THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

Technical Memorandum for the Seward Park Mixed-Use Development Project FGEIS

CEQR Number 11DME012M
Technical Memorandum 002

A. INTRODUCTION

On August 10, 2012 the Office of the Deputy Mayor for Economic Development (ODMED), as Lead Agency, issued a Notice of Completion for the Seward Park Mixed-Use Development Project Final Generic Environmental Impact Statement (FGEIS) that was prepared in coordination with the New York City Economic Development Corporation (NYCEDC) and New York City Department of Housing Preservation & Development (HPD). Following the issuance of the Notice of Completion, the New York City Council (City Council) proposed certain modifications to the Uniform Land Use Review Procedure (ULURP) applications (the "Applications" or the "proposed actions") as a result of its review of the Applications. In addition, HPD submitted a revised Urban Development Action Area Project (UDAAP) project summary (the "UDAAP Revised Project Summary") to the City Council to be reflected in the City Council's resolution regarding the project, and the City stated certain intentions, as reflected in a letter dated September 27, 2012, from Robert K. Steel, Deputy Mayor for Economic Development, to Councilmember Margaret Chin. Those modifications were assessed in a Technical Memorandum (CEQR Number 11DME012M TM001) dated October 1, 2012 (Technical Memorandum 001). The New York City Department of City Planning is considering a minor modification to the Applications, which is proposed by NYCEDC and HPD.

The proposed modification would increase the size of the proposed open space on Site 5 to 15,000 square feet from the 10,000 square feet assessed in the FGEIS. The larger open space would be reflected in a revised Site 5 plan that would be part of the approved ULURP drawing set, and the proposed modification, which is described and assessed below, would affect the special permit pursuant to Zoning Resolution (ZR) Section 74-743 for a Large Scale General Development (LSGD).

This Technical Memorandum describes the proposed modification and whether it would result in any significant adverse environmental impacts not already identified in the FGEIS. As discussed below, this Technical Memorandum concludes that the proposed modification would not result in any significant adverse environmental impacts not already identified in the FGEIS.

B. DESCRIPTION OF THE PROPOSED MODIFICATION

Under the proposed modification, the ULURP drawing set would be modified to increase the size of the publicly accessible open space included as part of the proposed development from

10,000 square feet, as assessed in the FGEIS, to 15,000 square feet. The proposed open space would continue to be located on the Broome Street portion of Site 5, as assessed in the FGEIS. For analysis purposes, it is assumed, as in the FGEIS, that approximately half of the open space would be dedicated to passive open space and the other half to active open space. To allow for the larger publicly accessible open space, the LSGD special permit pursuant to ZR section 74-743 would be modified in order to reduce the size of the maximum zoning envelope on Site 5, and the larger open space would be reflected in a revised Site 5 plan that would be part of the approved drawing set.

Under the proposed modification, the publicly accessible open space on Site 5 would have a footprint that is 25 feet deeper than assessed in the FGEIS (i.e., it would extend approximately 76 feet back from the property line on Broome Street, compared to 51 feet assessed in the FGEIS). Although the larger footprint of the proposed publicly accessible open space would shift the northern face of the maximum zoning envelope established for development on Site 5 back an additional 25 feet from Broome Street, the remaining dimensions—including maximum height—of the zoning envelope would not change. Therefore, the illustrative massings for a development on Site 5 would be similar under the proposed modification to the illustrative massings analyzed in the FGEIS (see **Figure 1**). Further, while the proposed modification would reduce the footprint for development on Site 5, it would still allow for NYCEDC and HPD to make approximately 15,000 square feet of land on Site 5 available to the New York City School Construction Authority for the potential provision of a school, as analyzed in Technical Memorandum 001.

