



Negative Declaration

CEQR No. 08CCO001Q

Date Issued: November 14, 2007

NAME: Bimmy's Empire Zone Regionally Significant Project

LOCATION: Long Island City, New York

SEQR CLASSIFICATION: The project is classified as an Unlisted action pursuant to 6 NYCRR, Part 617.2(ak).

Description

The proposed action requests the approval of Bimmy's, a manufacturer in an Industrial Business Zone (IBZ) as a Regionally Significant Project. The proposed action would create and retain 100 new jobs over the next 5 years, and invest between \$100,000 and \$200,000 in an HVAC system and a walk in freezer box.

The Empire Zones program is a certification program through which businesses that make investments in a geographically designated area are made eligible for a variety of New York State tax credits and other benefits.

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 (CEQR), the New York City Council and the Office of the Mayor, as co-lead agencies pursuant to 62RCNY Chapter 5-03(d), find that the proposed action would have no significant effect on the quality of the environment.

Supporting Statements

The above determination is based on an Environmental Assessment Statement (EAS) dated November 13, 2007 and on file with the New York City Council. The EAS finds that:

1. The project as proposed would not have significant adverse impacts on land use or the character of the surrounding community.
2. The project as proposed would not result in significant adverse traffic, noise or air quality impacts.
3. The project as proposed would not result in significant adverse impacts on cultural resources.
4. The project as proposed will not result in any hazardous materials impacts to humans or the natural environment.
5. No other significant effects upon the environment that would require an Environmental Impact Statement are foreseeable.

This Negative Declaration was prepared in accordance with Article 8 of the NYS Environmental Conservation Law.



Jeffrey Haberman
Deputy Director of the Infrastructure Division
New York City Council

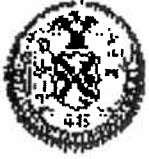
November 14, 2007
Date



Robert R. Kulikowski, Ph.D.
Assistant to the Mayor

November 14, 2007
Date

cc: Office of Environmental Coordination
Andrew Schwartz, SBS



City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT
PART I, GENERAL INFORMATION

Reference Numbers

1. 08CC00019
CEQR REFERENCE NUMBER (TO BE ASSIGNED BY LEAD AGENCY)
BSA REFERENCE NO. IF APPLICABLE
ULURP REFERENCE NO. IF APPLICABLE
OTHER REFERENCE NO(S) IF APPLICABLE (e.g. Legislative Intro, CAPA, etc)

Lead Agency & Applicant Information
PROVIDE APPLICABLE INFORMATION

<p>2a. Lead Agency</p> <p><u>NYC Council/Mayor's Office</u> <small>NAME OF LEAD AGENCY</small> <u>Jeff Haberman/Bob Kulikowski</u> <small>NAME OF LEAD AGENCY CONTACT PERSON</small> <u>250 Broadway, Room 14P2</u> <small>ADDRESS</small> <u>New York, NY 10007</u> <small>CITY STATE ZIP</small> <u>212-788-9122 212-788-9168</u> <small>TELEPHONE FAX</small> <u>infhaber@council.nyc.gov</u> <small>EMAIL ADDRESS</small></p>	<p>2b. Applicant Information</p> <p><u>Bimmy's, LLC</u> <small>NAME OF APPLICANT</small> <u>Elliot Fread</u> <small>NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON</small> <u>47-00 33rd Street</u> <small>ADDRESS</small> <u>Long Island City, NY 11101</u> <small>CITY STATE ZIP</small> <u>718-361-3144 718-361-6662</u> <small>TELEPHONE FAX</small> <u>elliot@bimmys.com</u> <small>EMAIL ADDRESS</small></p>
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Action Description
SEE CEQR MANUAL SECTIONS 2A & 2B

3a. NAME OF PROPOSAL Bimmy's Empire Zone Regionally Significant Project

3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):

See Attachment A

3c. DESCRIBE THE PURPOSE OF AND NEED FOR THE ACTION(S) AND APPROVAL(S):

By granting Bimmy's Empire Zone Regionally Significant Project approval, the company will continue its job creation in New York City and State.

Required Action or Approvals

4. CITY PLANNING COMMISSION Yes No

Change in City Map Zoning Certification Site Selection - Public Facility

Zoning Map Amendment Zoning Authorization Disposition - Real Property Franchise

Zoning Text Amendment Housing Plan & Project UDAAP Revocable Consent Concession

Charter 197-a Plan _____

Zoning Special Permit, specify type _____

Modification of _____

Renewal of _____

Other _____

5. UNIFORM LAND USE PROCEDURE (ULURP) Yes No

6. BOARD OF STANDARDS AND APPEALS Yes No

Special Permit New Renewal Expiration Date _____

Variance Use Bulk

Specify affected section(s) of Zoning Resolution _____

7. DEPARTMENT OF ENVIRONMENTAL PROTECTION Yes No

Title V Facility Power Generation Facility Medical Waste Treatment Facility

PLEASE NOTE THAT MANY ACTIONS ARE NOT SUBJECT TO CEQR. SEE SECTION 110 OF TECHNICAL MANUAL

8. OTHER CITY APPROVALS Yes No
 Legislation Rulemaking; specify agency: _____
 Construction of Public Facilities Funding of Construction, Specify Funding of Programs, Specify
 Policy or plan Permits, Specify: _____
 Other, explain: _____

9. STATE ACTIONS/APPROVALS/FUNDING Yes No
 If "Yes," identify _____

10. FEDERAL ACTIONS/APPROVALS/FUNDING Yes No
 If "Yes," identify _____

Action Type

11a. Unlisted; or Type I; specify category (see 6 NYCRR 617.4 and NYC Executive Order 91 OF 1977, as amended): _____

11b. Localized action, site specific Localized action, change in regulatory control for small area Generic action

Analysis Year

12. Identify the analysis year (or build year) for the proposed action: 2008
 Would the proposal be implemented in a single phase? Yes No NA.
 Anticipated period of construction: _____
 Anticipated completion date: _____

Would the proposal be implemented in multiple phases? Yes No NA.
 Number of phases: _____
 Describe phases and construction schedule: _____

Directly Affected Area

INDICATE LOCATION OF PROJECT SITE FOR ACTIONS INVOLVING A SINGLE SITE ONLY (PROVIDE ATTACHMENTS AS NECESSARY FOR MULTIPLE SITES)

13a. LOCATION OF PROJECT SITE
47-00 33rd Street
STREET ADDRESS
33rd Street and 47th avenue
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS
M1-4 9b
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF ANY ZONING SECTIONAL MAP NO.
Block 252 Lot 18 Long Island City, Queens CD 2
TAX BLOCK AND LOT NUMBERS BOROUGH COMMUNITY DISTRICT NO.

13b. PHYSICAL DIMENSIONS AND SCALE OF PROJECT
 TOTAL CONTIGUOUS SQUARE FEET OWNED OR CONTROLLED BY PROJECT SPONSOR 13,520 SQ. FT.
 PROJECT SQUARE FEET TO BE DEVELOPED N/A SQ. FT.
 GROSS FLOOR AREA OF PROJECT 13,520 SQ. FT.
 IF THE ACTION IS AN EXPANSION, INDICATE PERCENT OF EXPANSION PROPOSED IN THE NUMBER OF UNITS, SQ. FT. OR OTHER APPROPRIATE MEASURE: N/A % OF N/A
 DIMENSIONS (IN FEET) OF LARGEST PROPOSED STRUCTURE N/A HEIGHT, N/A WIDTH, N/A LENGTH
 LINEAR FEET OF FRONTAGE ALONG A PUBLIC THOROUGHFARE N/A

13c. IF THE ACTION WOULD APPLY TO THE ENTIRE CITY OR TO AREAS THAT ARE SO EXTENSIVE THAT A SITE-SPECIFIC DESCRIPTION IS NOT APPROPRIATE OR PRACTICABLE, DESCRIBE THE AREA LIKELY TO BE AFFECTED BY THE ACTION:
 NA

13d. DOES THE PROPOSED ACTION INVOLVE CHANGES IN REGULATORY CONTROLS THAT WOULD AFFECT ONE OR MORE SITES NOT ASSOCIATED WITH A SPECIFIC DEVELOPMENT? Yes No
 IF "YES," IDENTIFY THE LOCATION OF THE SITES PROVIDING THE INFORMATION REQUESTED IN 13a & 13b ABOVE.

PART II, SITE AND ACTION DESCRIPTION

Site Description

EXCEPT WHERE OTHERWISE INDICATED, ANSWER THE FOLLOWING QUESTIONS WITH REGARD TO THE DIRECTLY AFFECTED AREA. THE DIRECTLY AFFECTED AREA CONSISTS OF THE PROJECT SITE AND THE AREA SUBJECT TO ANY CHANGE IN REGULATORY CONTROLS.

1. **GRAPHICS** Please attach: (1) a Sanborn or other land use map; (2) a zoning map; and (3) a tax map. On each map, clearly show the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. The maps should not exceed 8½ x 14 inches in size.

