



E-249

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, FAICP, *Director*
Department of City Planning

July 30, 2010

REVISED POSITIVE DECLARATION
Supersedes Positive Declaration Issued on April 16, 2010

Project Identification

CEQR No. 10DCP035X
ULURP Nos. Pending
SEQRA Classification: Type I

Lead Agency

City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-4320

Name, Description and Location of Proposal:

Webster Avenue Rezoning

The Positive Declaration has been revised for the above-referenced project due to the following changes to the Environmental Assessment Statement and Draft Scope of Work.

The Draft Scope of Work and Environmental Assessment Statement have been revised to incorporate these changes to the proposed action:

- the proposed action was revised to rezone areas along narrow streets in Bedford Park and Norwood to R7B, instead of R7A;
- the proposed action was revised to rezone part of one block on Marion Avenue and 195th Street to R7B instead of R5B; and
- the proposed action was revised to rezone part of one block on Hull Avenue between 204th and 205th streets and part of another block at Bainbridge and 198th Street, to R7B instead of R5A.

Additionally, the Draft Scope of Work and Environmental Assessment Statement have further been revised:

- to include updated analyses per the recently revised CEQR Technical Manual;
- to indicate that a small portion of the proposed rezoning area is located in Community District 12; and
- to indicate that a blockfront along Webster Avenue currently zoned R8/C2-3 would be rezoned to R8/C2-4.

DCP is proposing zoning map and zoning text amendments affecting the Bedford Park and Norwood communities in the Bronx, Community Districts 7 and 12. The areas affected by the

proposed action include all or portions of 80 blocks, generally bound by the Metro-North Railroad Harlem Line right-of-way to the southeast, Fordham Road and East Kingsbridge Road to the southwest, the Grand Concourse and Jerome Avenue to the northwest, and East Gun Hill Road to the northeast. Zoning mapping amendments are proposed along Webster Avenue between approximately Fordham Road and East 213th Street to permit contextual residential development and medium density commercial uses where current zoning is oriented to low-scale auto-related commercial uses.

A zoning text amendment is also proposed to establish the Inclusionary Housing program in proposed R7D and C4-5D districts within the proposed rezoning area. Neighborhood downzonings are proposed in the Bedford Park and Norwood neighborhoods to preserve the scale and context of those areas. The actions are as follows:

- Zoning map amendment to change portions of 18 blocks currently zoned C8-2, R7-1, R7-1/C1-3, and R7-1/C2-3 to R7D/C2-4, generally located along Webster Avenue, north of East 193rd Street and South of East 205th Street.
- Zoning map amendment to change a portion of one block currently zoned C8-2 to C4-5D, generally located along Webster Avenue, north of East 195th Street and south of Bedford Park Boulevard.
- Zoning map amendment to change portions of four blocks from C8-2 to C4-4 & R7B generally located along Webster Avenue, north of East 210th Street and south of East 213th Street.
- Zoning map amendment to change portions of 71 blocks from R7-1, R7-1/C1-3, R7-1/C2-3, R8, R8/C2-3, and C4-4 to contextual districts R4A, R5A, R5B, R5D/C1-4, R6B, R7B, R7B/C1-3, R7B/C2-4, R7A, R7A/C1-3, R7A/C1-4, R7A/C2-4, R8/C2-4 generally located northwest of Webster Avenue, north of Fordham Road, southeast of Valentine Avenue, east of Rochambeau Avenue, and south of East Gun Hill Road.
- Zoning text amendment to establish the Inclusionary Housing program in the R7D and C4-5D districts within the proposed rezoning area in Community District 7, the Bronx.

The proposed actions are intended to provide new opportunities for growth in an area well served by mass transit; encourage new housing production, including new affordable housing utilizing the Inclusionary Housing Program; and encourage new office and commercial space.

DCP analyzed 24 projected development sites and 25 potential development sites. It is expected the proposed actions would generate a net increase of 738 dwelling units, including 191 units of affordable housing; a net increase of 60,599 square- feet of commercial; and a net increase of 7,782 square-feet of community facility space. The analysis year is 2020.

In order to avoid any potential impacts related to hazardous materials, (E) designations for hazardous materials (E-249) would be placed on the following properties:

<u>Block</u>	<u>Lots</u>
3273	100, 105, 109, 114, 118, 122, 128
3276	1
3277	28, 36, 40, 41, 45

3278	31, 33
3279	50
3280	37, 39, 42, 45, 46, 48, 58, 61, 65, 67
3330	40, 50, 51, 52, 55, 57, 68
3331	57, 75, 80
3355	116
3356	200, 206, 214
3357	7, 12, 16, 18, 21, 23, 25, 28, 32, 33, 37, 52, 53, 54, 55
3360	33, 38, 44, 50, 62

The text of the (E) designation is as follows:

Due to the possible presence of hazardous materials on the aforementioned designated sites there is potential for contamination of the soil and groundwater. To determine if contamination exists and perform and appropriate remediation, the following tasks must be undertaken by the fee owners(s) of the lot restricted by this (E) designation prior to any demolition or disturbance of soil on the lot.

