

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 actions are a Zoning Map Amendment to rezone the project area (Bronx Block 3687, Lots 37, 39, 40, 41, 42, and 43) from an R3-2 district to an R6B/C1-3 and R6B districts and a Zoning Text Amendment to establish a Mandatory Inclusionary Housing area with MIH options 1 and 2 coterminous with the rezoning area Bronx Community District 9. The proposed development site is a corner lot at the intersection of Castle Hill Avenue and Story Avenue. The proposed actions would facilitate the development of a mixed use five-story plus cellar residential, commercial and community facility building with a total floor area of approximately 40,944 square feet on Bronx Block 3687, Lot 43, containing 35 residential dwelling units. The proposed land uses (residential and commercial) are compatible with the residential and commercial uses in the surrounding Study Area. No new type of land use would be introduced with the proposed actions, therefore, no significant adverse impacts related to land use, zoning, or public policy are anticipated.

Hazardous Materials, Air Quality, and Noise
 An (E) designation (E-596) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

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 Laura Kenny at +1 212-720-3419.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31 st Fl. New York, NY 10271 212.720.3493
NAME Olga Abinader	DATE 12/11/20
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 12/14/20
SIGNATURE	

Project Name: 909 Castle Hill Avenue

CEQR # 19DCP222X

SEQRA Classification: Unlisted

(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-596**) 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	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 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 as follows:

Projected Development Site 1: *Any new residential or commercial development on the above-referenced property must ensure that the heating, ventilation, and air conditioning (HVAC) systems and/or the hot water equipment stack(s) is located at the building's highest level and at least 53 feet above grade to avoid any potential significant adverse air quality impacts.*

Noise

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

Projected Development Site 1: *To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the facades facing Castle Hill Avenue and portions of facades facing Quimby Avenue or Story Avenue within 50 feet of Castle Hill Avenue to ensure an interior noise level not greater than 45 dBA for residential and community facility uses or not greater than 50 dBA for commercial office uses. To maintain a closed-window condition, alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*