C. POTENTIAL IMPACTS OF THE PROPOSED MODIFICATION

The proposed modification would not affect the RWCDS program for the proposed development. Therefore, for those impact areas for which the analysis was based on the RWCDS program, the conclusions of the FGEIS and Technical Memorandum 001 would be unchanged by the proposed modification. In terms of the site plan and RWCDS massing, the proposed modification would only affect Site 5. Since changes to the site plan of Site 5 only relate to a slight increase in the size of the proposed open space, with a minor reduction in the size of the maximum zoning envelope of that site, the proposed modification would not alter the analyses of historic and cultural resources, urban design and visual resources, and hazardous materials. Therefore, the analyses below address those studies where the proposed modification could represent a material change from the RWCDS massing and site plan of Site 5 analyzed in the FGEIS.

LAND USE, ZONING AND PUBLIC POLICY

The increase in size in the proposed open space would improve land use conditions on the project site and in the study area and would be consistent with applicable public policies. To facilitate this land use change, the proposed modification would affect one zoning action, the special permit pursuant to ZR Section 74-743 for an LSGD, and it would not introduce new discretionary actions that were not assessed in the FGEIS. The larger open space would be reflected in a revised Site 5 plan that would be part of the approved drawing set. Therefore, the proposed modification would not result in any significant adverse impacts on land use or zoning on the development sites or in the study area.