Task 1

The fee owner(s) of the lot(s) restricted by this (E) designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to DEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis.

No sampling program may begin until written approval of a work plan and sampling protocol is received from DEP. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by DEP upon request.

Task 2

A written report with findings and a summary of the data must be presented to DEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided by DEP if the results indicate that remediation is necessary.

If DEP determines that no remediation is necessary, written notice shall be given by DEP.

If remediation is necessary according to test results, a proposed remediation plan must be submitted to DEP for review and approval. The fee owner(s) of the lot(s) restricted by this (E) designation must perform such remediation as determined necessary by DEP. After completing the remediation, the fee owner(s) of the lot restricted by this (E) designation should provide proof that the work has been satisfactorily completed.

A DEP-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to DEP for review and approval prior to implementation.

With the implementation of the above (E) designation, no significant adverse impacts related to hazardous materials would occur.

In order to avoid any potential impacts related to air quality, (E) designations for stationary sources (E-249) would be placed on the following properties:

Air Quality (E) Designations for Development Sites – HVAC Restrictions

• Block 3273, Lots 105, 109 (Projected Development Site 2): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 28 feet for oil No.4/2 from the lot line facing Bedford Park Blvd for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3273, Lot 114 (Projected Development Site 3): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 22 feet for oil No.4/2 from the lot line facing Oliver Place and at least 20 feet from the lot line facing Bedford Park Blvd for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3278, Lot 88 (Projected Development Site 4): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 18 feet for oil No.4/2 from the lot line facing E 198 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

- Block 3278, Lots 84, 85 (Projected Development Site 5): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 17 feet for oil No.4/2 from the lot line facing E 197 Street for fuel oil and at least 23 feet from the lot line facing E 198 Street or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.
- Block 3278, Lots 80, 81, 82, 83 (Projected Development Site 6): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 22 feet for oil No.4/2 from the lot line facing E 197 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.
- Block 3280, Lots 52, 55 (Projected Development Site 8): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 24 feet for oil No.4/2 from the lot line facing E 201 Street and 24 feet from the lot line facing Bedford Park Blvd for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.
- Block 3280, Lots 45, 46, 48, 49 (Projected Development Site 9): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 28 feet for oil No.4/2 from the lot line facing Bedford Park Blvd for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.
- Block 3330, Lots 40, 42, 43 (Projected Development Site 10): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 18 feet for oil No.4/2 from the lot line facing E 203 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.
- Block 3330, Lots 50, 51 (Projected Development Site 11): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 11 feet for oil No.4/2 from the lot line facing E 202 Street and at least 18 feet from the lot line facing Metro-North Railroad for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.
- Block 3330, Lot 52 (Projected Development Site 12): Any new residential and/or commercial development on the above-referenced properties must ensure that the

heating, ventilating and air conditioning stack(s) are located at least 17 feet for oil No.4/2 from the lot line facing E 202 Street for fuel oil and at least 13 feet from the lot line facing Metro-North Railroad or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

- Block 3331, Lot 80 (Projected Development Site 14): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 22 feet for oil No.4/2 from the lot line facing E 204 Street for fuel oil and at least 15 feet from lot line facing Decatur Avenue or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

- Block 3357, Lot 7 (Projected Development Site 17): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 26 feet for oil No.4/2 from the lot line facing E 205 Street and Webster Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

- Block 3357, Lot 12 (Projected Development Site 18): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing E 204 Street for fuel oil and at least 25 feet from the lot line facing E 205 Street and Webster Avenue or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

- Block 3357, Lot 16, 18, 21 (Projected Development Site 19): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 24 feet for oil No.4/2 from the lot line facing E 204 Street for fuel oil and at least 23 feet from the lot line facing E 205 Street and Webster Avenue or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

- Block 3357, Lots 37, 52, 53, 54 (Projected Development Site 20): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 30 feet for oil No.4/2 from the lot line facing E 205 Street for fuel oil and or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

- Block 3357, Lot 55 (Projected Development Site 21): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 17 feet for oil

