

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 a portion of two blocks from C4-3 and R5B to C4-5X and C4-4, and a Zoning Text Amendment to Appendix F of the Zoning Resolution (ZR) to designate the rezoning area as a Mandatory Inclusionary Housing (MIH) area. The proposed actions would affect Queens, Block 835, Lots 1, 2 and 3; and Block 837, Lots 9, 13, 15, 16, 17, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48 and parts of Lots 27, 49, 50, 54, 55, and 58. The proposed actions would facilitate a series of developments by the applicants, MDM Development Group LLC, 2442 Astoria Associates, and 31 Neptune LLC to develop three Applicant-controlled development sites that would total approximately 300,342 gross square feet (gsf) of residential uses (295 dwelling units, of which between 74 and 89 would be affordable pursuant to MIH), 34,047 gsf of commercial uses and 28,988 gsf of community facility uses in the Astoria neighborhood of Queens, Community District 1. The proposed actions would also facilitate development on one non-Applicant owned site. The projected 13-story (135-foot tall), 94,387 gsf building on Development Site 4 would contain approximately 14,721 gsf of ground floor local retail uses and 79,666 gsf of residential uses with 94 DUs (24-28 affordable DUs) and 37 parking spaces. The proposed zoning map amendment would allow new residential and commercial development at a scale and density that is compatible with the existing zoning designations in the surrounding areas. The analysis concludes that no significant adverse impacts are anticipated for land use, zoning, and public policy.

Socioeconomics

A preliminary analysis of socioeconomic conditions is included in the EAS, including a preliminary assessment of direct residential and business displacement and indirect residential displacement. Based on CEQR Technical Manual guidance, analysis related to indirect business displacement or adverse impacts to specific industries is not warranted. Redevelopment of Projected Development Site 4 as a result of the proposed actions could result in potential direct displacement of approximately 51 residents which would account for approximately 0.11 percent of the total study area population. The CEQR Technical Manual threshold for potential significant adverse impacts is five percent, which would not be exceeded, and no further analysis is warranted. A preliminary assessment finds that the proposed actions would not result in significant adverse impacts related to direct business displacement. The four commercial business and estimated 120 jobs that could potentially be directly displaced as a result of the proposed actions do not provide products or services essential to the local economy that would no longer be available in the trade area due to the difficulty of either relocating or establishing a new comparable business, nor are there any publicly adopted plans that call for the preservation of such businesses in this area. With respect to indirect residential displacement, a preliminary assessment finds that the average income of the project-generated population is expected to be comparable to the current average in the ½-mile study area as well as the future population, given existing trends of household incomes in the area. The permanently affordable housing pursuant to MIH would help to maintain a diverse demographic composition in the study area. Therefore, the proposed actions would not introduce a new concentration of higher-income residents that could alter rental market conditions in the study area, and there would be no significant adverse impacts due to indirect residential displacement.

Open Space

A detailed analysis related to open space is included in this EAS. The proposed actions would not result in any significant direct impacts on any open space resources. Indirect effects occur to an area's open spaces when a proposed action would add enough population, either workers or residents, to noticeably diminish the ability of an area's open space to serve the existing or future population. In the future with the proposed actions, the total, active and passive open space ratios would decrease by approximately 1.8% for the Study Area population in an area with a relatively low open space ratio. However, based on the existing moderate utilization of many of the study area's open spaces, and the availability of additional open spaces conservatively not included in the quantitative analysis, and nearby large regional parks, the Proposed Actions would not result in a significant adverse impact on open space.

Shadows

A detailed analysis related to shadows is included in this EAS. The Proposed Actions would result in incremental shadow coverage (i.e. additional, or new, shadow coverage) on portions of one sunlight-sensitive open space resource, Hoyt Playground, as well as on portions of one sunlight-sensitive S/NR-listed historic resource, Bohemian Hall and Park. The extent and duration of the incremental shadows on these sunlight-sensitive resources would not (1) significantly reduce or completely eliminate direct sunlight exposure on any of the two resource's sunlight-sensitive features; and would not (2) significantly alter the public's utilization or enjoyment of the two resource's facilities or threaten the viability of vegetation or other sunlight-sensitive features within these two resources. Therefore, incremental shadows from the Projected Development Sites on Hoyt Playground and Bohemian Hall and Park would not be considered a significant adverse impact, in accordance with CEQR Technical Manual methodology.

Transportation

A detailed analysis related to transportation is included in this EAS, including traffic, subway and pedestrian assessment. Based on CEQR Technical Manual guidance, analysis thresholds related to subway line haul, bus transit and parking for detailed analysis is not exceeded and further analysis is not warranted. Traffic conditions were evaluated at three intersections where incremental vehicle trips generated by the Proposed Actions would exceed the 50-trip per hour threshold in the CEQR Technical