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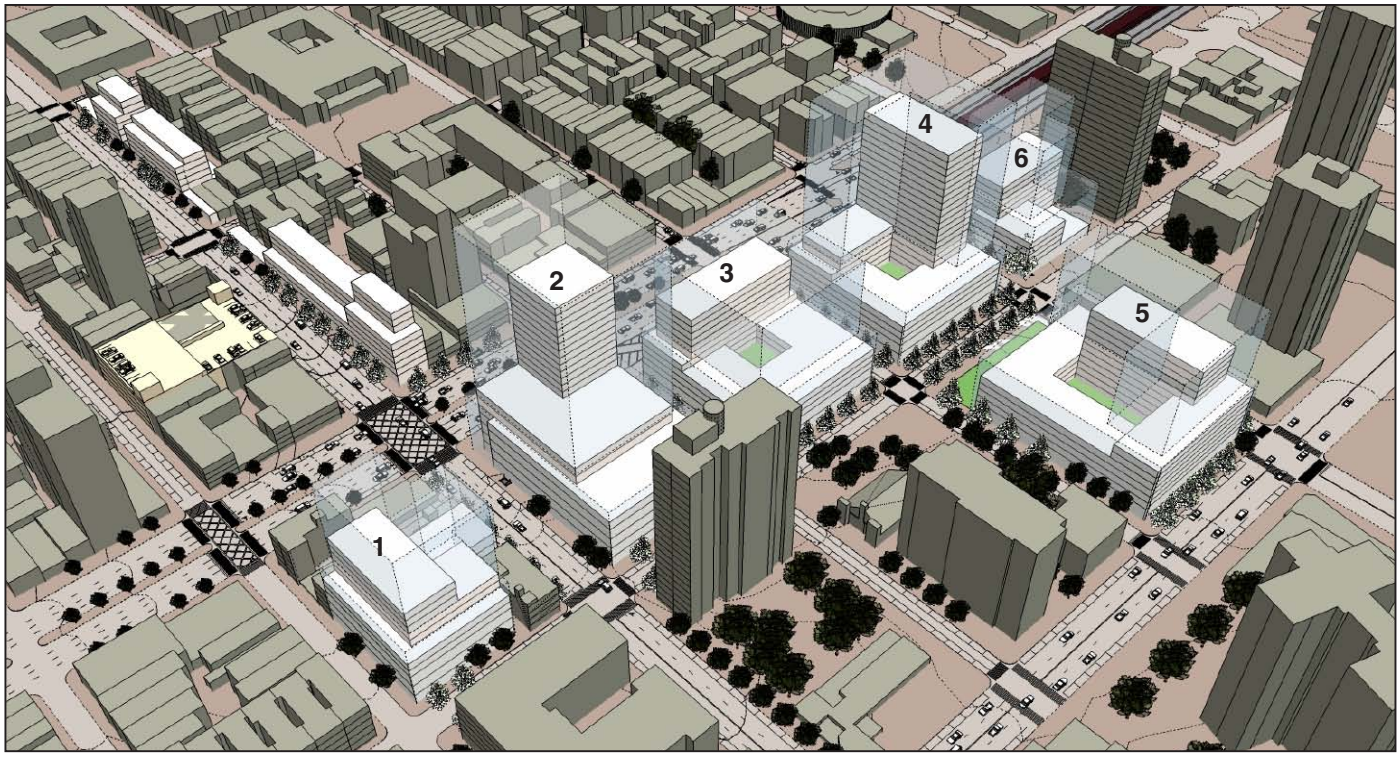
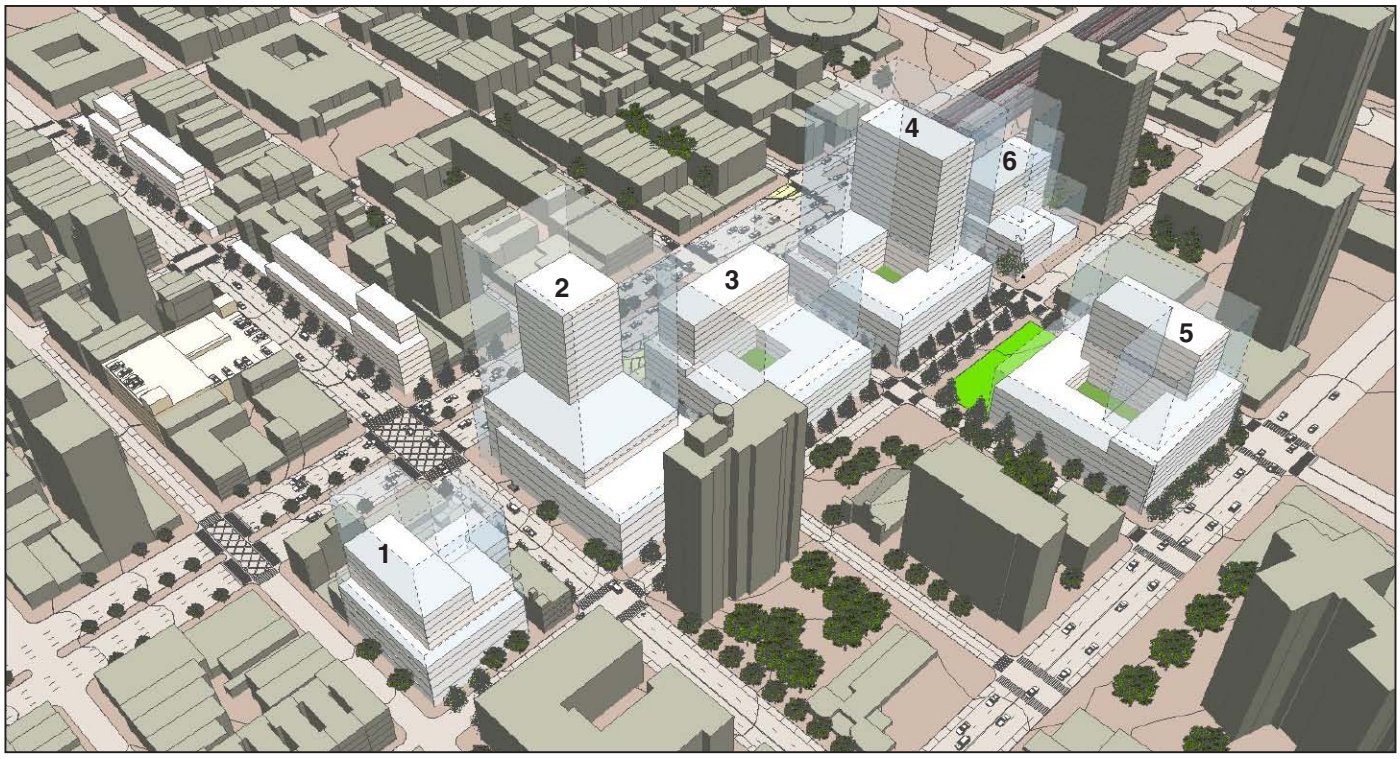


NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

Proposed Actions Assessed in FGEIS **1**



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

Proposed Actions with Open Space Modification **2**

Illustrative Renderings with
Maximum Building Envelopes and RWCDS Massing -
View Northeast

OPEN SPACE

The additional 5,000 square feet of project-generated open space would increase the total 0.23 acres of open space (0.11 active and 0.12 passive) assessed in the FGEIS to 0.34 acres (0.16 active and 0.18 passive). The proposed modification would not alter the findings of the open space analyses presented in the FGEIS and Technical Memorandum 001. As shown in **Table 1**, given the additional 5,000 square feet of proposed open space, the With-Action open space ratio for workers in the commercial (¼-mile) study area would improve by approximately 0.84 percent from the analysis presented in the FGEIS (from -11.45 percent to -10.61 percent) and by approximately 0.68 percent from the analysis presented in the Technical Memorandum 001 (from -11.29 percent to -10.61 percent). As with the FGEIS, the proposed modifications would continue to result in a decrease in the passive open space for workers in the study area from the No-Action condition, but the open space ratio would still remain almost five times above the City's recommended guideline ratio. Therefore, the proposed modification, like the proposed actions, would not result in any significant adverse impacts on open space resources in the commercial study area

Table 1
2022 Open Space Ratios Summary
Future with the Proposed Modifications

Ratio	DCP Guideline	Existing Ratio	No-Action Ratio	With-Action Ratio - FGEIS	With-Action Ratio – Proposed Modifications TM 001	With-Action Ratio - Proposed Modification TM 002	Percent Change No-Action to With-Action (FGEIS/TM 001/TM 002)
Non-Residential Study Area							
Passive/non-residents	0.15	0.82	0.78	0.69	0.70	0.70	-11.45% / -11.29% / -10.61%
Residential Study Area							
Total/residents	2.5	0.79	0.83	0.82	0.81	0.82	-1.32% / -1.49% / -1.38%
Passive/residents	0.5	0.23	0.26	0.26	0.26	0.26	-1.18% / -1.35% / -1.17%
Active/residents	2.0	0.56	0.57	0.56	0.56	0.56	-1.38% / -1.55% / -1.48%
Note: Ratios in acres per 1,000 people.							

As shown in **Table 1**, the increase in open space with the proposed modification would result in a slight increase in the passive open space ratio for the residential study area compared to the With-Action passive open space ratio presented in Technical Memorandum 001 and would result in the same passive open space ratio presented in the FGEIS. As with the proposed actions, the open space ratios with the proposed modification would continue to fall short of the City's recommended open space ratio guidelines. However, the decrease from the No-Action condition with the proposed modification would remain 1.48 percent or less and would not constitute a substantial change. Therefore, the proposed modification would not result in any significant adverse impacts on open space resources in the residential study area.

SHADOWS

As described above, with the proposed modification the footprint of the proposed open space on Site 5 would extend approximately 76 feet back from the property line on Broome Street, compared to 51 feet assessed in the FGEIS. As a result, the north face of the maximum zoning envelope on Site 5, which abuts the proposed open space, would correspondingly shift 25 feet southward away from Broome Street, and it would still remain within the maximum zoning envelope studied in the FGEIS. Other than this 25-foot reduction in the north-south dimension, the maximum zoning envelope, including its height and upper floor setbacks, would not change

compared to what was assessed in the FGEIS. With the proposed modification, as with the proposed actions, the maximum zoning envelope established for Site 5 would not result in significant adverse shadows impacts. The proposed modification would not affect the maximum zoning envelopes for any of the other proposed development sites or the potential shadow effects from those sites on study area resources.

Shadow that would be cast from the northern 25 feet of the maximum zoning envelope on Site 5 analyzed in the FGEIS would not exist with the proposed modification. A detailed analysis of the modified maximum zoning envelope for Site 5 showed that, in terms of project-generated shadows on sunlight-sensitive resources, shadows would be the same as in the FGEIS on the March 21/September 21 analysis day, the December 21 analysis day, and the June 21 analysis day.