No.4/2 from the lot line facing E 204 Street for fuel oil and or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3360, Lot 50 (Projected Development Site 22): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 12 feet for oil No.4/2 from the lot line facing E Gun Hill Road for fuel oil and or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3356, Lot 214 (Projected Development Site 23): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing Decatur Avenue for fuel oil and or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3277, Lots 41, 45 (Potential Development Site 102): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 25 feet for oil No.4/2 from the lot line facing E 195 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3277, Lots 36, 40 (Potential Development Site 103): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 24 feet for oil No.4/2 from the lot line facing E 194 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3278, Lot 31 (Potential Development Site 106): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 16 feet for oil No.4/2 from the lot line facing Webster Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3280, Lots 65, 67 (Potential Development Site 108): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.4/2 from the lot line facing E 201 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3280, Lots 58, 61 (Potential Development Site 109): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 23 feet for oil No.4/2 from the lot line facing E 201 Street for fuel oil and at least 26 feet from the lot line facing Bedford Park Blvd or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3280, Lot 42 (Potential Development Site 110): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 17 feet for oil No.4/2 from the lot line facing Bedford Park Blvd for fuel oil and at least 12 feet from the lot line facing E 201 Street or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3330, Lots 55, 57 (Potential Development Site 115): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 29 feet for oil No.4/2 from the lot line facing E 202 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3357, Lot 23 (Potential Development Site 116): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing E 204 Street for fuel oil and at least 18 feet from the lot line facing E 205 Street and Webster Avenue or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3357, Lot 25 (Potential Development Site 117): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 19 feet for oil No.4/2 from the lot line facing E 204 Street for fuel oil and at least 22 feet from the lot line facing E 205 Street and Webster Avenue or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

• Block 3357, Lot 28 (Potential Development Site 118): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 27 feet for oil No.4/2 from the lot line facing E 204 Street for fuel oil and at least 26 feet from the lot line facing E 205 Street and Webster Avenue or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

- Block 3357, Lots 32, 33 (Potential Development Site 119): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 17 feet for oil No.4/2 from the lot line facing E 204 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

- Block 3356, Lot 206 (Potential Development Site 122): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 16 feet for oil No.4/2 from the lot line facing E Gun Hill Road for fuel oil and at least 16 feet from the lot line facing E 211 Street or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

- Block 3273 Lot 100 (Potential Development Site 125): Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 35 feet for oil No.4/2 from the lot line facing Webster Avenue for fuel oil and at least 16 ft feet from the lot line facing Decatur Avenue or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

With the implementation of the above (E) designation, no significant adverse impacts related to air quality from stationary sources would occur.

Noise (E) Designations for Development Sites

The following sites require 37.2 dBA of noise attenuation on façades that front on Bedford Park Boulevard, and 35 dBA on other façades, in order to avoid the potential for significant adverse impacts related to noise. The proposed action includes (E) designations as shown in Table 1, on the following properties:

Table 1: Sites Requiring (E) Designation with 37.2 dBA Noise Attenuation ¹

Potential Development Sites		
Development Site	Block	Lot(s)
107	3273	122, 128

¹ Window-wall attenuation of 37.2 dBA would be required for the building façade which fronts on Bedford Park Boulevard, where as all other facades would require 35 dBA window-wall attenuation

The text of the (E) designation for noise for the above properties would be as follows:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 37.2 dB(A) window-wall attenuation on any building façade which fronts Bedford Park Boulevard as well as a minimum of 35 dB(A) window-wall attenuation on any other building façade, in order to maintain an interior noise level of 45 dB(A). 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 or air conditioning sleeves containing air conditioners or HUD-approved fans.

The following sites require 35 dBA of noise attenuation in order to avoid the potential for significant adverse impacts related to noise. The proposed action includes (E) designations on properties as shown in Tables 2a and 2b.

The text of the (E) designation for noise for the above properties is as follows:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dB(A) window-wall attenuation in all façades in order to maintain an interior noise level of 45 dB(A). 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 or air conditioning sleeves containing air conditioners or HUD-approved fans.

With the attenuation measures specified above, the proposed rezoning would not result in any significant adverse noise impacts, and would meet CEQR guidelines.

