



**STATE ENVIRONMENTAL QUALITY REVIEW  
NEGATIVE DECLARATION  
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

**DATE:** June 22, 2022

**SEQR PROJECT NO.:** 22-018

**LEAD AGENCY:** New York City School Construction Authority  
30-30 Thomson Avenue  
Long Island City, New York 11101-3045

This notice is issued pursuant to 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQR). Pursuant to §1730.2 of the Public Authorities Law and Article 8 of the Environmental Conservation Law and the rules and regulations promulgated by the New York State Department of Environmental Conservation (NYSDEC), the New York City School Construction Authority (SCA) is deemed the lead agency for the purposes of State Environmental Quality Review (SEQR).

The SCA, as Lead Agency, has determined that the proposed action described below will not have a significant adverse effect on the quality of the environment, and a Draft Environmental Impact Statement (DEIS) will not be prepared.

**NAME OF ACTION:** P.S. at 160 Van Cortlandt Park South, Bronx

**LOCATION:** 160 Van Cortlandt Park South, Bronx  
Portion of Lot 150 on Block 3271

**SEQR STATUS:** Unlisted

**NEGATIVE DECLARATION**

**Description of Action:**

On behalf of the New York City Department of Education (DOE), the SCA proposes the acquisition of a portion of Lot 150 on Block 3271 to construct a new, approximately 736-seat Primary School (P.S.) facility, located at 160 Van Cortlandt Park South in the Kingsbridge section of the Bronx. It is anticipated that the new school will open for student occupancy in September 2027.

The portion of Lot 150 comprising the proposed school site is located at the western end of the block bounded by Van Cortlandt Park South to the north, West 239<sup>th</sup> Street to the south, Putnam Avenue West to the east, and Review Place to the west. The project site is part of the existing, approximately 77,857 square foot (sf) former Visitation of the Blessed Virgin Mary Church complex ("the Complex"), which comprises the entire city block. The Complex has been determined eligible for inclusion in the State and National Registers of Historic Places by the New York



State Office of Parks, Recreation and Historic Preservation (OPRHP). The proposed project site consists of a paved parking area that formerly served the Complex (currently vacant). The remainder of the block contains three vacant buildings (a former church, a former parochial school, and a former parsonage) surrounded by unmaintained lawn, paved walkways and parking areas. The proposed project site is approximately 21,810 square feet (0.5 acre), of the larger Complex.

The purpose of the proposed project is to provide additional permanent public school capacity to meet the needs identified in the DOE's Five-Year Capital Plan. During the 2019-2020 school year, Community School District (CSD) No. 10's elementary school facilities, collectively, operated at approximately 105 percent of their target capacity. The project will be undertaken pursuant to the DOE's Five-Year Capital Plan for Fiscal Years 2020-2024, which allocates capital funding for the creation of a total of 1,978 additional seats at the primary school level in CSD No. 10 to address the need for additional capacity in the district and to support the DOE's initiative for class-size reduction.

The proposed action will entail the DOE's acquisition of the subdivided, western portion of Lot 150, which contains approximately 21,810 sf paved parking area, for the construction of an approximately 736-seat primary school facility. (As part of a separate action by others, the existing buildings on the remainder of the block will be demolished and that portion of the block will be redeveloped as of right with new residential development by 2026.)

The proposed new school facility will be a five-story structure and will contain approximately 103,654 gross square feet (gsf), with its main entrance located on Review Place. The new primary school facility will serve students in grade levels pre-kindergarten through five, and special education students enrolled in a District 75 program.<sup>1</sup> The new school will include the following: general education classrooms for grade levels pre-kindergarten through five, District 75 (citywide special education) classrooms, District 75 administrative office space, District 75 speech rooms, District 75 resource rooms, District 75 occupational therapy room, District 75 physical therapy room, District 75 multi-purpose room, reading resource room, speech resource room, art room, music room, science room, gymnasium, exercise room, library, guidance suite, medical suite, administration suite, students' dining area, staff lunch/conference room, kitchen, cafeteria, and storage. There will also be an approximately 6,400 sf rooftop play yard and an approximately 2,500 sf at-grade school play yard within a permanent easement area adjacent to the project site ("playground easement").<sup>2</sup>

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<sup>1</sup> District 75 programs provide citywide special education services for students in need of intensive or specialized services.

<sup>2</sup> The permanent easement area for the proposed school play yard is located in the western portion of the interior courtyard within the future adjacent residential development located east of the proposed school building.



