Final ~~Draft~~ Scope of Work for an Environmental Impact Statement for Memorial Sloan-Kettering Cancer Center Ambulatory Care Center and CUNY—Hunter College Science and Health Professions Building

A. INTRODUCTION

Memorial Sloan-Kettering Cancer Center (MSK) and The City University of New York (CUNY) are partnering to acquire an approximately 66,111-square-foot New York City-owned site on the east end of a block bounded by York Avenue, Franklin Delano Roosevelt (FDR) Drive, and East 73rd and East 74th Streets (Block 1485, Lot 15) on the Upper East Side of Manhattan (see **Figure 1)**. MSK proposes to build a new ambulatory care center (MSK ACC), while CUNY proposes to build the Hunter College Science and Health Professions Building (CUNY-Hunter Building).

As described in greater detail below, the land use actions necessary for the proposed project include a disposition of City-owned property; a rezoning of the project site from an M3-2 district (Heavy Manufacturing-low performance) to a C1-9 district (Local Retail); a zoning text amendment; ~~a special permit pursuant to the zoning text amendment, and a special permit pursuant to the designation of~~ approval to develop the site as a Large Scale General Development (LSGD) ~~for various bulk waivers~~ that would include special permits to waive bulk, side yard, rear yard equivalent, height and setback regulations, and sign regulations, and to provide for a 2.0 FAR bonus; and a Special Permit for accessory parking beyond the number of spaces allowed as-of-right. These actions are subject to the Uniform Land Use Review Procedure (ULURP) and require City Environmental Quality Review (CEQR) and Mayoral and Borough Board approval pursuant to New York City Charter Section 384(b)(4). The Board of The City University Construction Fund (CUCF) must approve acquisition of real property. In addition, CUNY has already requested funding from the Dormitory Authority of the State of New York (DASNY) and it is possible that MSK will also request funding from DASNY. For purposes of State Environmental Quality Review (SEQR), DASNY's proposed actions are Authorization of the Issuance of Bonds and/or Authorization of the Expenditure of Bond Proceeds. The lead agency for the environmental review will be the Office of Deputy Mayor for Economic Development (ODMED)~~, and.~~ DASNY, CUNY, and CUCF will be ~~an~~ involved ~~agency~~ agencies. A coordinated review will be conducted for this Type I action.

As lead agency, ODMED issued a Positive Declaration ~~has determined~~ that the proposed project ~~has~~ could have the potential to result in significant adverse impacts on October 2, 2012, and~~, therefore,~~ directed that an Environmental Impact Statement (EIS) ~~will~~ be prepared. The Environmental Assessment Statement and Draft Scope of Work (DSOW) were made available for public comment. This Final ~~Draft~~ Scope of Work (FSOW) describes the proposed actions, the proposed development plan and its purpose and need, and the environmental review process. It also identifies the analysis framework to be used in the EIS and presents the analyses and work items to be undertaken for the EIS. ~~As described below,~~ A public meeting to receive comments on the DSOW was held on ~~this Draft Scope of Work has been scheduled for~~ November 1, 2012 at 6:30 P.M. at the Kaye Playhouse at Hunter College on ~~(located on the north side of~~ East 68th Street~~, just west of~~ between Park and Lexington Avenues, New York, New York~~)~~. The scoping meeting was continued on December 4, 2012 at 6:30 P.M. at the Mortimer B. Zuckerman Research Center Auditorium of the Memorial Sloan-Kettering Cancer Center, 415 East 68th Street, New York, New York. The period for the submission of ~~submitting~~