2. **PHYSICAL SETTING** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 13,520 Water surface area (sq. ft.): NA
 Roads, building and other paved surfaces (sq. ft.): NA Other, describe (sq. ft.): _____

3. **PRESENT LAND USE**

Residential
 Total no. of dwelling units _____ No. of low-to-moderate income units _____
 No. of stories _____ Gross floor area (sq. ft.) _____
 Describe type of residential structures: _____

Commercial

Retail: No. of bldgs _____ Gross floor area of each building (sq. ft.): _____
 Office: No. of bldgs _____ Gross floor area of each building (sq. ft.): _____
 Other: No. of bldgs _____ Gross floor area of each building (sq. ft.): _____
 Specify type(s): _____ No. of stories and height of each building: _____

Manufacturing/Industrial

No. of bldgs 1 Gross floor area of each building (sq. ft.): 13,520
 No. of stories and height of each building: 3 Open storage area (sq. ft.) _____
 Type of use(s): _____
 If any unenclosed activities, specify: _____

Community facility

Type of community facility: _____ Gross floor area of each building (sq. ft.): _____
 No. of bldgs _____
 No. of stories and height of each building: _____

Vacant land

Is there any vacant land in the directly affected area? Yes No
 If yes, describe briefly: _____

Publicly accessible open space

Is there any existing publicly accessible open space in the directly affected area? Yes No
 If yes, describe briefly: _____

Does the directly affected area include any mapped City, State or Federal parkland? Yes No
 If yes, describe briefly: _____

Does the directly affected area include any mapped or otherwise known wetland? Yes No
 If yes, describe briefly: _____

Other land use

No. of stories _____ Gross floor area (sq. ft.) _____
 Type of use: _____

4. **EXISTING PARKING**

Garages

No. of public spaces: _____ No. of accessory spaces: _____
 Operating hours: _____ Attended or non-attended? _____

Lots

No. of public spaces: _____ No. of accessory spaces: _____
 Operating hours: _____ Attended or non-attended? _____

Other (including street parking) - please specify and provide same data as for lots and garages, as appropriate.

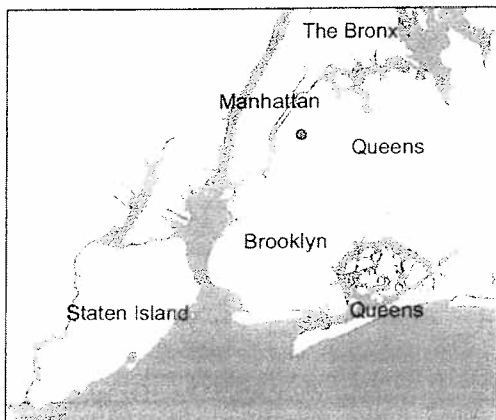
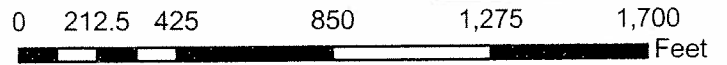
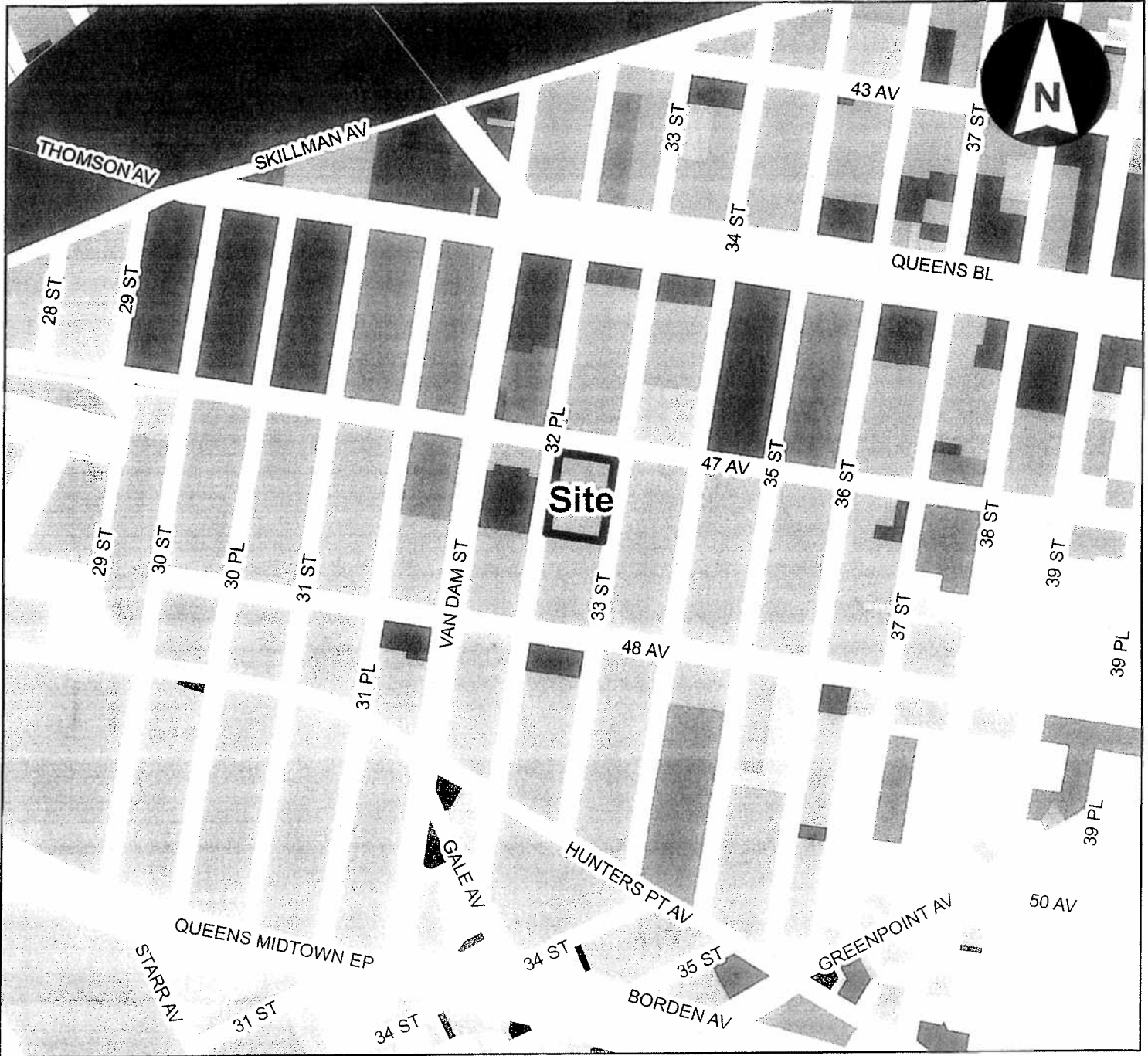
There is parking on both sides of the street utilized by approximately 8-10 small delivery trucks and one employee.

5. **EXISTING STORAGE TANKS**

Gas or service stations? Yes No Oil storage facility? Yes No Other? Yes No
 If yes, specify: _____

Number and size of tanks: _____ Last NYFD inspection date: _____
 Location and depth of tanks: _____

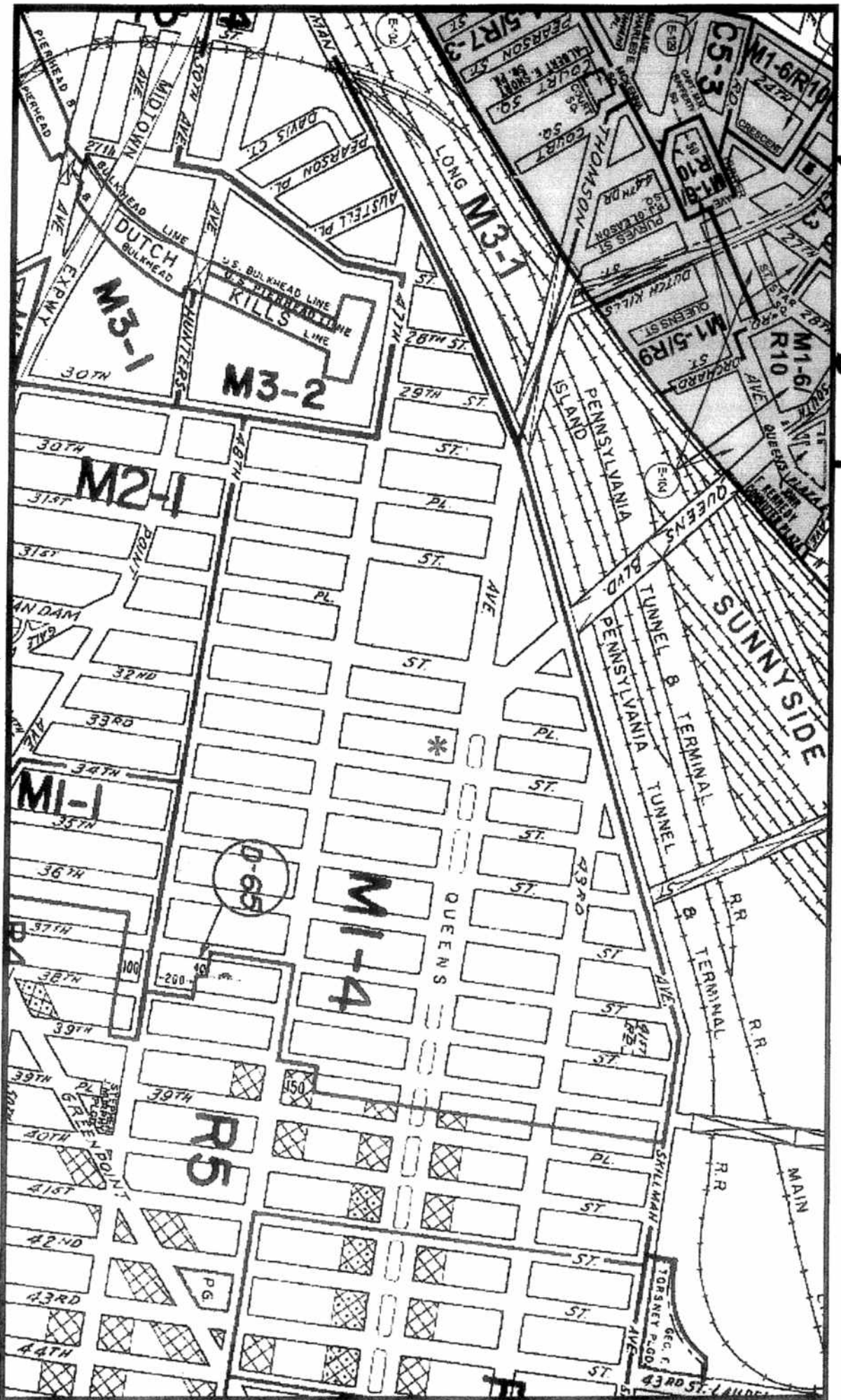
BIMMY'S



- | | |
|----------------------------|-----------------------|
| Residential | Institutions & Public |
| Mixed-Use | Parks & Open Space |
| Commercial & Office | Parking Facilities |
| Industrial & Manufacturing | Vacant Land |
| Transportation & Utility | Other/Unknown |

Bimmy's
 47-00 33rd Street, Long Island City, NY 11101 Block 252 Lot 18

Bimmy's Zoning Map



Bimmy's
 47-00 33rd Street, Long Island City, NY 11101
 Block 252 Lot 18

* SITE

6. CURRENT USERS

No. of residents: _____ No. and type of businesses: 1
No. and type of workers by businesses: 100 No. and type of non-residents who are not workers: _____

7. HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)

Answer the following two questions with regard to the directly affected area, lots abutting that area, lots along the same blockfront or directly across the street from the same blockfront, and, where the directly affected area includes a corner lot, lots which front on the same street intersection.