On the May 6/August 6 analysis day, shadows with the proposed modification would also be the same as in the FGEIS with one exception: late in the afternoon, when shadows fall to the east, there would be less incremental shadow on the New York City Housing Authority-owned open space at 150 Broome Street with the proposed modification, compared with the FGEIS. Specifically, with the proposed actions assessed in the FGEIS, the maximum zoning envelope on Site 5 would cast an area of shadow on the open space from 4:20 PM to 5:18 PM, whereas with the proposed modification, the maximum zoning envelope on Site 5 would cast a much smaller area of shadow, and for a shorter duration from 4:30 PM to 5:05 PM.

Shadows that would be cast on the proposed publicly accessible open space on Site 5 would be similar to those described in the FGEIS in the fall, winter, and early spring. On the May 6/August 6 and June 21 analysis days, a larger area of the open space would remain in sun with the proposed modification than with the proposed actions analyzed in the FGEIS.

WATER AND SEWER INFRASTRUCTURE

The proposed open space modification would result in an increase in area from 10,000 square feet to 15,000 square feet, and there would be no change in water demand or sanitary sewage generated. Therefore, there will be no change to the water demand and sanitary sewage generated as compared to the proposed modifications assessed in Technical Memorandum 001.

STORMWATER

Under the proposed modification, the area of the open space on Site 5 included as part of the proposed development would be increased by 5,000 square feet from what was assessed in the FGEIS. As a result, as shown in **Table 2**, the weighted runoff coefficient of CSO outfall subcatchment areas NCM-042, 059 and 060 would decrease from 0.96 to 0.94. Surface coverage for CSO subcatchment areas NCM-020, 028, 057, 058, and 063 would not change under the proposed modification; therefore refer to the FGEIS for the surface coverage calculations.

Following the same methodology as the FGEIS, the DEP Flow Volume Calculation Matrix was completed for the existing and With-Action conditions. The summary tables, taken from the DEP Flow Volume Calculation Matrix, are shown in **Table 3** and include both the proposed modifications assessed in Technical Memorandum 001, which would slightly increase the amount of sanitary sewage generated, and the proposed open space modification. The program and surface coverage analyzed in the FGEIS for Sites 2, 8, 9, and 10 would not change; therefore, refer to the FGEIS for the summary tables for subcatchment areas NCM-020, 028, 057, and 058. The surface coverage of CSO subcatchment area NCM-063 would not change

under the proposed open space modification; therefore, refer to Technical Memorandum 001 for the summary table that assesses RWCDS program compared to the FGEIS.

Table 2
Proposed Surface Coverage

Affected CSO Outfall	Surface Type	Surface Areas (sf)/ Percent Coverage	Discharge Method	Weighted Runoff Coefficient	Existing Weighted Runoff Coefficient	Incremental Change in Runoff Coefficient
NCM-042	Building Roofs	67,354/93%	Combined Sewer			
	Vegetation	5,000/7%	Infiltration/Combined Sewer			
	Total	**72,354/100%**		**0.94**	**0.87**	**+0.07**
NCM-059	Building Roofs	67,353/93%	Combined Sewer			
	Vegetation	5,000/7%	Infiltration/Combined Sewer			
	Total	**72,353/100%**		**0.94**	**0.87**	**+0.07**
NCM-060	Building Roofs	67,353/93%	Combined Sewer			
	Vegetation	5,000/7%	Infiltration/Combined Sewer			
	Total	**72,353/100%**		**0.94**	**0.87**	**+0.07**

Sources: Draft Large Scale General Development site plans, dated September 2011.