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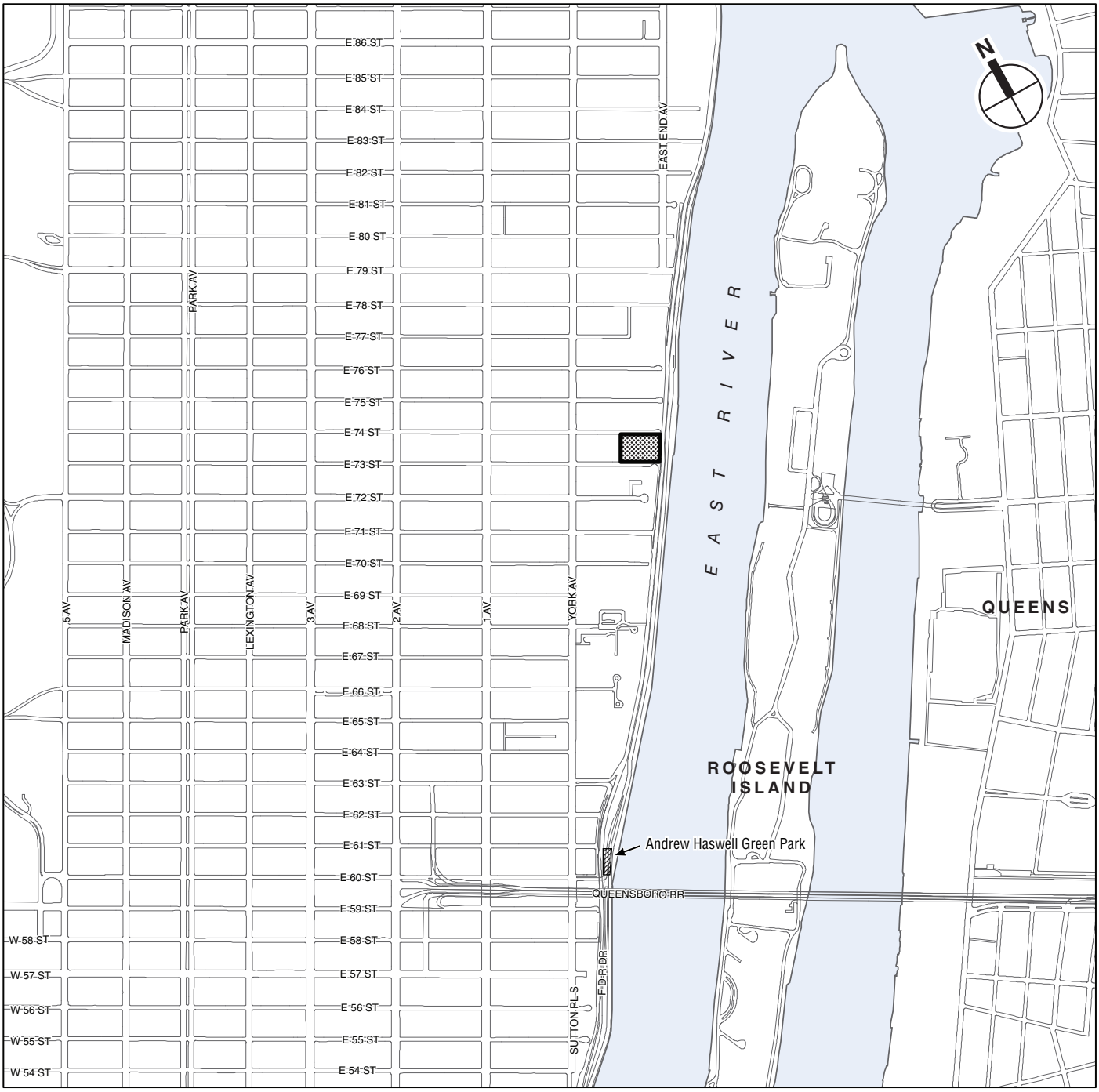


Project Site

Andrew Haswell Green Park

Project Location

Figure 1

written comments was extended to December 14, 2012 ~~will remain open until 5:00 P.M., Wednesday, November 14, 2012~~. After considering comments received during the public comment period, this FSOW ~~a Final Scope of Work~~ was ~~will be~~ prepared to direct the content and preparation of the Draft EIS (DEIS).

B. PROJECT DESCRIPTION

PROJECT SITE

In May 2011, the New York City Economic Development Corporation (EDC), on behalf of the New York City Department of Sanitation (DSNY), issued ~~an~~ a Request for Proposals (RFP) to redevelop a former DSNY garage site with the creation or expansion of a health care, educational or scientific research facility. MSK and CUNY partnered to respond.

The ~~site, now the~~ approximately 66,111-square-foot project site~~,~~ is largely vacant with standing remnants of the walls of the former garage structure (see **Figures 2 and 3**). The western portion of the project site is occupied by a surface public parking lot with a capacity of 128 cars.

The site is located on the east end of a block on the east side of York Avenue. East 74th Street, the northern border of the site, dead ends at a wall that divides it from the FDR Drive. ~~, and~~ East 73rd Street, the southern border of the site, ends in an access lane to the southbound FDR Drive service road.