Do any of the areas listed above contain any improvement, interior landscape feature, aggregate of landscape features, or archaeological resource that:

- (a) has been designated (or is calendared for consideration as) a New York City Landmark, Interior Landmark or Scenic Landmark;
- (b) is within a designated New York City Historic District;
- (c) has been listed on, or determined eligible for, the New York State or National Register of Historic Places;
- (d) is within a New York State or National Register Historic District; or
- (e) has been recommended by the New York State Board for listing on the New York State or National Register of Historic Places?

Identify any resource:

No

Do any of the areas listed in the introductory paragraph above contain any historic or archaeological resource, other than those listed in response to the previous question? Identify any resource.

No

8. WATERFRONT REVITALIZATION PROGRAM

Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? Yes No
(A map of the boundaries can be obtained at the Department of City Planning bookstore.)

If yes, append a map showing the directly affected area as it relates to such boundaries. A map requested in other parts of this form may be used.

9. CONSTRUCTION

Will the action result in demolition of or significant physical alteration to any improvement? Yes No

If yes, describe briefly:

Will the action involve either above-ground construction resulting in any ground disturbance or in-ground construction? Yes No

If yes, describe briefly:

10. PROPOSED LAND USE

Residential

Total no. of dwelling units _____ No. of low-to-moderate income units _____ Gross floor area (sq. ft.) _____
No. of stories _____ Describe type of residential structures: _____

Commercial

Retail: No. of bldgs _____ Gross floor area of each building (sq. ft.) _____

Office: No. of bldgs _____ Gross floor area of each building (sq. ft.) _____

Other: No. of bldgs _____ Gross floor area of each building (sq. ft.) _____

Specify type(s): _____

No. of stories and height of each building: _____

Manufacturing/Industrial

No. of bldgs 1 Gross floor area of each building (sq. ft.) 13,520

No. of stories and height of each building: 3

Type of use(s): _____ Open storage area (sq. ft.) _____ If any unenclosed activities, specify: _____

Community facility

Type of community facility: _____

No. of bldgs _____ Gross floor area of each building (sq. ft.) _____

No. of stories and height of each building: _____

Vacant land

Is there any vacant land in the directly affected area? Yes No

If yes, describe briefly:

The second floor is utilized for production, and a portion of the 3rd floor is office space.

Project

Description

THIS SUBPART SHOULD
GENERALLY BE
COMPLETED ONLY IF
YOUR ACTION
INCLUDES A SPECIFIC
OR KNOWN
DEVELOPMENT
AT PARTICULAR
LOCATIONS

Publicly accessible open space

Is there any existing publicly accessible open space in the directly affected area? Yes No

If yes, describe briefly:

Does the directly affected area include any mapped City, State, or Federal parkland? Yes No

If yes, describe briefly:

Does the directly affected area include any mapped or otherwise known wetland? Yes No

If yes, describe briefly:

Other land use

Gross floor area (sq. ft.) 13,520.

No. of stories _____

Type of use:

Manufacturing/Indus

11. PROPOSED PARKING

Garages

No. of public spaces: _____

Operating hours: _____

No. of accessory spaces: _____

Attended or non-attended? _____

Lots

No. of public spaces: _____

Operating hours: _____

No. of accessory spaces: _____

Attended or non-attended? _____

Other (including street parking) - please specify and provide same data as for lots and garages, as appropriate.

No. and location of proposed curb cuts:

It is anticipated that two employees will drive, parking on the street. The remaining will utilize mass transit.

12. PROPOSED STORAGE TANKS

Gas or service stations? Yes No

If yes, specify: _____

Size of tanks: _____

Oil storage facility? Yes No Other? Yes No

Location and depth of tanks: _____

13. PROPOSED USERS

No. of residents: _____

No. and type of businesses: _____

No. and type of workers by businesses: _____ No. and type of non-residents who are not workers: _____

14. HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)

Will the action affect any architectural or archaeological resource identified in response to either of the two questions at number

7 in the Site Description section of the form? Yes No

If yes, describe briefly:

15. DIRECT DISPLACEMENT

Will the action directly displace specific business or affordable and/or low income residential units? Yes No

If yes, describe briefly:

16. COMMUNITY FACILITIES

Will the action directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities,

libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations? Yes No

If yes, describe briefly:

17. What is the zoning classification(s) of the directly affected area?

M1-4

18. What is the maximum amount of floor area that can be developed in the directly affected area under the present zoning?

Describe in terms of bulk for each use.

FAR 2.0 for manufacturing uses.

19. What is the proposed zoning of the directly affected area?

M1-4

20. What is the maximum amount of floor area that could be developed in the directly affected area under the proposed zoning?

Describe in terms of bulk for each use.

FAR 2.0 for manufacturing uses.

21. What are the predominant land uses and zoning classifications within a 1/4 mile radius of the proposed action?

The predominant surrounding land use is manufacturing. There are also some commercial, institutional, and residential land uses. The predominant zoning classification is M1-4 with R-5, R7-1 and other manufacturing zoning classifications surrounding.

SEE CEQR
TECHNICAL MANUAL
CHAPTER III B.
SOCIO-ECONOMIC
CONDITIONS

SEE CEQR
TECHNICAL MANUAL
CHAPTER III C.
COMMUNITY FACILI-
TIES & SERVICES

**Zoning
Information**

Additional Information

22. Attach any additional information as may be needed to describe the action. If your action involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include here one or more reasonable development scenarios for such sites and, to the extent possible, to provide information about such scenario(s) similar to that requested in the Project Description questions 9 through 16.

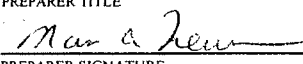
Analyses

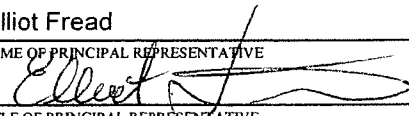
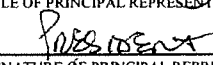
23. Attach analyses for each of the impact categories listed below (or indicate where an impact category is not applicable):

- | | |
|--|--|
| a. LAND USE, ZONING, AND PUBLIC POLICY | See CEQR Technical Manual Chapter III.A. |
| b. SOCIOECONOMIC CONDITIONS | See CEQR Technical Manual Chapter III.B |
| c. COMMUNITY FACILITIES AND SERVICES | See CEQR Technical Manual Chapter III.C. |
| d. OPEN SPACE | See CEQR Technical Manual Chapter III.D. |
| e. SHADOWS | See CEQR Technical Manual Chapter III.E. |
| f. HISTORIC RESOURCES | See CEQR Technical Manual Chapter III.F. |
| g. URBAN DESIGN/VISUAL RESOURCES | See CEQR Technical Manual Chapter III.G. |
| h. NEIGHBORHOOD CHARACTER | See CEQR Technical Manual Chapter III.H. |
| i. NATURAL RESOURCES | See CEQR Technical Manual Chapter III.I. |
| j. HAZARDOUS MATERIALS | See CEQR Technical Manual Chapter III.J. |
| k. WATERFRONT REVITALIZATION PROGRAM | See CEQR Technical Manual Chapter III.K. |
| l. INFRASTRUCTURE | See CEQR Technical Manual Chapter III.L. |
| m. SOLID WASTE AND SANITATION SERVICES | See CEQR Technical Manual Chapter III.M. |
| n. ENERGY | See CEQR Technical Manual Chapter III.N. |
| o. TRAFFIC AND PARKING | See CEQR Technical Manual Chapter III.O. |
| p. TRANSIT AND PEDESTRIANS | See CEQR Technical Manual Chapter III.P. |
| q. AIR QUALITY | See CEQR Technical Manual Chapter III.Q. |
| r. NOISE | See CEQR Technical Manual Chapter III.R. |
| s. CONSTRUCTION IMPACTS | See CEQR Technical Manual Chapter III.S. |
| t. PUBLIC HEALTH | See CEQR Technical Manual Chapter III.T. |

The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the above-listed categories. Other methodologies developed or approved by the lead agency may also be utilized. If a different methodology is contemplated, it may be advisable to consult with the Mayor's Office of Environmental Coordination. You should also attach any other necessary analyses or information relevant to the determination whether the action may have a significant impact on the environment, including, where appropriate, information on combined or cumulative impacts, as might occur, for example, where actions are interdependent or occur within a discrete geographical area or time frame.

