a) : *Any new residential/commercial development or enlargement on the above-referenced property must ensure that the HVAC stack is located at the highest tier and at least 148 feet above grade, to avoid any potential significant adverse air quality impacts.*

### Noise

To ensure that there would be no significant adverse noise impacts associated with the proposed project, an E designation (E-537) will be placed on the Projected Development Site 1 (Block 705, Lots 1, 12, 42) as follows:

Block 705, Lots, 1, 12, 42 (Projected Development Site a) : *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 facades facing Northern Boulevard and facades facing 44th Street or 45th Street within 50 feet of Northern Boulevard to maintain an interior noise level not greater than 45 dBA for residential uses and not greater than 50 dBA for commercial uses. 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, air conditioning.*