SITE PLAN

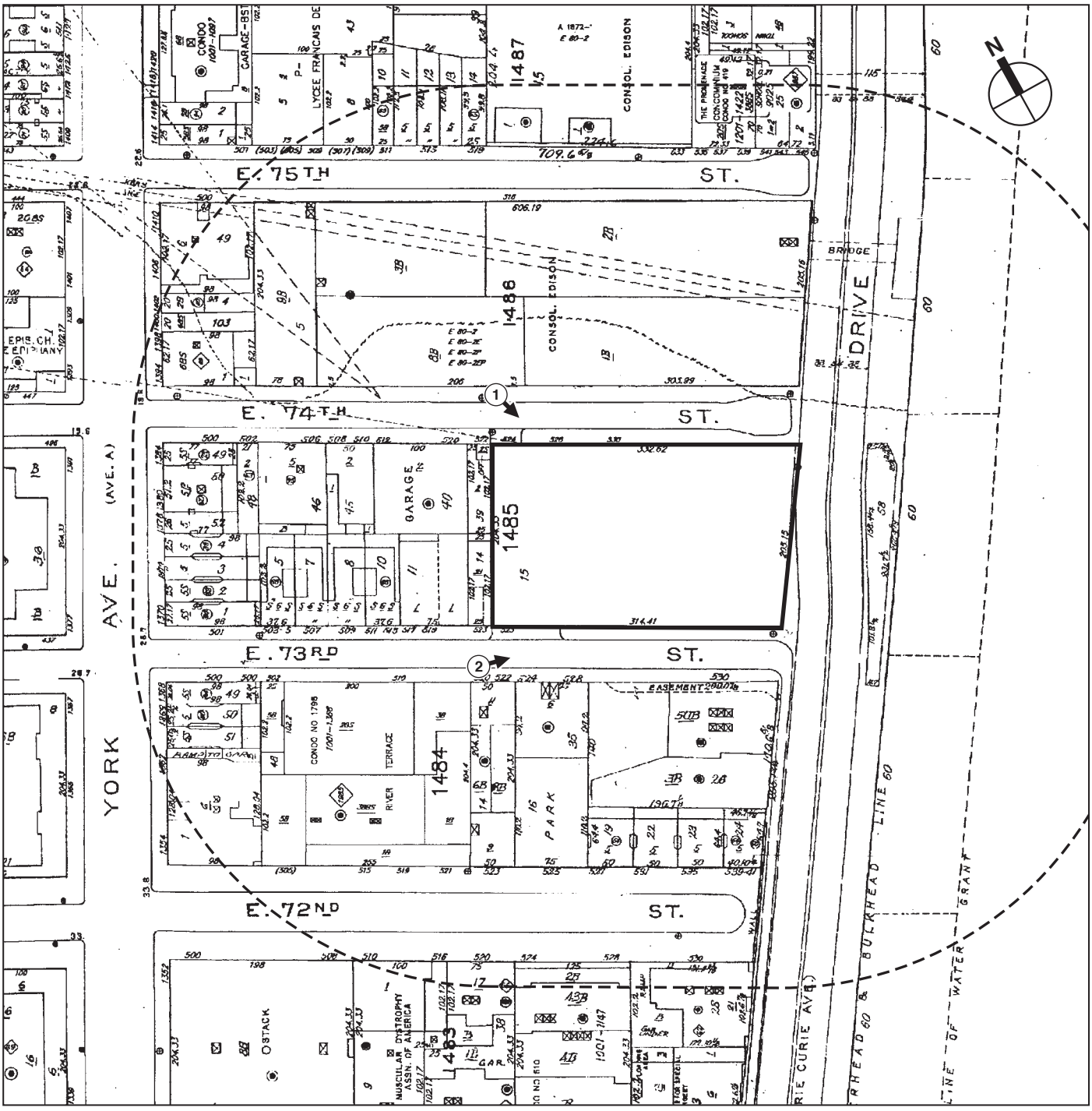
The proposed site plan would provide for the 749,357~~730,133~~ gross-square-foot MSK ACC Building to be located through-block on the eastern portion of the site and the 402,900 ~~362,655~~ gross-square-foot CUNY-Hunter Building to be located through-block on the western portion of the site (see **Figure 4**). The main entrances for both buildings would be on East 74th Street. In addition to pedestrian entrances for both buildings, MSK would have a lay-by lane where patients could be dropped off; it would also provide valet parking for the on-site accessory garage with up to 250 ~~200 to 225~~ spaces for MSK patients. CUNY would provide access to bike storage off East 74th Street for its students, faculty, and staff.