Applicant Certification

24. Marc Newman
 PREPARER NAME
Partner, Anchin, Block & Anchin LLP
 PREPARER TITLE

 PREPARER SIGNATURE
9/18/07
 DATE

Bimmy's
 PRINCIPAL
Elliot Fread
 NAME OF PRINCIPAL REPRESENTATIVE

 TITLE OF PRINCIPAL REPRESENTATIVE

 SIGNATURE OF PRINCIPAL REPRESENTATIVE
9/19/07
 DATE

NOTE: Any person who knowingly makes a false statement or who knowingly falsifies any statement on this form or allows any such statement to be falsified shall be guilty of an offense punishable by fine or imprisonment or both, pursuant to Section 10-154 of the New York City Administrative Code, and may be liable under applicable laws.

**Impact
Significance**

PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION

TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

- For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

LAND USE, ZONING, AND PUBLIC POLICY	<u>Attachment B</u>
SOCIOECONOMIC CONDITIONS	_____
COMMUNITY FACILITIES AND SERVICES	_____
OPEN SPACE	_____
SHADOWS	_____
HISTORIC RESOURCES	_____
URBAN DESIGN/VISUAL RESOURCES	_____
NEIGHBORHOOD CHARACTER	_____
NATURAL RESOURCES	_____
HAZARDOUS MATERIALS	_____
WATERFRONT REVITALIZATION PROGRAM	_____
INFRASTRUCTURE	_____
SOLID WASTE AND SANITATION SERVICES	_____
ENERGY	_____
TRAFFIC AND PARKING	_____
TRANSIT AND PEDESTRIANS	_____
AIR QUALITY	_____
NOISE	_____
CONSTRUCTION IMPACTS	_____
PUBLIC HEALTH	_____

- Are there any aspects of the action relevant to the determination whether the action may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.
- If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.
- If the lead agency has determined in its answers to questions 1 and 2 of this part that the action may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts.
- If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment.

**Lead Agency
Certification**

Douglas Rice
PREPARER NAME
Vice President, NYCEDC
PREPARER TITLE
Douglas Rice
PREPARER SIGNATURE

DATE

Jeffrey Haberman *(CO-LEAD AGENCY)*
NAME OF LEAD AGENCY REPRESENTATIVE
Dep Dir, Infrastructure Division NYC Council
TITLE OF LEAD AGENCY REPRESENTATIVE
[Signature]
SIGNATURE OF LEAD AGENCY REPRESENTATIVE
November 14, 2007
DATE

**Impact
Significance**

PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION
TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

1. For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

LAND USE, ZONING, AND PUBLIC POLICY	<u>Attachment B</u>
SOCIOECONOMIC CONDITIONS	_____
COMMUNITY FACILITIES AND SERVICES	_____
OPEN SPACE	_____
SHADOWS	_____
HISTORIC RESOURCES	_____
URBAN DESIGN/VISUAL RESOURCES	_____
NEIGHBORHOOD CHARACTER	_____
NATURAL RESOURCES	_____
HAZARDOUS MATERIALS	_____
WATERFRONT REVITALIZATION PROGRAM	_____
INFRASTRUCTURE	_____
SOLID WASTE AND SANITATION SERVICES	_____
ENERGY	_____
TRAFFIC AND PARKING	_____
TRANSIT AND PEDESTRIANS	_____
AIR QUALITY	_____
NOISE	_____
CONSTRUCTION IMPACTS	_____
PUBLIC HEALTH	_____

2. Are there any aspects of the action relevant to the determination whether the action may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.

3. If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.

4. If the lead agency has determined in its answers to questions 1 and 2 of this part that the action may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts.

5. If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment.

**Lead Agency
Certification**

Douglas Rice
PREPARER NAME
Vice President, NYCEDC
PREPARER TITLE
Douglas Rice
PREPARER SIGNATURE
November 13, 2007
DATE

Robert Kulikowski (Co-Lead Agency)
NAME OF LEAD AGENCY REPRESENTATIVE
Assistant to the Mayor
TITLE OF LEAD AGENCY REPRESENTATIVE
Robert Kulikowski
SIGNATURE OF LEAD AGENCY REPRESENTATIVE
November 13, 2007
DATE

**City Environmental Quality Review
Environmental Assessment Statement
Part I, General Information**

Attachment A

3b.)

Formed in 2000, Bimmy's, LLC is a producer of high end specialty gourmet sandwiches. The company recently relocated to Long Island City, Queens. The primary reason for the move is they outgrew space in the Chelsea area of Manhattan. Bimmy's intends to create 100 new jobs and retain 100 over the next 5 years and invest between \$100,000 and \$200,000 in an HVAC system and a walk in freezer box. The new jobs will include line workers, administrative positions, drivers, and managers. Starting hourly wage will range from \$7.00 to \$14.00 an hour. Bimmy's is committed to its employees as evidenced by a low turnover rate, potential advancement opportunities amongst hard working employees, and a benefits package currently being negotiated by the owner.

Bimmy's primary client is OTG Management, which is a major food supplier for airports. Bimmy's gourmet sandwiches are sold at JFK International and LaGuardia, gyms and health clubs, and other retail outlets such as the Staten Island Ferry. In addition, Bimmy's exports 30% of its sales outside New York State to Logan International in Boston, Philadelphia International, and Dulles International in Washington D.C. The company continues to expand market share due to its reputation as one of the premiere gourmet sandwich producers in the New York regional market. Bimmy's is negotiating with Jet Blue at JFK to sell products at the proposed, new Terminal 5 location, and the company hopes to reach new markets in New Jersey, Chicago, and Florida. In order to meet increasing demand Bimmy's plans to increase from 1.5 to 3 shifts. As a result, it is expected that the current 7,000 units per day capacity will double to 14,000 within 3 years.

Bimmy's is in an Industrial Business Zone (IBZ), which is a targeted geographic area that protects manufacturing companies from real estate uncertainty and unbalanced competition from hotels, superstores, and municipal facilities. The IBZ puts into action one of the

major economic development goals of the Mayor and City Council, which is to facilitate the expansion and retention of established manufacturing companies in New York City. In addition, the industrial sector in New York City provides employment to a significant number of residents with lower skill levels. Amongst city residents with no more than a high school diploma, 30 percent are employed in the industrial sector, accounting for more than 58 percent of the sector's employment base. The industrial sector is also an important source of employment for those with limited English proficiency. Of all those employed in the industrial sector, 18.5 percent have limited English proficiency. The majority of the employees at Bimmy's fall within the targeted groups mentioned above.

3c.)

Bimmy's meets the targeted "priority" business section of the South Jamaica Empire Zone Development Policy, adopted on November 29th, 2004. As stated in the policy, "The Board will target the following industries: clean, light, labor intensive manufacturing/remanufacturing and value added distribution activities, such as food and food-related industries." The policy also targets, "Air travel and air freight companies and the specialized businesses that support the airport infrastructure and the large number of on-airport employees."

**City Environmental Quality Review
Environmental Assessment Statement
Part III, Environmental Assessment and Determination**

Attachment B

Land Use, Zoning, and Public Policy – There is no impact on land use, zoning, and public policy as no new construction or demolition is planned at the facility. The area is primarily manufacturing in nature. Bimmy's is a manufacturer, and the project does not include a change of use.

Socioeconomic Conditions – There is no socioeconomic impact. The project will not lead to the direct displacement of businesses nor will it lead to the direct or indirect displacement of residents in the surrounding area. The Regionally Significant Project does not involve expansion of the area under the Empire Zone program. It will allow Bimmy's to use its current space more efficiently and increase productivity and employment.

Community Facilities and Services – There is no displacement of community facilities and services. The company is adding a number of employees, but this will not impact existing social service programs in the area.

Open Space – There is no impact on open space as the project will not generate more than 500 new jobs. In addition, all employees will not be on site simultaneously as the company will institute a 3rd shift spreading employment over a 24 hour period.

Shadows – Not applicable, as there is no change to the exterior dimensions of the project site proposed.

Historic Resources – Not applicable, as there will be no in ground construction, the building is not a historic landmark, and only interior building modifications would be made to increase production efficiencies. Building is not within a historic district.

Urban Design/Visual Resources – Not applicable, as there will be no change to the building exterior.

Neighborhood Character – There is no substantial change in traffic quality, land use, and other areas of environmental concern which would lead to change in the character of the project area.

Hazardous Materials – The Transaction Screen Report produced by ATC Associates, Inc., a consultant secured Bimmy's, states that there were no observations of the use or storage of hazardous materials. Furthermore, the Site and the Site building were not identified in the regulatory agency database report as a New York Petroleum Bulk

Storage (PBS) facility, New York Leaking Tank Incident Report (LTANKS) facility, or New York Spill (NY Spill) site.

Waterfront Revitalization Program – Not applicable

Infrastructure – Located in an urban area where all infrastructure is in place, therefore there would be no infrastructure impacts.

Solid Waste and Sanitation Services – Solid waste is picked up and disposed of by private carters.

Energy – There will be no impact on energy.

Traffic and Parking – About 99% of the company's employees utilize mass transit to journey to work. All current employees with the exception of the CEO travel to work via bus or train. It is anticipated that no more than 2 or 3 of the new employees will drive to work, with the remainder traveling by public transportation.

Transit and Pedestrians – There is no substantial impact to transit and pedestrians. The new employee trips will remain below the threshold number requiring a detailed transit or pedestrian facilities analysis.

Air Quality – There are no mobile sources or stationary sources air emission impacts. In accordance with CEQR technical manual, an emission analysis is required if there are 100 or less vehicular trips passed through any intersection in peak hour; therefore, there is no requirement to undertake a detailed analysis for this project.

Noise – There is no impact on ambient noise levels as the project will only generate 2-3 new employee trips and less than a dozen new delivery trips daily. All production occurs within the company's interior manufacturing production space.

Construction Impacts – Not applicable. No major construction is anticipated; the company only proposes installation of a new HVAC system and freezer box.

Public Health – There is no impact on air quality, noise elevation beyond ambient levels, or hazardous materials and therefore no adverse public health impact to the area population.