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Manual. At the intersection of Astoria Boulevard North/Hoyt Avenue North and 31st Street, a traffic improvement measure consisting of a signal timing changes of one second in the weekday AM peak hour is proposed in conjunction with the Proposed Actions. With incorporation of this improvement measure, the Proposed Actions would not result in significant adverse traffic impacts in any peak hour based on CEQR Technical Manual criteria. The Proposed Actions would generate a net increment of approximately 240 and 263 new subway trips during the weekday AM and PM peak commute hours. In the future with the Proposed Actions, those stairs and fare arrays that would be used by project generated demand are expected to operate at an acceptable level of service (LOS) A in both the AM and PM peak hours and would therefore not be significantly adversely impacted by the Proposed Actions based on CEQR Technical Manual criteria. Pedestrian elements were evaluated at a total of six pedestrian elements (three sidewalks, one crosswalk and two corner areas) where new trips generated by the Proposed Actions are expected to exceed the 200-trip/hour CEQR Technical Manual analysis threshold. In the future with the Proposed Actions, all analyzed pedestrian elements would continue to operate at an acceptable LOS C or better in all four analyzed peak hours, and there would be no significant adverse pedestrian impacts based on CEQR Technical Manual impact criteria.

Construction

A detailed analysis related to Construction is included in the EAS. Construction of the three Applicant-owned Development Sites and one non-Applicant owned Projected Development Site would adhere to the applicable laws, regulations, and building codes that govern construction in New York City. As detailed in the construction assessment in the EAS, the proposed actions would not result in significant adverse construction impacts in the key technical areas of historic and cultural resources, hazardous materials, transportation, air quality, and noise. The applicant will enter a Restrictive Declaration requiring the implementation of project components related to the environment that would preclude any potential impacts to air quality or noise related to construction activities, including emission control measures, use of specified lower noise equipment and a construction noise barrier. With these measures in place, the proposed actions would not result in construction-period significant adverse impacts and no further analysis is warranted.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-623) 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. This (E) Designation will supersede the prior (E) Designations mapped on portions of Projected Development Sites 1 and 3 as a result of the Astoria Rezoning in 2010 (E-245). 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 Stephanie Shellooe at +1 212-720-3328.

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NAME Stephanie Shellooe	DATE June 18, 2021
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TITLE Chair, City Planning Commission	
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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	Queens	Block 837, Lots 9 and 16
Projected Development Site 2	Queens	Block 837, Lot 27
Projected Development Site 3	Queens	Block 835, Lot 3
Projected Development Site 4	Queens	Block 837, Lots 38, 39, 41, 42, 43, 44, 45, 46 and 47

(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-623**) would be established as part of approval of the proposed actions on **Projected Development Sites 1, 2, 3 and 4** as described below. (E) Designations were mapped on portions of Projected Development Sites 1 and 3 as a result of the Astoria Rezoning in 2010 (E-245). This (E) Designation (E-623) will supersede the prior (E) Designation.

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	X
Projected Development Site 3	X	X	X
Projected Development Site 4	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Sites 1, 2 3 and 4** 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

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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

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

Block 837, Lots 9 and 16 (Projected Development Site 1): Any new residential, community facility, or commercial development on the above-referenced property must ensure that the HVAC stack is located at the building's highest level or at least 118 feet above the grade, that the stack is located at least 90 feet from the northern lot line facing 24th Road to avoid any potential significant adverse air quality impacts.

Block 837, Lot 27 (Projected Development Site 2): Any new residential, community facility, or commercial development on the above-referenced property must ensure that the HVAC stack is located at the building's highest level or at least 148 feet above the grade to avoid any potential significant adverse air quality impacts.

Block 835, Lot 3 (Projected Development Site 3): Any new residential, community facility, or commercial development or enlargement on the above-referenced property must ensure that the HVAC stack is located at the building's highest level or at least 132 feet above the grade, that the stack is located at least 7550 feet from the southern lot line facing 24th Avenue to avoid any potential significant adverse air quality impacts.

Block 837, Lots 38, 39, 41, 42, 43, 44, 45, 46, and 47 (Projected Development Site 4): Any new residential, community facility, or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and must be fitted with low NOx (30 ppm) burners, ensure that the stack is located at the building's highest level at a minimum of 138 feet above the grade, and that the stack is located at least 1120 feet from the southern lot line facing 24th Road to avoid any potential significant adverse air quality impacts.

Noise

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

Queens Block 837; Lots 9, 16 (Projected Development Site 1): To ensure an acceptable interior noise environment, future residential/commercial office/community facility uses must provide a closed-window condition with a minimum attenuation as shown in Table L-12 of the Astoria 31st Street Rezoning EAS in order to maintain 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 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

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(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.

Queens Block 837; Lot 27 (Projected Development Site 2): *To ensure an acceptable interior noise environment, future residential/commercial office/community facility uses must provide a closed-window condition with a minimum attenuation as shown in Table L-12 of the Astoria 31st Street Rezoning EAS in order to maintain 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 achieve up to 41 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.*

Queens Block 835; Lot 3 (Projected Development Site 3): *To ensure an acceptable interior noise environment, future residential/commercial office/community facility uses must provide a closed-window condition with a minimum attenuation as shown in Table L-12 of the Astoria 31st Street Rezoning EAS in order to maintain 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 achieve up to 40 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.*

Queens Block 837; Lots 38, 39, 41, 42, 43, 44, 45, 46, 47 (Projected Development Site 4): *To ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum attenuation as shown in Table L-12 of the Astoria 31st Street Rezoning EAS in order to maintain an interior noise level not greater than 45 dBA for residential uses. To achieve up to 40 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.*