The service entrances for both buildings would be on East 73rd Street, and both buildings are ~~would be~~ designed to allow trucks to maneuver inside the buildings. In addition, the MSK ACC would have ~~two ambulance bays as well as~~ a pedestrian entrance for staff on East 73rd Street as well as a bay for an ambulance should the need arise to transfer a patient to the main hospital on York Avenue and East 68th Street. There would also be access to bike parking for MSK staff off East 73rd Street. ~~The proposed buildings would be built to an overall FAR of 12.0, which would be 793,332 square feet (sf) of zoning floor area (zfa), with full lot coverage over the project site.~~

MSK ACC BUILDING

The MSK ACC Building would stand approximately 23 stories[1] (approximately 450 feet) tall on a footprint of 39,667 square feet. In a gross floor area of 749,357~~730,133~~ square feet, it would contain state-of-the-art ambulatory care facilities, including office practice space for head and neck, endocrinology, thoracic, hematologic oncology, dental, speech, and consultative services;

[1] Includes rooftop bulkhead.



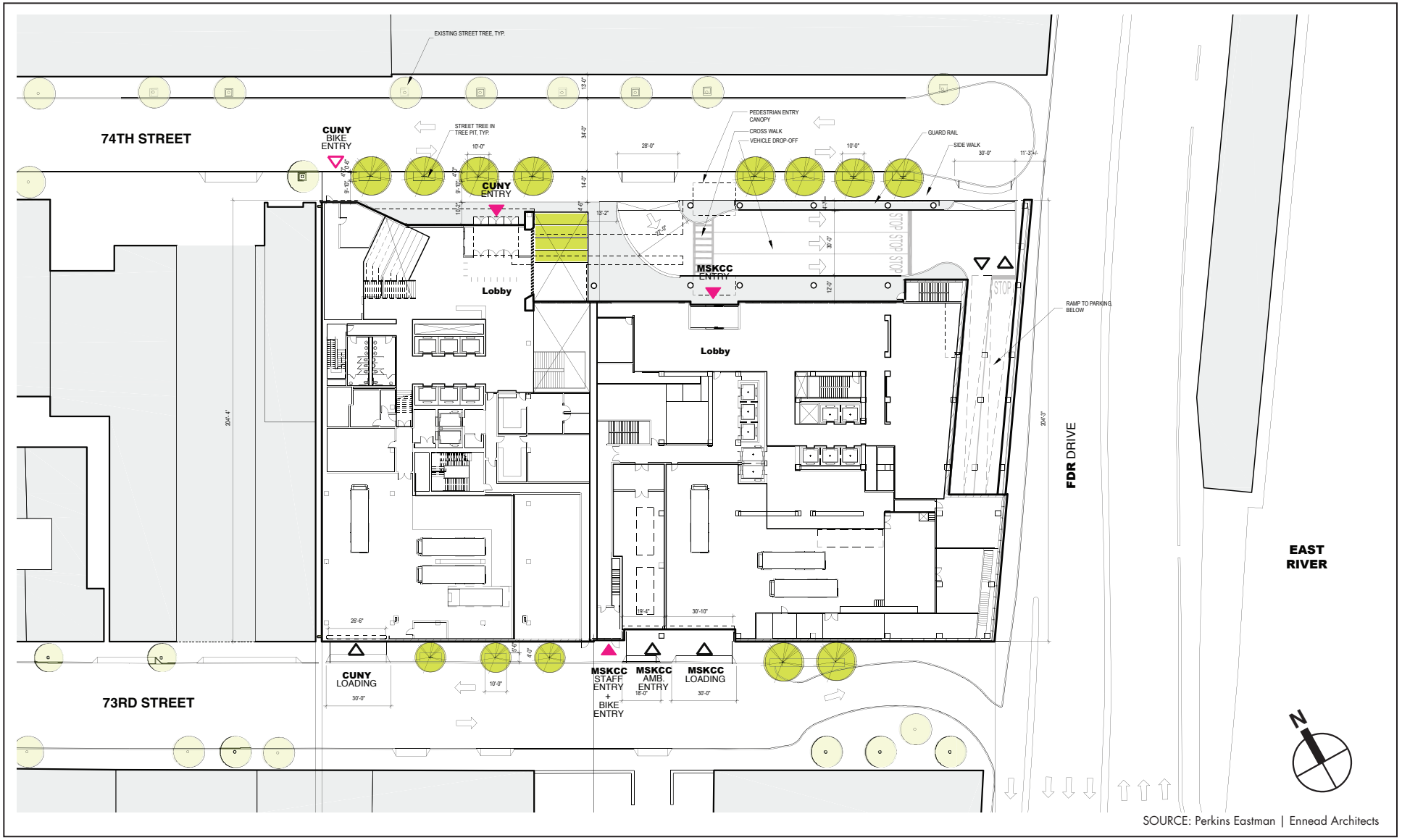
Project Site Boundary

Photograph View Direction and Reference Number

Project Site and Surrounding Blocks

View south of project site from East 74th Street **1**

View northeast of project site from East 73rd Street **2**



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0 100 FEET

SCALE

Ground Floor Plan

Figure 4

MSK ACC | CUNY-HUNTER

infusion rooms; interventional and diagnostic radiology; radiation oncology; cardiology and pulmonary testing; pharmacy and clinical laboratories to support the on-site activities; ~~clinics for dermatological, breast, and prostate cancers; consultation rooms; infusion rooms; medical/surgical clinic; interventional radiology clinic; a bone marrow transplant clinic;~~ academic offices; ~~a pharmacy; and~~ conference rooms; and up to 250 ~~as well as 200 to 225~~ accessory parking spaces on the lower levels of the site for patients and visitors.

The MSK ACC would be expected to treat approximately 1,335 patients daily.

CUNY-HUNTER BUILDING

The CUNY-Hunter Building would stand approximately 16 ~~18~~ stories (approximately 350 ~~340~~ feet) tall on a footprint of 26,444 square feet. In its gross floor area of 402,990 ~~362,655~~ square feet, it would house teaching and research laboratories, class rooms, a learning center, a single 350-seat lecture hall, faculty offices, and a vivarium to house research animals.