Negative Declaration

CEQR No. 08CCO001Q

Date Issued: November 14, 2007

NAME: Bimmy's Empire Zone Regionally Significant Project

LOCATION: Long Island City, New York

SEQR CLASSIFICATION: The project is classified as an Unlisted action pursuant to 6 NYCRR, Part

617.2(ak).

Description

The proposed action requests the approval of Bimmy's, a manufacturer in an Industrial Business Zone (IBZ) as a Regionally Significant Project. The proposed action would create and retain 100 new jobs over the next 5 years, and invest between \$100,000 and \$200,000 in an HVAC system and a walk in freezer box.

The Empire Zones program is a certification program through which businesses that make investments in a geographically designated area are made eligible for a variety of New York State tax credits and other benefits.

Statement of No Significant Effect

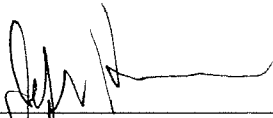
Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 (CEQR), the New York City Council and the Office of the Mayor, as co-lead agencies pursuant to 62RCNY Chapter 5-03(d), find that the proposed action would have no significant effect on the quality of the environment.

Supporting Statements

The above determination is based on an Environmental Assessment Statement (EAS) dated November 13, 2007 and on file with the New York City Council. The EAS finds that:

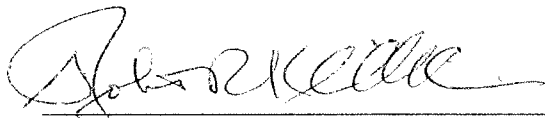
1. The project as proposed would not have significant adverse impacts on land use or the character of the surrounding community.
2. The project as proposed would not result in significant adverse traffic, noise or air quality impacts.
3. The project as proposed would not result in significant adverse impacts on cultural resources.
4. The project as proposed will not result in any hazardous materials impacts to humans or the natural environment.
5. No other significant effects upon the environment that would require an Environmental Impact Statement are foreseeable.

This Negative Declaration was prepared in accordance with Article 8 of the NYS Environmental Conservation Law.



Jeffrey Haberman
Deputy Director of the Infrastructure Division
New York City Council

November 14, 2007
Date



Robert R. Kulikowski, Ph.D.
Assistant to the Mayor

November 14, 2007
Date

cc: Office of Environmental Coordination
Andrew Schwartz, SBS



City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT
PART I, GENERAL INFORMATION

Reference Numbers

1. 08/CCO 001 Q
CEQR REFERENCE NUMBER (TO BE ASSIGNED BY LEAD AGENCY)

ULURP REFERENCE NO. IF APPLICABLE

BSA REFERENCE NO. IF APPLICABLE

OTHER REFERENCE NO(S) IF APPLICABLE
 (e.g. Legislative Intro, CAPA, etc)

Lead Agency & Applicant Information
PROVIDE APPLICABLE INFORMATION

2a. Lead Agency
NYC Council/Mayor's Office
NAME OF LEAD AGENCY
Jeff Haberman/Bob Kulikowski
NAME OF LEAD AGENCY CONTACT PERSON
250 Broadway, Room 14P2
ADDRESS
New York, NY 10007
CITY STATE ZIP
212-788-9122 212-788-9168
TELEPHONE FAX
infhaber@council.nyc.gov
EMAIL ADDRESS

2b. Applicant Information
Bimmy's, LLC
NAME OF APPLICANT
Elliot Fread
NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON
47-00 33rd Street
ADDRESS
Long Island City, NY 11101
CITY STATE ZIP
718-361-3144 718-361-6662
TELEPHONE FAX
elliott@bimmys.com
EMAIL ADDRESS

Action Description
SEE CEQR MANUAL SECTIONS 2A & 2B

3a. NAME OF PROPOSAL Bimmy's Empire Zone Regionally Significant Project

3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):

See Attachment A

3c. DESCRIBE THE PURPOSE OF AND NEED FOR THE ACTION(S) AND APPROVAL(S):

By granting Bimmy's Empire Zone Regionally Significant Project approval, the company will continue its job creation in New York City and State.

Required Action or Approvals

4. CITY PLANNING COMMISSION Yes No
 Change in City Map Zoning Certification Site Selection - Public Facility
 Zoning Map Amendment Zoning Authorization Disposition - Real Property Franchise
 Zoning Text Amendment Housing Plan & Project UDAAP Revocable Consent Concession
 Charter 197-a Plan _____
 Zoning Special Permit, specify type: _____
 Modification of _____
 Renewal of _____
 Other _____

5. UNIFORM LAND USE PROCEDURE (ULURP) Yes No

6. BOARD OF STANDARDS AND APPEALS Yes No
 Special Permit New Renewal Expiration Date _____
 Variance Use Bulk
 Specify affected section(s) of Zoning Resolution _____

7. DEPARTMENT OF ENVIRONMENTAL PROTECTION Yes No
 Title V Facility Power Generation Facility Medical Waste Treatment Facility

PLEASE NOTE THAT MANY ACTIONS ARE NOT SUBJECT TO CEQR. SEE SECTION 110 OF TECHNICAL MANUAL

8. OTHER CITY APPROVALS Yes No
 Legislation Rulemaking, specify agency: _____
 Construction of Public Facilities Funding of Construction, Specify _____ Funding of Programs, Specify _____
 Policy or plan Permits, Specify: _____
 Other: explain: _____

9. STATE ACTIONS/APPROVALS/FUNDING Yes No
 If "Yes," identify _____

10. FEDERAL ACTIONS/APPROVALS/FUNDING Yes No
 If "Yes," identify _____

Action Type

11a. Unlisted; or Type I, specify category (see 6 NYCRR 617.4 and NYC Executive Order 91 OF 1977, as amended): _____

11b. Localized action, site specific Localized action, change in regulatory control for small area Generic action

Analysis Year

12. Identify the analysis year (or build year) for the proposed action: 2008

Would the proposal be implemented in a single phase? Yes No NA.

Anticipated period of construction: _____

Anticipated completion date: _____

Would the proposal be implemented in multiple phases? Yes No NA.

Number of phases: _____

Describe phases and construction schedule: _____

Directly Affected Area

INDICATE LOCATION OF PROJECT SITE FOR ACTIONS INVOLVING A SINGLE SITE ONLY
 (PROVIDE ATTACHMENTS AS NECESSARY FOR MULTIPLE SITES)

13a. LOCATION OF PROJECT SITE
47-00 33rd Street
 STREET ADDRESS
33rd Street and 47th avenue
 DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS
M1-4
 EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF ANY
Block 252 Lot 18 Long Island City, Queens
 TAX BLOCK AND LOT NUMBERS BOROUGH
 ZONING SECTIONAL MAP NO. 9b
CD 2
 COMMUNITY DISTRICT NO.

13b. PHYSICAL DIMENSIONS AND SCALE OF PROJECT
 TOTAL CONTIGUOUS SQUARE FEET OWNED OR CONTROLLED BY PROJECT SPONSOR 13,520 SQ. FT.

PROJECT SQUARE FEET TO BE DEVELOPED N/A SQ. FT.

GROSS FLOOR AREA OF PROJECT: 13,520 SQ. FT.

IF THE ACTION IS AN EXPANSION, INDICATE PERCENT OF EXPANSION PROPOSED IN THE NUMBER OF UNITS, SQ. FT. OR OTHER APPROPRIATE MEASURE. N/A % OF N/A

DIMENSIONS (IN FEET) OF LARGEST PROPOSED STRUCTURE: N/A HEIGHT, N/A WIDTH, N/A LENGTH

LINEAR FEET OF FRONTAGE ALONG A PUBLIC THOROUGHFARE N/A

13c. IF THE ACTION WOULD APPLY TO THE ENTIRE CITY OR TO AREAS THAT ARE SO EXTENSIVE THAT A SITE-SPECIFIC DESCRIPTION IS NOT APPROPRIATE OR PRACTICABLE, DESCRIBE THE AREA LIKELY TO BE AFFECTED BY THE ACTION:

NA

13d. DOES THE PROPOSED ACTION INVOLVE CHANGES IN REGULATORY CONTROLS THAT WOULD AFFECT ONE OR MORE SITES NOT ASSOCIATED WITH A SPECIFIC DEVELOPMENT? Yes No
 IF "YES", IDENTIFY THE LOCATION OF THE SITES PROVIDING THE INFORMATION REQUESTED IN 13a & 13b ABOVE.

PART II, SITE AND ACTION DESCRIPTION

Site Description

EXCEPT WHERE OTHERWISE INDICATED, ANSWER THE FOLLOWING QUESTIONS WITH REGARD TO THE DIRECTLY AFFECTED AREA. THE DIRECTLY AFFECTED AREA CONSISTS OF THE PROJECT SITE AND THE AREA SUBJECT TO ANY CHANGE IN REGULATORY CONTROLS.

1. **GRAPHICS** Please attach: (1) a Sanborn or other land use map; (2) a zoning map; and (3) a tax map. On each map, clearly show the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. The maps should not exceed 8½ x 14 inches in size.