### **Reasons Supporting This Determination:**

A comprehensive Environmental Assessment Form (EAF) and Supplemental Environmental Studies for this action were completed and issued on May 26, 2022. Based on those documents, the SCA has determined that the proposed project will have no significant adverse impacts on environmental conditions related to the following areas: land use, zoning and public policy; socioeconomic conditions; community facilities and services; open space; shadows; historic and cultural resources; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation services; energy; transportation; air quality; noise; public health; neighborhood character; and construction-related impacts.

The key findings related to the analysis of the following environmental impact areas in the Environmental Assessment are discussed in greater detail below.

#### ***Shadows***

The proposed project site is part of the existing Visitation of the Blessed Virgin Mary Church complex, which has been determined eligible for inclusion in the State and National Registers of Historic Places by OPRHP. The proposed project site currently consists of a paved parking area that formerly served the Complex. As part of a separate action, the existing historic buildings, located on the east side of the former Complex will, upon information and belief, be demolished and redeveloped as a residential housing units. As a result, these SR/NR-eligible historic resources will not be present in the 2026 build year and are not included as sunlight-sensitive resources for the purposes of the shadows analysis.

The preliminary design currently under consideration, calls for the construction of a new five-story primary school building. The new building will be approximately 87 feet (including the bulkhead) tall causing maximum shadow forecasting to extend approximately 375 feet. Following both Tier 1 and Tier 2 screenings for shadows, performed in the manner prescribed by the *CEQR Technical Manual*, it was determined that three potentially sunlight-sensitive resources are located within 375 feet of the proposed school building: publicly-accessible Van Cortlandt Park, Van Cortlandt's Tail, and Twin Oaks Triangle. Shadows from the proposed school could extend over the southwestern corner of Van Cortlandt Park and the entirety of Van Cortlandt's Tail and Twin Oaks Triangle. However, shadows from the residential development that will be built east of the project site by 2026 will extend over much of the same area before the school will be constructed. Therefore, a detailed analysis was performed to assess the incremental shadow that will be attributable only to the proposed school building, specifically, and to allow for a clearer understanding of seasons and time of day that shadowing will be present on potentially sunlight-sensitive resources.

Incremental shadow from the proposed P.S. will be expected to fall on Van Cortlandt Park on the December 21<sup>st</sup> and March 21<sup>st</sup> analysis dates, on Van Cortlandt's Tail on the March 21<sup>st</sup> and May 6<sup>th</sup> analysis dates, and on Twin Oaks Triangle on the December 21<sup>st</sup> analysis date. However, Van Cortlandt Park



(including its landscaped areas, playgrounds, Multi-Purpose Paved Area, athletic fields, Old Putnam Trail, and pedestrian walkways), Van Cortlandt's Tail, and Twin Oaks Triangle will not experience any significant adverse impacts related to shadows. Therefore, the proposed P.S. will not result in any significant adverse impact related to shadows.

### ***Soil and Groundwater Conditions***

A Phase I Environmental Site Assessment (ESA) was completed by Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. (Langan) on behalf of the SCA, in August 2017, to evaluate the environmental conditions of the project site. A Site Inspection and Regulatory Agency Database Review (SIDBR) was completed by D&B Engineers and Architects (D&B) in August 2021 and a Phase II Environmental Site Investigation (ESI) was completed by D&B in September 2021.

The Phase I ESA identified on-site recognized environmental conditions (RECs) associated with historic fill of unknown origin, potential presence of buried structures, Petroleum Bulk Storage (PBS) on the site including an active 10,000-gallon aboveground storage tank (AST) in a subterranean vault, an active 275-gallon AST, a removed 500-gallon underground storage tank (UST) with impacts to soil, and the potential for additional buried tank(s). Off-site RECs included: current and historical automobile repair facilities, gasoline service stations, PBS facilities, MTA-NYCT maintenance facilities, and dry cleaners; and regulatory database listings in the vicinity of the site for hazardous waste generators, spill incidents, petroleum bulk storage facilities, registered/historic cleaners, and historic auto sites. Environmental concerns were associated with the potential presence of mold, asbestos-containing material (ACM), lead-based paint (LBP), and/or polychlorinated biphenyl (PCB)-containing materials, and potential emissions from an active nearby dry cleaner.