Table 2a: Sites Requiring (E) Designation with 35 dBA Noise Attenuation
Projected Development Sites

Development Site	Block	Lot(s)
01	3273	85
02	3273	105, 109
03	3273	114
04	3278	88
05	3278	84, 85
06	3278	80, 81, 82, 83
07	3279	50
08	3280	52, 55
09	3280	45, 46, 48, 49
10	3330	40, 42, 43
11	3330	50, 51
12	3330	52
13	3330	68
14	3331	80
15	3331	64
16	3331	53
17	3357	7
18	3357	12, 15
19	3357	16, 18, 21
20	3357	37, 52, 53, 54
21	3357	55
22	3360	50
23	3356	214
24	3360	62

**Table 2b: Sites Requiring (E) Designation with 35 dBA Noise Attenuation
 Potential Development Sites**

Development Site	Block	Lot(s)
101	3276	1
102	3277	41, 45
103	3277	36, 40
104	3277	28
105	3278	33
106	3278	31
107	3273	118
108	3280	65, 67
109	3280	58, 61
110	3280	42
111	3280	37, 39
112	3331	74, 75
113	3331	57
114	3331	45, 48,
115	3330	55, 57
116	3357	23
117	3357	25
118	3357	28
119	3357	32, 33
120	3355	136
121	3355	116
122	3356	206
123	3356	200
124	3360	33, 38, 44
125	3273	100

Statement of Significant Effect:

On behalf of the City Planning Commission, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed actions may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The actions, as proposed, may result in significant adverse impacts on neighborhood character in the vicinity of the affected area.
2. The actions, as proposed, may result in significant adverse waterfront revitalization program related impacts.
3. The actions, as proposed, may result in significant adverse impacts on infrastructure in the vicinity of the affected area.
4. The actions, as proposed, may result in significant adverse impacts to traffic conditions in the vicinity of the affected area.
5. The actions, as proposed, may result in significant adverse impacts related to other aspects of the environment.

Supporting Statement:

The above determination is based on an Environmental Assessment Statement prepared for the actions which finds that:

1. Neighborhood Character – The proposed actions would result in new development which could alter existing neighborhood character by affecting traffic.
2. Infrastructure – The proposed action could result in an impact to infrastructure.
3. Waterfront Revitalization Program – The proposed action could result in an impact to the waterfront revitalization program.
4. Traffic – The proposed actions could increase traffic volumes which could generate significant traffic impacts requiring mitigation.
5. The Draft Environmental Impact Statement (DEIS) to be prepared for the proposed actions will identify and describe any other potential effects on the environment.
6. An Environmental Assessment Statement (EAS), dated April 16, 2010, was prepared for the proposed actions. The EAS concluded that, based on standard methodologies using *CEQR Technical Manual* guidelines and employing reasonable, worst-case assumptions, the proposed actions would not result in significant adverse impacts with respect to Land Use, Zoning and Public Policy; Socioeconomic Conditions; Community Facilities and Services; Open Spaces; Shadows; Historic Resources; Urban Design and Visual Resources; Natural Resources; Hazardous Materials; Solid Waste and Sanitation Services; Energy; Parking; Transit and Pedestrians; Air Quality; Noise; Construction Impacts; or Public Health.
7. The (E) designation for hazardous materials would ensure that the proposed actions would not result in significant adverse impacts due to hazardous materials.
8. The (E) designation for air quality would ensure that the proposed actions would not result in significant adverse impacts due to air quality.
9. The (E) designation for noise would ensure that the proposed actions would not result in significant adverse impacts due to air quality.

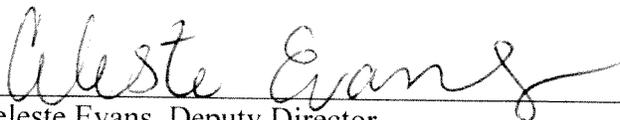
Public Scoping:

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A Draft Scope of Work for the proposed action was issued on April 16, 2010, and a public scoping hearing on the proposed action was held on May 19th, at The Bedford Park Senior Center 243 E. 204th Street, Bronx, New York. Subsequently, the proposed action was revised to rezone areas along narrow streets in Bedford Park and Norwood to R7B, instead of R7A; rezone part of one block on Marion Avenue and 195th Street to R7B instead of R5B; rezone part of one block on Hull Avenue between 204th and 205th streets and part of another block at Bainbridge and 198th Street, to R7B instead of R5A. The Draft Scope of Work and Environmental Assessment Statement have been revised to incorporate these changes, and to include updated analyses per the May 2010 edition of the CEQR Technical Manual. Furthermore, the Draft Scope of Work and Environmental Assessment Statement have been revised to indicate that a small portion of the proposed rezoning area is located in Community District 12 and that a blockfront along Webster Avenue currently zoned R8/C2-3 would be rezoned to R8/C2-4.

A second public scoping meeting has been scheduled for Wednesday, September 1, 2010 at 10:00am and will be held at the Department of City Planning, Spector Hall, 22 Reade Street, New York, NY 10017. Written comments will be accepted by the lead agency through the tenth day following the scoping meeting. Comments made during both scoping hearings will be considered.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law. Should you have any questions pertaining to this Positive Declaration, you may contact Nicole Rodriguez, the project manager, at (212) 720-3247.



Celeste Evans, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

July 30, 2010
Date