2. **PHYSICAL SETTING** (both developed and undeveloped areas)
 Total directly affected area (sq. ft.): 13,520 Water surface area (sq. ft.): NA
 Roads, building and other paved surfaces (sq. ft.): NA Other, describe (sq. ft.): _____

3. **PRESENT LAND USE**
Residential
 Total no. of dwelling units _____ No. of low-to-moderate income units _____
 No. of stories _____ Gross floor area (sq. ft.) _____
 Describe type of residential structures: _____

Commercial
 Retail: No. of bldgs _____ Gross floor area of each building (sq. ft.): _____
 Office: No. of bldgs _____ Gross floor area of each building (sq. ft.): _____
 Other: No. of bldgs _____ Gross floor area of each building (sq. ft.): _____
 Specify type(s): _____ No. of stories and height of each building: _____

Manufacturing/Industrial
 No. of bldgs 1 Gross floor area of each building (sq. ft.): 13,520
 No. of stories and height of each building: 3
 Type of use(s): _____ Open storage area (sq. ft.) _____
 If any unenclosed activities, specify: _____

Community facility
 Type of community facility: _____
 No. of bldgs _____ Gross floor area of each building (sq. ft.): _____
 No. of stories and height of each building: _____

Vacant land
 Is there any vacant land in the directly affected area? Yes No
 If yes, describe briefly: _____

Publicly accessible open space
 Is there any existing publicly accessible open space in the directly affected area? Yes No
 If yes, describe briefly: _____

Does the directly affected area include any mapped City, State or Federal parkland? Yes No
 If yes, describe briefly: _____

Does the directly affected area include any mapped or otherwise known wetland? Yes No
 If yes, describe briefly: _____

Other land use
 No. of stories _____ Gross floor area (sq. ft.) _____
 Type of use: _____

4. EXISTING PARKING

Garages
 No. of public spaces: _____ No. of accessory spaces: _____
 Operating hours: _____ Attended or non-attended? _____

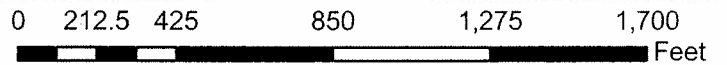
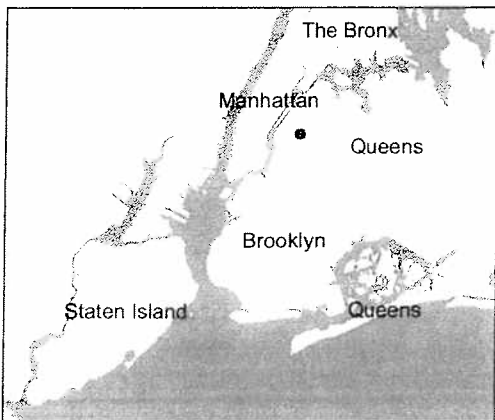
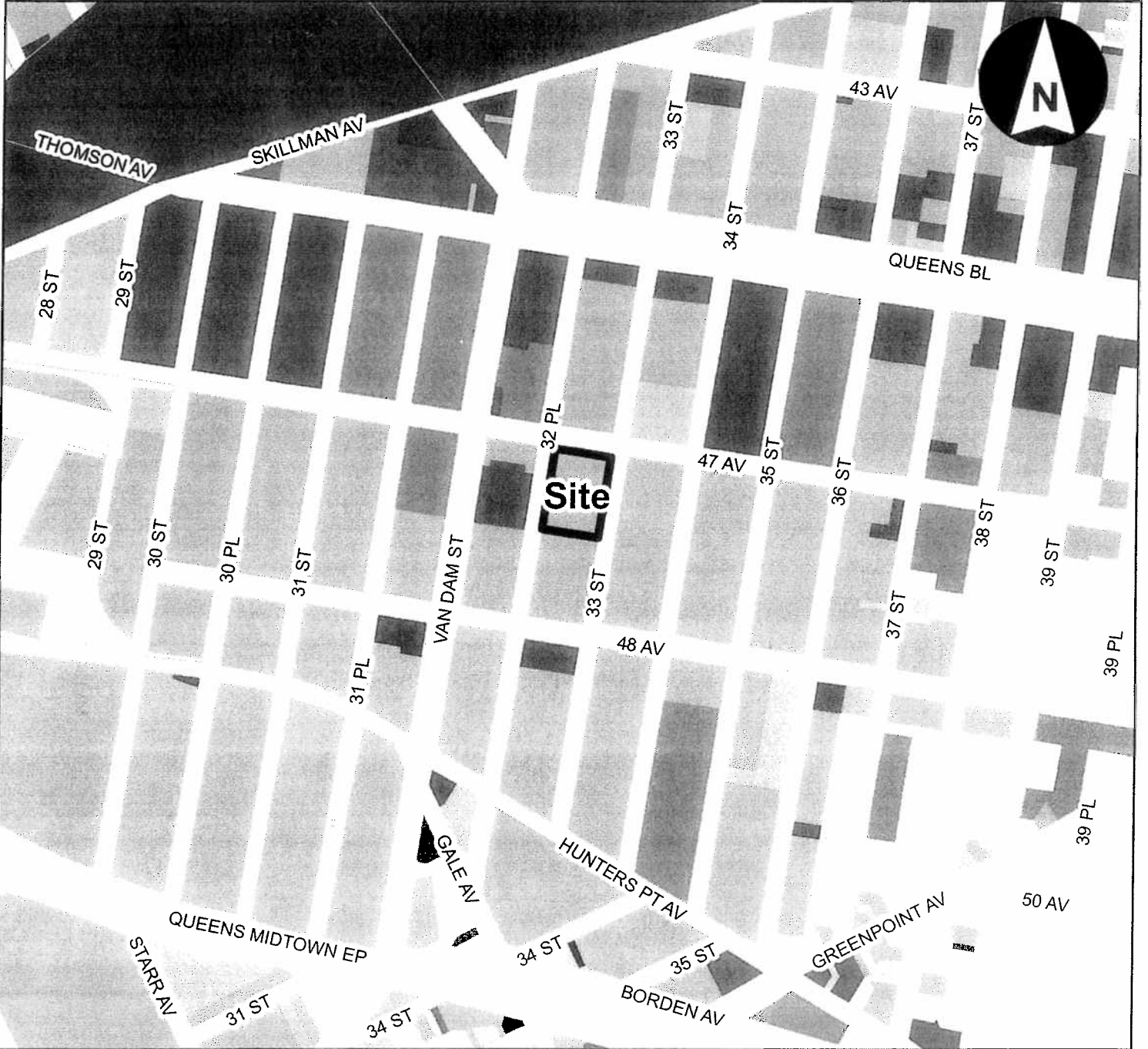
Lots
 No. of public spaces: _____ No. of accessory spaces: _____
 Operating hours: _____ Attended or non-attended? _____











Other (including street parking) - please specify and provide same data as for lots and garages, as appropriate.
 There is parking on both sides of the street utilized by approximately 8-10 small delivery trucks and one employee.

5. EXISTING STORAGE TANKS

Gas or service stations? Yes No Oil storage facility? Yes No Other? Yes No
 If yes, specify: _____
 Number and size of tanks: _____ Last NYFD inspection date: _____
 Location and depth of tanks: _____

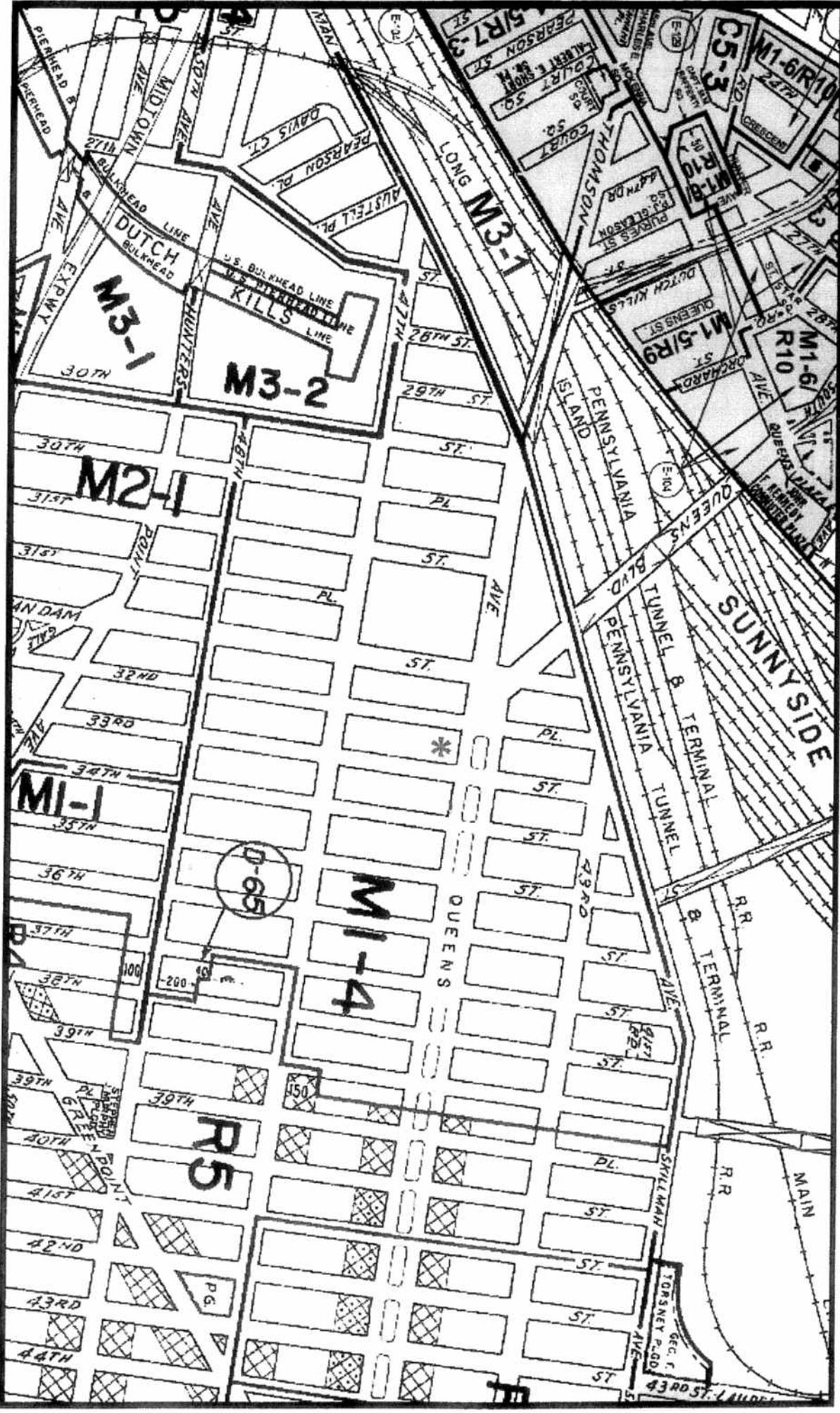
BIMMY'S



- | | |
|--|---|
|  Residential |  Institutions & Public |
|  Mixed-Use |  Parks & Open Space |
|  Commercial & Office |  Parking Facilities |
|  Industrial & Manufacturing |  Vacant Land |
|  Transportation & Utility |  Other/Unknown |

Bimmy's
 47-00 33rd Street, Long Island City, NY 11101 Block 252 Lot 18

Bimmy's Zoning Map



Bimmy's
 47-00 33rd Street, Long Island City, NY 11101
 Block 252 Lot 18

* SITE

6. CURRENT USERS

No. of residents: _____ No. and type of businesses: 1
No. and type of workers by businesses: 100 No. and type of non-residents who are not workers: _____

7. HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)

Answer the following two questions with regard to the directly affected area, lots abutting that area, lots along the same blockfront or directly across the street from the same blockfront, and, where the directly affected area includes a corner lot, lots which front on the same street intersection.