Approximately 1,130 undergraduates and 1,219 graduate students would come to classes and laboratories in this building. In addition students from the main Hunter College campus at Lexington Avenue and East 68th Street would attend lectures in the lecture hall.

C. PROPOSED ACTIONS

CITY ACTIONS

The discretionary approvals being requested for the proposed project include a disposition of City property, a zoning map amendment and zoning text amendment as well as special permits, all of which are subject to City Planning Commission (CPC) and City Council approval.

- Disposition—The City of New York would dispose of the project site to the New York City Land Development Corporation that would ~~and~~ then dispose to the ~~NYC~~EDC for subsequent disposal to MSK and ~~the City University Construction Fund (~~CUCF~~). The~~ CUCF is a public benefit corporation established by New York State to provide facilities and support the educational purposes of CUNY.
- The disposition requires Mayoral and Manhattan Borough Board approval pursuant to New York City Charter Section 384(b)(4).
- Rezoning—The project site is presently zoned M3-2 (see **Figure 5**), which allows a maximum floor area ratio (FAR) of 2.0 (132,222 square feet of zoning floor area) and a maximum base height of 60 feet before setting back. It prohibits all community facilities including ambulatory diagnosis and treatment centers and schools. The project site and an approximately 6 inch wide portion of tax lots 14 and 39 immediately west of the project site would be rezoned from M3-2 to C1-9 (see **Figure 6**) to permit Use Group 3 and 4 developed to FAR 10 (661,110 square feet of zoning floor area [zfa]) with up to an additional FAR 2 (132,222 square feet of zfa) through provision of a qualifying ~~plaza~~ park improvement. Ambulatory diagnostic and treatment centers and schools are permitted as-of-right in C1-9 districts. The existing M1-4 zoning district west of the project site would be extended approximately 5 feet east to the C1-9 boundary, which is located approximately 0.5 feet west of the MSK/CUNY lot line, at the request of the Department of City Planning (DCP). ~~MSK would provide 200 to 225 as-of-right accessory parking spaces in its building.~~