The SIDBR identified RECs associated with the presence of on-site groundwater monitoring wells, stained areas of pavement, and historical dumping of debris and garbage on-site. Off-site RECs included: current and historical automobile repair facilities, gasoline service stations, PBS facilities, and dry cleaners; and regulatory database listings in the vicinity of the site for aerometric information retrieval system, voluntary cleanup program, hazardous waste generators, spill incidents, petroleum bulk storage facilities, registered/historic cleaners, and historic auto sites. Environmental concerns associated with the potential presence of mold, ACM, LBP, and/or PCB-containing materials or debris resulting from exiting on-site structure or buried structure and historic fill material and regulatory compliance issue related to AST registration.

Based on the findings of the Phase I ESA and SIDBR, a Phase II ESI was conducted at the site that included a geophysical survey and collection and laboratory analysis of soil, groundwater, and soil vapor samples.





The results of the due diligence process indicated the detection of several volatile organic compounds (VOCs) in soil vapor at concentrations above the New York State Department of Health (NYSDOH) comparison criteria, which are attributed to off-site sources. Several semi-volatile organic compounds (SVOCs) and metals were detected at concentrations above the New York State Department of Environmental Conservation (NYSDEC) Soil Cleanup Objectives; the presence of these compounds is attributed to historic fill. VOCs, SVOCs and metals were detected in groundwater samples at concentrations exceeding their respective NYSDEC Ambient Water Quality Standards and Guidance Values; the presence of VOCs is attributed to off-site sources and the presence of SVOCs and metals is attributed to historic fill.

The 10,000-gallon AST at the site will be excavated and removed in accordance with all federal, state, and local requirements. For the site to be suitable for construction of a public school facility, a soil vapor barrier and a sub-slab depressurization system (SSDS) will be incorporated into the new building design. Material excavated from the site will be characterized to identify material handling, reuse, and/or disposal requirements, and two feet of environmentally clean fill will be placed over all landscaped areas. Any dewatering required during construction will be performed in accordance with applicable local, state, and federal regulations and minimized to mitigate potential influx of contaminated water from off-site sources toward the site. Suspect ACM, LBP, mold and PCB-containing materials, if any, disturbed by site development will be properly managed and removed. In addition, in order to minimize any potential exposure to construction workers and the surrounding public, standard industry practices, including appropriate health and safety measures, will be utilized during the project. All of the foregoing mitigation measures will be implemented as part of the proposed project; therefore, no adverse impacts due to the identified soil and groundwater conditions will occur.

### ***Transportation***

Based on City Environmental Quality Review standards, the analysis of potential transportation impacts indicated that the proposed action will not result in significant impacts to transit or parking conditions in the vicinity of the proposed project site; however, significant adverse traffic impacts will be expected at three intersections and significant adverse pedestrian impacts will be expected at two locations within the study area.<sup>3</sup>

The traffic impacts at the intersection of West 240<sup>th</sup> Street/Van Cortlandt Park South at Broadway can be fully mitigated with signal timing adjustments and parking regulation changes on the eastbound approach to provide two travel lanes.

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<sup>3</sup> Due to the ongoing COVID-19 pandemic affecting daily life in New York City, traffic data collected in April 2022 may not represent a typical weekday condition. Therefore, STV, in consultation with the New York City Department of Transportation (NYCDOT), developed a methodology to use a control count location with historic count data available to develop a factor to be applied to the April 2022 counts.



The traffic impacts at the intersection of Broadway and West 238<sup>th</sup> Avenue can be fully mitigated with signal timing adjustments. The traffic impacts at the intersection of Van Cortlandt Park South and Review Place can be fully mitigated by implementing a traffic signal.

The significant pedestrian impact at the south crosswalk of Broadway at 238<sup>th</sup> Street during the AM peak hour as a result of the proposed action can be fully mitigated by a signal timing shift. The significant pedestrian impact on the south sidewalk of Van Cortlandt Park South between Broadway and Review Place as a result of the proposed action can be fully mitigated by increasing the sidewalk clear width by removing or reducing existing obstructions in the sidewalk.

These identified mitigation measures, if implemented, will avoid potential impacts to traffic and pedestrians in the vicinity of the project site.

The proposed project will have the beneficial impact of providing approximately 736 additional, permanent, primary school seats in CSD No. 10. These additional seats will mitigate overcrowding and support the DOE's goal of class size reduction as identified in the 2020-2024 Five Year Capital Plan in this district.

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Date