Do any of the areas listed above contain any improvement, interior landscape feature, aggregate of landscape features, or archaeological resource that:

- (a) has been designated (or is calendared for consideration as) a New York City Landmark, Interior Landmark or Scenic Landmark;
- (b) is within a designated New York City Historic District;
- (c) has been listed on, or determined eligible for, the New York State or National Register of Historic Places;
- (d) is within a New York State or National Register Historic District; or
- (e) has been recommended by the New York State Board for listing on the New York State or National Register of Historic Places?

Identify any resource:
No

Do any of the areas listed in the introductory paragraph above contain any historic or archaeological resource, other than those listed in response to the previous question? Identify any resource.

No

8. WATERFRONT REVITALIZATION PROGRAM

Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? Yes No
(A map of the boundaries can be obtained at the Department of City Planning bookstore.)

If yes, append a map showing the directly affected area as it relates to such boundaries. A map requested in other parts of this form may be used.

9. CONSTRUCTION

Will the action result in demolition of or significant physical alteration to any improvement? Yes No

If yes, describe briefly:

Will the action involve either above-ground construction resulting in any ground disturbance or in-ground construction? Yes No

If yes, describe briefly:

10. PROPOSED LAND USE

Residential

Total no. of dwelling units _____ No. of low-to-moderate income units _____ Gross floor area (sq. ft.) _____
No. of stories _____ Describe type of residential structures: _____

Commercial

Retail: No. of bldgs _____ Gross floor area of each building (sq. ft.) _____

Office: No. of bldgs _____ Gross floor area of each building (sq. ft.) _____

Other: No. of bldgs _____ Gross floor area of each building (sq. ft.) _____

Specify type(s): _____

No. of stories and height of each building: _____

Manufacturing/Industrial

No. of bldgs 1 Gross floor area of each building (sq. ft.) 13,520

No. of stories and height of each building: 3

Type of use(s): _____ Open storage area (sq. ft.) _____ If any unenclosed activities, specify: _____

Community facility

Type of community facility: _____

No. of bldgs _____ Gross floor area of each building (sq. ft.) _____

No. of stories and height of each building: _____

Vacant land

Is there any vacant land in the directly affected area? Yes No

If yes, describe briefly:

The second floor is utilized for production, and a portion of the 3rd floor is office space.

SEE CEQR
TECHNICAL MANUAL
CHAPTER III K.,
WATERFRONT
REVITALIZATION
PROGRAM

Project

Description

THIS SUBPART SHOULD
GENERALLY BE
COMPLETED ONLY IF
YOUR ACTION
INCLUDES A SPECIFIC
OR KNOWN
DEVELOPMENT
AT PARTICULAR
LOCATIONS

Publicly accessible open space

Is there any existing publicly accessible open space in the directly affected area? Yes No
If yes, describe briefly:

Does the directly affected area include any mapped City, State, or Federal parkland? Yes No
If yes, describe briefly:

Does the directly affected area include any mapped or otherwise known wetland? Yes No
If yes, describe briefly:

Other land use
Gross floor area (sq. ft.) 13,520.

No. of stories _____

Type of use: *Manufacturing/Indus*

11. PROPOSED PARKING

Garages

No. of public spaces: _____
Operating hours: _____

No. of accessory spaces: _____
Attended or non-attended? _____

Lots

No. of public spaces: _____
Operating hours: _____

No. of accessory spaces: _____
Attended or non-attended? _____

Other (including street parking) - please specify and provide same data as for lots and garages, as appropriate.
No. and location of proposed curb cuts:

It is anticipated that two employees will drive, parking on the street. The remaining will utilize mass transit.

12. PROPOSED STORAGE TANKS

Gas or service stations? Yes No
If yes, specify: _____

Oil storage facility? Yes No Other? Yes No

Size of tanks: _____

Location and depth of tanks: _____

13. PROPOSED USERS

No. of residents: _____

No. and type of businesses: _____

No. and type of workers by businesses: _____ No. and type of non-residents who are not workers: _____

14. HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)

Will the action affect any architectural or archaeological resource identified in response to either of the two questions at number 7 in the Site Description section of the form? Yes No
If yes, describe briefly:

15. DIRECT DISPLACEMENT

Will the action directly displace specific business or affordable and/or low income residential units? Yes No
If yes, describe briefly:

16. COMMUNITY FACILITIES

Will the action directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations? Yes No
If yes, describe briefly:

17. What is the zoning classification(s) of the directly affected area?

M1-4

18. What is the maximum amount of floor area that can be developed in the directly affected area under the present zoning?

Describe in terms of bulk for each use.

FAR 2.0 for manufacturing uses.

19. What is the proposed zoning of the directly affected area?

M1-4

20. What is the maximum amount of floor area that could be developed in the directly affected area under the proposed zoning?

Describe in terms of bulk for each use.

FAR 2.0 for manufacturing uses.

21. What are the predominant land uses and zoning classifications within a 1/4 mile radius of the proposed action?

The predominant surrounding land use is manufacturing. There are also some commercial, institutional, and residential land uses. The predominant zoning classification is M1-4 with R-5, R7-1 and other manufacturing zoning classifications surrounding.

SEE CEQR
TECHNICAL MANUAL
CHAPTER III B.,
SOCIO-ECONOMIC
CONDITIONS

SEE CEQR
TECHNICAL MANUAL
CHAPTER III C.,
COMMUNITY FACILI-
TIES & SERVICES

**Zoning
Information**

Additional Information

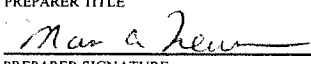
22. Attach any additional information as may be needed to describe the action. If your action involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include here one or more reasonable development scenarios for such sites and, to the extent possible, to provide information about such scenario(s) similar to that requested in the Project Description questions 9 through 16.

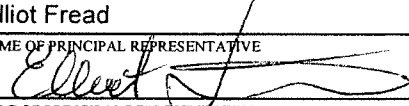
Analyses

23. Attach analyses for each of the impact categories listed below (or indicate where an impact category is not applicable):
- a. LAND USE, ZONING, AND PUBLIC POLICY See CEQR Technical Manual Chapter III.A.
 - b. SOCIOECONOMIC CONDITIONS See CEQR Technical Manual Chapter III.B
 - c. COMMUNITY FACILITIES AND SERVICES See CEQR Technical Manual Chapter III.C.
 - d. OPEN SPACE See CEQR Technical Manual Chapter III.D.
 - e. SHADOWS See CEQR Technical Manual Chapter III.E.
 - f. HISTORIC RESOURCES See CEQR Technical Manual Chapter III.F.
 - g. URBAN DESIGN/VISUAL RESOURCES See CEQR Technical Manual Chapter III.G.
 - h. NEIGHBORHOOD CHARACTER See CEQR Technical Manual Chapter III.H.
 - i. NATURAL RESOURCES See CEQR Technical Manual Chapter III.I.
 - j. HAZARDOUS MATERIALS See CEQR Technical Manual Chapter III.J.
 - k. WATERFRONT REVITALIZATION PROGRAM See CEQR Technical Manual Chapter III.K.
 - l. INFRASTRUCTURE See CEQR Technical Manual Chapter III.L.
 - m. SOLID WASTE AND SANITATION SERVICES See CEQR Technical Manual Chapter III.M.
 - n. ENERGY See CEQR Technical Manual Chapter III.N.
 - o. TRAFFIC AND PARKING See CEQR Technical Manual Chapter III.O.
 - p. TRANSIT AND PEDESTRIANS See CEQR Technical Manual Chapter III.P.
 - q. AIR QUALITY See CEQR Technical Manual Chapter III.Q.
 - r. NOISE See CEQR Technical Manual Chapter III.R.
 - s. CONSTRUCTION IMPACTS See CEQR Technical Manual Chapter III.S.
 - t. PUBLIC HEALTH See CEQR Technical Manual Chapter III.T.

The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the above-listed categories. Other methodologies developed or approved by the lead agency may also be utilized. If a different methodology is contemplated, it may be advisable to consult with the Mayor's Office of Environmental Coordination. You should also attach any other necessary analyses or information relevant to the determination whether the action may have a significant impact on the environment, including, where appropriate, information on combined or cumulative impacts, as might occur, for example, where actions are interdependent or occur within a discrete geographical area or time frame.