1.30.13

Project Site

Zoning District Boundary

C1-5 Overlay

0 100 200 FEET

SCALE

Existing Zoning

Figure 5

MSK ACC | CUNY-HUNTER

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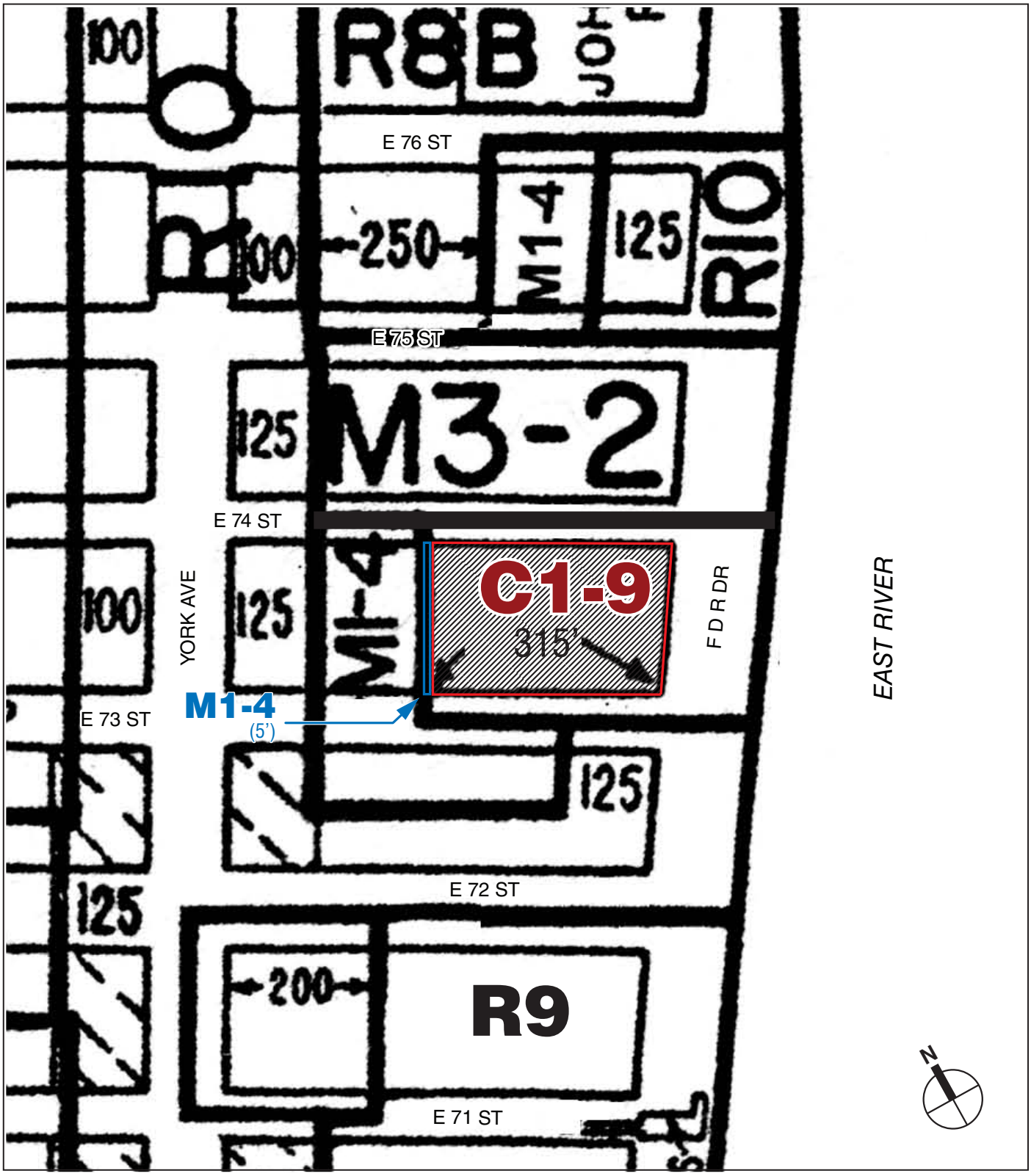


Project Site
Zoning District Boundary
C1-5 Overlay
Proposed C1-9 Zoning Boundary
Proposed M1-4 Zoning Boundary

0 100 200 FEET
SCALE

Proposed Zoning

- Zoning Text Amendment—A text amendment would establish a new provision in the LSGD special permit pursuant to which the CPC may permit, wholly within a C1-9 district within the boundaries of Community District 8 in Manhattan, for a predominantly community facility development, a floor area bonus not to exceed 20 percent of the maximum permitted FAR permitted by the underlying district regulations, where in connection with such development, an improvement to a public park located within the same community district or within a 1-mile radius of the proposed development is provided. ~~a new special permit that would allow up to an additional FAR 2 for support of off-site public improvements.~~
- ~~Special permit – Approval of the special permit established by the zoning text amendment for use on the project site would allow development of the project site to FAR 12.~~
- LSGD—Approval to develop the project site as a ~~Large Scale General Development (~~LSGD~~)~~ pursuant to Zoning Resolution (ZR) Section ~~ZRCNY Sec.~~ 74-74 et seq., which would include ZR Section 74-743 special permits to waive bulk, side yard, rear yard equivalent, ~~court and~~ height and setback regulations, and to provide for a 2.0 FAR bonus, and a ZR Section 74-744 special permit to waive sign regulations as follows:

  ZR 33-25: Minimum Required Side Yards

  Side yards are not required in C1-9 districts. However, if an open area extending along a side lot line is provided at any level, it shall be either (a) at least 8 feet wide at every point; or (b) at least 5 feet wide at every point, with an average width of 8 feet in accordance with the remaining provisions of ZR 33-25. The proposed project would provide a side yard along the western side lot line of the zoning lot with a width of 3 feet. The width represents that necessity for a seismic separation from the building to the west, which is approximately 2.5 feet, plus an additional 0.5 feet of open space to permit the resulting gap to be suitably maintained and cleaned.