Table 3
DEP Flow Volume Matrix:
Existing and Build Volume Comparison

Rainfall Volume (in.)	Rainfall Duration (hr.)	Runoff Volume Direct Drainage (MG)	Runoff Volume To CSS** (MG)	Sanitary Volume To CSS (MG)	Total Volume To CSS (MG)	Runoff Volume To River (MG)	Runoff Volume To CSS** (MG)	Sanitary Volume To CSS (MG)	Total Volume To CSS (MG)	Increased Total Volume to CSS** (MG)	Percent Increase From Existing Conditions (%)
NCM-042		Existing				Build				**NCM-042 Increment**	
		72,354 sf / 1.66 Acres				72,354 sf / 1.66 Acres					
0.00	3.80	0.00	0.00	0.00	0.00	0.00	0.00	0.02	0.02	0.0185	*
0.40	3.80	0.00	0.02	0.00	0.02	0.00	0.02	0.02	0.04	0.0199	127
1.20	11.30	0.00	0.05	0.00	0.05	0.00	0.05	0.06	0.11	0.0593	126
2.50	19.50	0.00	0.10	0.00	0.10	0.00	0.11	0.10	0.20	0.1039	106
NCM-059		Existing				Build				**NCM-059 Increment**	
		72,353 sf / 1.66 Acres				72,353 sf / 1.66 Acres					
0.00	3.80	0.00	0.00	0.00	0.00	0.00	0.00	0.02	0.02	0.0185	*
0.40	3.80	0.00	0.02	0.00	0.02	0.00	0.02	0.02	0.04	0.0199	127
1.20	11.30	0.00	0.05	0.00	0.05	0.00	0.05	0.06	0.11	0.0593	126
2.50	19.50	0.00	0.10	0.00	0.10	0.00	0.11	0.10	0.20	0.1039	106
NCM-060		Existing				Build				**NCM-060 Increment**	
		72,353 sf / 1.66 Acres				72,353 sf / 1.66 Acres					
0.00	3.80	0.00	0.00	0.00	0.00	0.00	0.00	0.02	0.02	0.0185	*
0.40	3.80	0.00	0.02	0.00	0.02	0.00	0.02	0.02	0.04	0.0199	127
1.20	11.30	0.00	0.05	0.00	0.05	0.00	0.05	0.06	0.11	0.0593	126
2.50	19.50	0.00	0.10	0.00	0.10	0.00	0.11	0.10	0.20	0.1039	106

Notes:
*Percent increase computed for rainfall events only.
** Assumes no on-site detention/BMPs
CSS = Combined Sewer System; MG = Million Gallons

As shown in **Table 3**, the range of the percent increase in total combined sewer discharge to subcatchment area NCM-042, 059, and 060 with both the proposed modifications assessed in Technical Memorandum 001 and the proposed open space modification, compared to the range of percent increase in the FGEIS, increased from a range of 103 to 123 percent to a range of 106 to 127 percent.

As with the FGEIS analysis, the Flow Volume Matrix calculations do not reflect the use of any best management practices (BMPs) to reduce sanitary and stormwater runoff volumes to the combined sewer system. BMPs would be required as part of the DEP site connection approval process. These BMPs, as assessed in the FGEIS, would achieve an overall release rate of 0.25 cubic feet per second (cfs) or 10 percent of the allowable flow rate (whichever is greater) from the proposed development sites. The BMP Concept Plan in the FGEIS summarizes the potential BMPs that would be suitable for implementation within the proposed development sites.

Under the proposed modifications (both the proposed open space modification and the modifications assessed in Technical Memorandum 001), with the incorporation of select BMPs outlined in the BMP Concept Plan documented in the FGEIS, the overall volume of stormwater runoff would be slightly reduced and the peak stormwater runoff rate would remain the same as compared to the proposed actions assessed in the FGEIS with BMPs incorporated. In conclusion, the proposed modifications, like the proposed actions, would not result in any significant adverse impacts to wastewater treatment or stormwater conveyance infrastructure.

CONCLUSIONS

As described above, the City's proposed modification to the proposed actions would not result in any significant adverse environmental impacts that were not previously identified in the FGEIS. The proposed modification would not affect the majority of the environmental impact areas assessed in the FGEIS. For those impact areas that would be affected by the proposed modification, there would not be any new significant adverse impacts that were not previously disclosed in the FGEIS. ✷

Robert R. Kulikowski, Ph.D. October 22, 2012
Assistant to the Mayor Date