Applicant Certification

24. Marc Newman
 PREPARER NAME
Partner, Anchin, Block & Anchin LLP
 PREPARER TITLE

 PREPARER SIGNATURE
9/18/07
 DATE

Bimmy's
 PRINCIPAL
Elliot Fread
 NAME OF PRINCIPAL REPRESENTATIVE

 TITLE OF PRINCIPAL REPRESENTATIVE
President
 SIGNATURE OF PRINCIPAL REPRESENTATIVE
9/19/07
 DATE

NOTE: Any person who knowingly makes a false statement or who knowingly falsifies any statement on this form or allows any such statement to be falsified shall be guilty of an offense punishable by fine or imprisonment or both, pursuant to Section 10-154 of the New York City Administrative Code, and may be liable under applicable laws.

**Impact
Significance**

PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION
TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

- For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

LAND USE, ZONING, AND PUBLIC POLICY	<u>Attachment B</u>
SOCIOECONOMIC CONDITIONS	_____
COMMUNITY FACILITIES AND SERVICES	_____
OPEN SPACE	_____
SHADOWS	_____
HISTORIC RESOURCES	_____
URBAN DESIGN/VISUAL RESOURCES	_____
NEIGHBORHOOD CHARACTER	_____
NATURAL RESOURCES	_____
HAZARDOUS MATERIALS	_____
WATERFRONT REVITALIZATION PROGRAM	_____
INFRASTRUCTURE	_____
SOLID WASTE AND SANITATION SERVICES	_____
ENERGY	_____
TRAFFIC AND PARKING	_____
TRANSIT AND PEDESTRIANS	_____
AIR QUALITY	_____
NOISE	_____
CONSTRUCTION IMPACTS	_____
PUBLIC HEALTH	_____

- Are there any aspects of the action relevant to the determination whether the action may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.
- If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.
- If the lead agency has determined in its answers to questions 1 and 2 of this part that the action may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts.
- If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment.

**Lead Agency
Certification**

Douglas Rice
PREPARER NAME
Vice President, NYCEDC
PREPARER TITLE
Douglas Rice
PREPARER SIGNATURE

DATE

Jeffrey Haberman *(CO-LEAD AGENCY)*
NAME OF LEAD AGENCY REPRESENTATIVE
Dep Dir, Infrastructure Division NYC Council
TITLE OF LEAD AGENCY REPRESENTATIVE
[Signature]
SIGNATURE OF LEAD AGENCY REPRESENTATIVE
November 14, 2007
DATE

**Impact
Significance**

PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION

TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

1. For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

- LAND USE, ZONING, AND PUBLIC POLICY Attachment B
- SOCIOECONOMIC CONDITIONS _____
- COMMUNITY FACILITIES AND SERVICES _____
- OPEN SPACE _____
- SHADOWS _____
- HISTORIC RESOURCES _____
- URBAN DESIGN/VISUAL RESOURCES _____
- NEIGHBORHOOD CHARACTER _____
- NATURAL RESOURCES _____
- HAZARDOUS MATERIALS _____
- WATERFRONT REVITALIZATION PROGRAM _____
- INFRASTRUCTURE _____
- SOLID WASTE AND SANITATION SERVICES _____
- ENERGY _____
- TRAFFIC AND PARKING _____
- TRANSIT AND PEDESTRIANS _____
- AIR QUALITY _____
- NOISE _____
- CONSTRUCTION IMPACTS _____
- PUBLIC HEALTH _____

2. Are there any aspects of the action relevant to the determination whether the action may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.
3. If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.
4. If the lead agency has determined in its answers to questions 1 and 2 of this part that the action may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts.
5. If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment.

**Lead Agency
Certification**

Douglas Rice
PREPARER NAME
Vice President, NYCEDC
PREPARER TITLE
Douglas Rice
PREPARER SIGNATURE
November 13, 2007
DATE

Robert Kulikowski (Co-Lead Agency)
NAME OF LEAD AGENCY REPRESENTATIVE
Assistant to the Mayor
TITLE OF LEAD AGENCY REPRESENTATIVE
Robert Kulikowski
SIGNATURE OF LEAD AGENCY REPRESENTATIVE
November 13, 2007
DATE

**City Environmental Quality Review
Environmental Assessment Statement
Part I, General Information**

Attachment A

3b.)

Formed in 2000, Bimmy's, LLC is a producer of high end specialty gourmet sandwiches. The company recently relocated to Long Island City, Queens. The primary reason for the move is they outgrew space in the Chelsea area of Manhattan. Bimmy's intends to create 100 new jobs and retain 100 over the next 5 years and invest between \$100,000 and \$200,000 in an HVAC system and a walk in freezer box. The new jobs will include line workers, administrative positions, drivers, and managers. Starting hourly wage will range from \$7.00 to \$14.00 an hour. Bimmy's is committed to its employees as evidenced by a low turnover rate, potential advancement opportunities amongst hard working employees, and a benefits package currently being negotiated by the owner.

Bimmy's primary client is OTG Management, which is a major food supplier for airports. Bimmy's gourmet sandwiches are sold at JFK International and LaGuardia, gyms and health clubs, and other retail outlets such as the Staten Island Ferry. In addition, Bimmy's exports 30% of its sales outside New York State to Logan International in Boston, Philadelphia International, and Dulles International in Washington D.C. The company continues to expand market share due to its reputation as one of the premiere gourmet sandwich producers in the New York regional market. Bimmy's is negotiating with Jet Blue at JFK to sell products at the proposed, new Terminal 5 location, and the company hopes to reach new markets in New Jersey, Chicago, and Florida. In order to meet increasing demand Bimmy's plans to increase from 1.5 to 3 shifts. As a result, it is expected that the current 7,000 units per day capacity will double to 14,000 within 3 years.

Bimmy's is in an Industrial Business Zone (IBZ), which is a targeted geographic area that protects manufacturing companies from real estate uncertainty and unbalanced competition from hotels, superstores, and municipal facilities. The IBZ puts into action one of the

major economic development goals of the Mayor and City Council, which is to facilitate the expansion and retention of established manufacturing companies in New York City. In addition, the industrial sector in New York City provides employment to a significant number of residents with lower skill levels. Amongst city residents with no more than a high school diploma, 30 percent are employed in the industrial sector, accounting for more than 58 percent of the sector's employment base. The industrial sector is also an important source of employment for those with limited English proficiency. Of all those employed in the industrial sector, 18.5 percent have limited English proficiency. The majority of the employees at Bimmy's fall within the targeted groups mentioned above.

3c.)

Bimmy's meets the targeted "priority" business section of the South Jamaica Empire Zone Development Policy, adopted on November 29th, 2004. As stated in the policy, "The Board will target the following industries: clean, light, labor intensive manufacturing/remanufacturing and value added distribution activities, such as food and food-related industries." The policy also targets, "Air travel and air freight companies and the specialized businesses that support the airport infrastructure and the large number of on-airport employees."

**City Environmental Quality Review
Environmental Assessment Statement
Part III, Environmental Assessment and Determination**

Attachment B

Land Use, Zoning, and Public Policy – There is no impact on land use, zoning, and public policy as no new construction or demolition is planned at the facility. The area is primarily manufacturing in nature. Bimmy's is a manufacturer, and the project does not include a change of use.

Socioeconomic Conditions – There is no socioeconomic impact. The project will not lead to the direct displacement of businesses nor will it lead to the direct or indirect displacement of residents in the surrounding area. The Regionally Significant Project does not involve expansion of the area under the Empire Zone program. It will allow Bimmy's to use its current space more efficiently and increase productivity and employment.

Community Facilities and Services – There is no displacement of community facilities and services. The company is adding a number of employees, but this will not impact existing social service programs in the area.

Open Space – There is no impact on open space as the project will not generate more than 500 new jobs. In addition, all employees will not be on site simultaneously as the company will institute a 3rd shift spreading employment over a 24 hour period.

Shadows – Not applicable, as there is no change to the exterior dimensions of the project site proposed.

Historic Resources – Not applicable, as there will be no in ground construction, the building is not a historic landmark, and only interior building modifications would be made to increase production efficiencies. Building is not within a historic district.

Urban Design/Visual Resources – Not applicable, as there will be no change to the building exterior.

Neighborhood Character – There is no substantial change in traffic quality, land use, and other areas of environmental concern which would lead to change in the character of the project area.

Hazardous Materials – The Transaction Screen Report produced by ATC Associates, Inc., a consultant secured Bimmy's, states that there were no observations of the use or storage of hazardous materials. Furthermore, the Site and the Site building were not identified in the regulatory agency database report as a New York Petroleum Bulk

Storage (PBS) facility, New York Leaking Tank Incident Report (LTANKS) facility, or New York Spill (NY Spill) site.

Waterfront Revitalization Program – Not applicable

Infrastructure – Located in an urban area where all infrastructure is in place, therefore there would be no infrastructure impacts.

Solid Waste and Sanitation Services – Solid waste is picked up and disposed of by private carters.

Energy – There will be no impact on energy.

Traffic and Parking – About 99% of the company's employees utilize mass transit to journey to work. All current employees with the exception of the CEO travel to work via bus or train. It is anticipated that no more than 2 or 3 of the new employees will drive to work, with the remainder traveling by public transportation.

Transit and Pedestrians – There is no substantial impact to transit and pedestrians. The new employee trips will remain below the threshold number requiring a detailed transit or pedestrian facilities analysis.

Air Quality – There are no mobile sources or stationary sources air emission impacts. In accordance with CEQR technical manual, an emission analysis is required if there are 100 or less vehicular trips passed through any intersection in peak hour; therefore, there is no requirement to undertake a detailed analysis for this project.

Noise – There is no impact on ambient noise levels as the project will only generate 2-3 new employee trips and less than a dozen new delivery trips daily. All production occurs within the company's interior manufacturing production space.

Construction Impacts – Not applicable. No major construction is anticipated; the company only proposes installation of a new HVAC system and freezer box.

Public Health – There is no impact on air quality, noise elevation beyond ambient levels, or hazardous materials and therefore no adverse public health impact to the area population.