  ZR 33-283(b): Required Rear Yard Equivalents

  On any through lot with a depth in excess of 110 feet, a rear yard equivalent must be provided that either (a) is an open area with a minimum depth of 40 feet midway between the two street lines upon which such through lot fronts, or (b) is two open areas, each adjoining and extending along the full length of the street line, each with a minimum depth of 20 feet, or (c) is an open area adjoining and extending along the full length of each side lot line, each with a minimum width of 20 feet. As set forth in ZR 33-302, no rear yard equivalent is required for any portion of the zoning lot within 100 feet of the street line along the short dimension of a block where the front lot line of the zoning lot coincides with all of the street line measuring less than 230 feet between two intersecting streets, which in this case is the eastern portion of the zoning lot from the FDR Drive to 100 feet westerly from the FDR Drive.

  In addition, ZR 33-23 permits the location of a portion of a nonresidential building to be located within a rear yard equivalent provided that the height of such building does not exceed one story or 23 feet above curb level, whichever is less. The proposed buildings exceed 23 feet in height within the rear yard equivalent type (b) on the through lot along the street line of East 73rd Street and East 74th Street.

  The proposed project would be built full to its street frontages including the FDR Drive. A 3 foot noncomplying side yard is provided along the western lot line. No open space that could qualify as a rear yard equivalent is provided midway between East 73rd or East 74th Streets, along those streets for that portion of the zoning lot deemed a through lot (beyond 100 feet from the FDR Drive) or along the western side lot line. The portions of the buildings located

within any part of the zoning lot that might have qualified as a location for a rear yard equivalent exceed the 23 feet height allowed for permitted obstructions for community facility buildings.

ZR 33-432: Maximum Height of Walls and Required Setbacks

In C1-9 districts if the front wall or other portion of a building is located at the street line or within the initial setback distance of 15 feet from a wide street line, or 20 feet from a narrow street, the height of such front wall or portion of a building within the initial setback distance shall not exceed 85 feet above curb level. Above 85 feet and beyond the 15 feet initial setback on a wide street, or the initial 20 feet setback on a narrow street, the building cannot penetrate the sky exposure plane set forth in ZR 33-432. The proposed buildings have front walls that exceed the maximum front wall height, do not provide qualifying initial setbacks and penetrate the sky exposure planes on East 73rd Street (a narrow street) and East 74th Street (a narrow street) and the FDR Drive (a wide street).

ZR 33-123: Floor Area Regulations

In C1-9 districts, community facility buildings are permitted to be developed to an FAR of 10.0. The proposed buildings would be developed to an FAR of 12.0.

ZR 32-641 (Total Surface Area of Signs)

In C1-9 districts, the total surface area of all permitted signs, including non-illuminated or illuminated signs, are not permitted to exceed 150 square feet of total surface area for a through lot of 150 square feet on each frontage of a corner lot. Total surface area of all signs proposed in connection with the proposed project amounts to 4,520 square feet, which exceeds the permitted total surface area of 1,200 square feet by 3,320 square feet.

