

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 and that analysis determined that no significant adverse impacts would occur. The proposed action is a minor modification to the site plan and zoning calculations of the Seward Park Extension East Large-Scale Residential Development (LSRD) (Block 341, Lots 1, 58, 70; and Block 336, Lots 1, 5, 35, and part of 28) in the Lower East Side neighborhood of Community District 3, Manhattan. The proposed action would update the site plan and zoning calculations by merging Parcels 3A (Block 341, Lot 58), 3B (Block 341, Lot 70), and 3C (Block 341, Lot 1) into a renumbered Parcel 3; identifying the location and envelope of the proposed project; modifying the approved zoning sheets to reflect the proposed project; updating the zoning sheets to reflect the current controls to the extent applicable to Parcel 3; identify the location of an existing one-story trash building on the site plan; and modify landscaping at the development site. The modification would facilitate the development of two new buildings (Buildings 3-5 and 3-6) on the development site. Building 3-5 would include approximately 235,235 gross square feet of residential space (up to 235 affordable units) and 126 accessory parking spaces. Building 3-6 would include approximately 174,009 gsf of residential space (up to 245 affordable units) and 14,280 gsf of community facility space. The new buildings would comply with all applicable requirements of the underlying zoning regulations. As such, the proposed action would not introduce a new land use nor affect the existing mixed-use character of the area and would have no adverse effect on zoning or public policy.

Community Facilities

The EAS includes a detailed analysis of publicly funded child care facilities. The proposed actions would facilitate the development of 480 new affordable dwelling units which would generate approximately 55 additional children under the age of six who would be eligible for publicly funded child care programs. The 2014 CEQR Technical Manual (CEQR TM) indicates that if the utilization rate exceeds 100 percent, and is reduced by over 5 percent, a significant adverse impact may be identified. A detailed analysis showed that, as a result of the proposed actions, child care facilities in the study area would operate at 123.4 percent utilization, with a deficit of 274 slots, which represents an increase in the child care facility utilization rate by 4.7 percentage points over the No Action condition. Although the utilization rate exceeds 100 percent in the With Action condition, the change in utilization rate would be less than 5 percentage points; therefore, the proposed actions would not result in a significant adverse impact on the utilization of child care facilities.

Shadows

The EAS includes a detailed shadows analysis, which focuses on incremental shadows cast on The Park at Essex Crossing. The CEQR TM states that a significant adverse shadow impact could occur on a sunlight sensitive resource if that resource would receive less than four to six hours of direct sunlight per day during the growing season. The CEQR TM also states that the features of a natural resource indicate its sensitivity to shadows. Within the growing season, the analysis finds that the proposed development would cast incremental shadows during the morning hours. Given the limited extent of incremental shadow and the substantial remaining sunlit areas, the incremental shadow would not significantly impact the usability of the open space. As such, the proposed actions would not result in a significant adverse shadows impact to nearby sunlight sensitive resources.

Historic and Cultural Resources

The EAS includes a detailed Historic and Cultural Resources analysis based on the area of potential effect for construction-period impacts, such as ground-borne vibrations, and on the area of potential effect for visual or contextual effects. The proposed action would not result in adverse physical, contextual, or visual impacts on architectural resources. The Phase 1A Archaeological Study identified areas of historic archaeological sensitivity within the development site and recommended a Phase 1B Archaeological Investigation to determine the presence or absence of archaeological resources in those areas of sensitivity; and to avoid adverse physical impacts on architectural resources the applicant will develop and implement a Construction Protection Plan (CPP) in consultation with LPC and in accordance with the New York City Department of Buildings (DOB). With the completion of the Phase 1B Investigation and any subsequent analysis that may become necessary in the future and continued consultation with LPC, the project will not result in significant adverse impacts on archaeological, historic, or cultural resources.

Air Quality and Noise

An (E) designation (E-582) related to 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 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 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 Anthony Lechuga at +1 212-720-3489.

Project Name: Grand St Guild - Seward Park Extension LSRD Mod

CEQR # 20DCP039M

SEQRA Classification: Type I

TITLE Deputy 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 212.720.3328
NAME Stephanie Shellooe	DATE August 28, 2020
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE August 31, 2020
SIGNATURE	

Project Name: Grand St Guild - Seward Park Extension LSRD Mod

CEQR # 20DCP039M

SEQRA Classification: Type I

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	MN	Block 341, Lots 58, 70

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to air quality and noise an (E) designation (**E-582**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

Development Site	Air Quality	Noise
Projected Development Site 1	Block 341, Lots 58, 70	Block 341, Lots 58, 70

Air Quality

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

Projected Development Site 1:

Building 3-5 (Block 341, Lots 58, 70)

Any fossil fuel-fired hot water equipment for this development must have no more than a 3,000 MBH capacity, utilize only natural gas, be fitted with low NOx (20 ppm) burner, and the exhaust vents must be located at least 177 feet above grade. The space heating must be provided by natural gas-fired Packaged Terminal Air Conditioner (PTAC) units in each of the residential units with the total peak capacity of the units no more than 7,294 MBH.

Building 3-6 (Block 341, Lot 70)

Any fossil fuel-fired heating and hot water equipment must utilize natural gas exclusively, be fitted with low NOx (30 ppm) burners, and the heating and hot water exhaust stack(s) must be located at least 165 feet above grade, and at least 15 feet away from the western lot line bordering Lot 75 and no more than 61 feet away from the western lot line bordering Lot 75 to avoid potential air quality impacts.

Noise

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

Projected Development Site 1:

Block 341, Lots 58 and p/o 70 (Building 3-5):

To ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all facades in order to maintain an interior noise level not greater than 45 dBA for residential 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.

Project Name: Grand St Guild - Seward Park Extension LSRD Mod

CEQR # 20DCP039M

SEQRA Classification: Type I

Block 341, Lot 70 (Building 3-6):

To ensure an acceptable interior noise environment, future residential/community facility use must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on facades facing Grand Street or Pitt Street to maintain an interior noise level not greater than 45 dBA for residential and community facility 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.