ZR 32-642: Non-Illuminated Signs

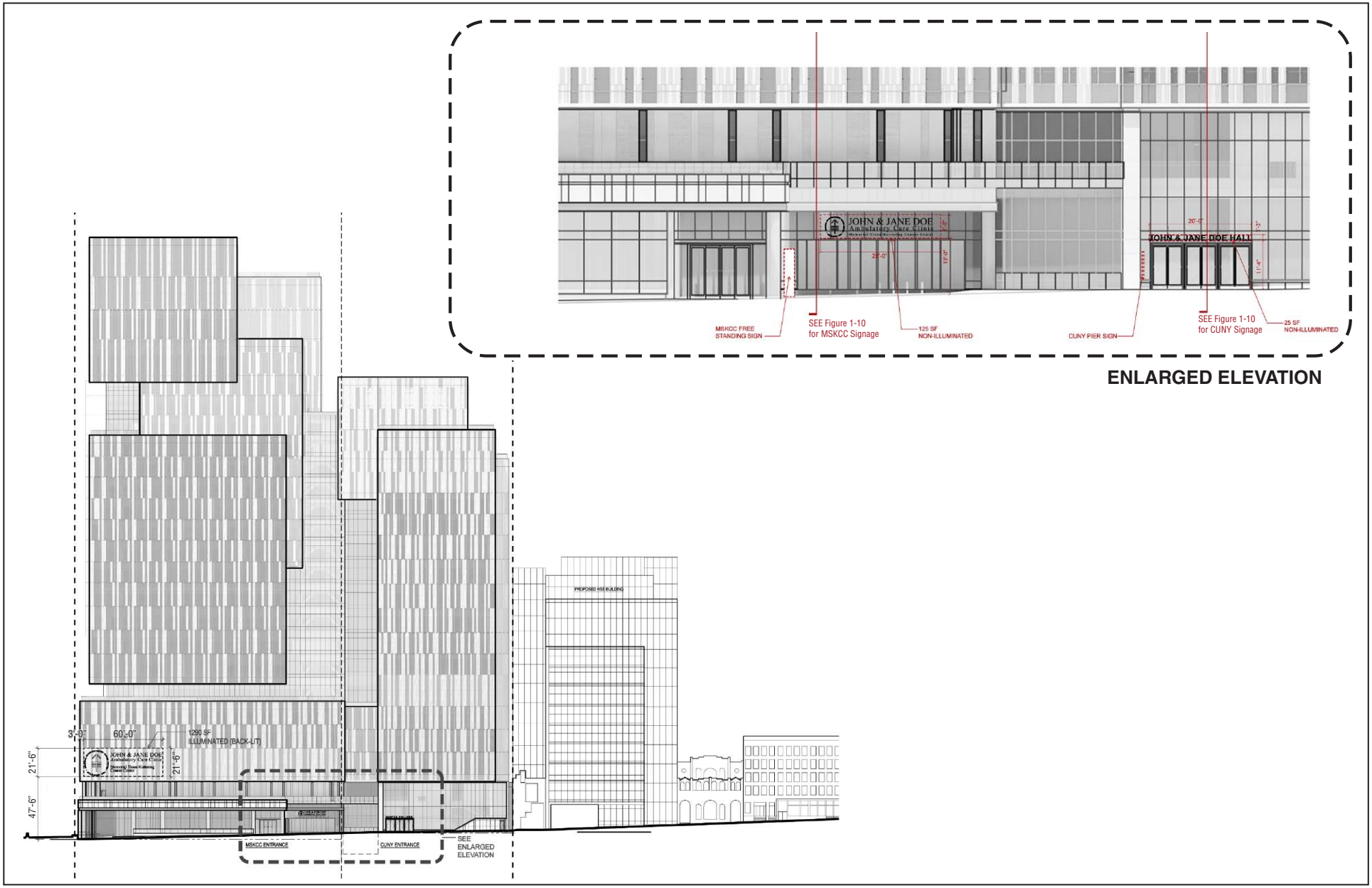
In C1-9 districts, non-illuminated signs are not permitted to exceed 150 square feet of total surface area for a through lot or 150 square feet on each frontage of a corner lot. A non-illuminated sign of 125 square feet is proposed at the north façade, near the entry of the MSK ACC and a non-illuminated sign of 25 square feet is proposed on the north façade, over the entry canopy of the CUNY-Hunter Building (see **Figure 7**). These signs are in addition to the allowable 150 square feet of total surface area for a through lot and the allowable 150 square feet on each frontage of a corner lot.

ZR 32-643: Illuminated Non-Flashing Signs

In C1-9 districts, illuminated non-flashing signs are not permitted to exceed 50 square feet of total surface area for a through lot on 50 square feet on each frontage of a corner lot. Two indirectly illuminated non-flashing signs of 1,290 square feet each are proposed on the north and east façades of the MSK ACC and one indirectly illuminated non-flashing sign of 500 square feet is proposed on the west façade of the CUNY-Hunter Building (see **Figure 8**).

A freestanding illuminated non-flashing sign of 65 square feet is also proposed to aid in directional wayfinding at the vehicular drop-off of the MSK ACC. A façade-mounted illuminated non-flashing sign of 25 square feet is proposed at the entry to the CUNY-Hunter Building (see **Figure 9**).

The above noted illuminated non-flashing signs are in addition to the permitted 50 square feet of total surface area for a through lot and the permitted 50 square feet on each frontage of a corner lot.



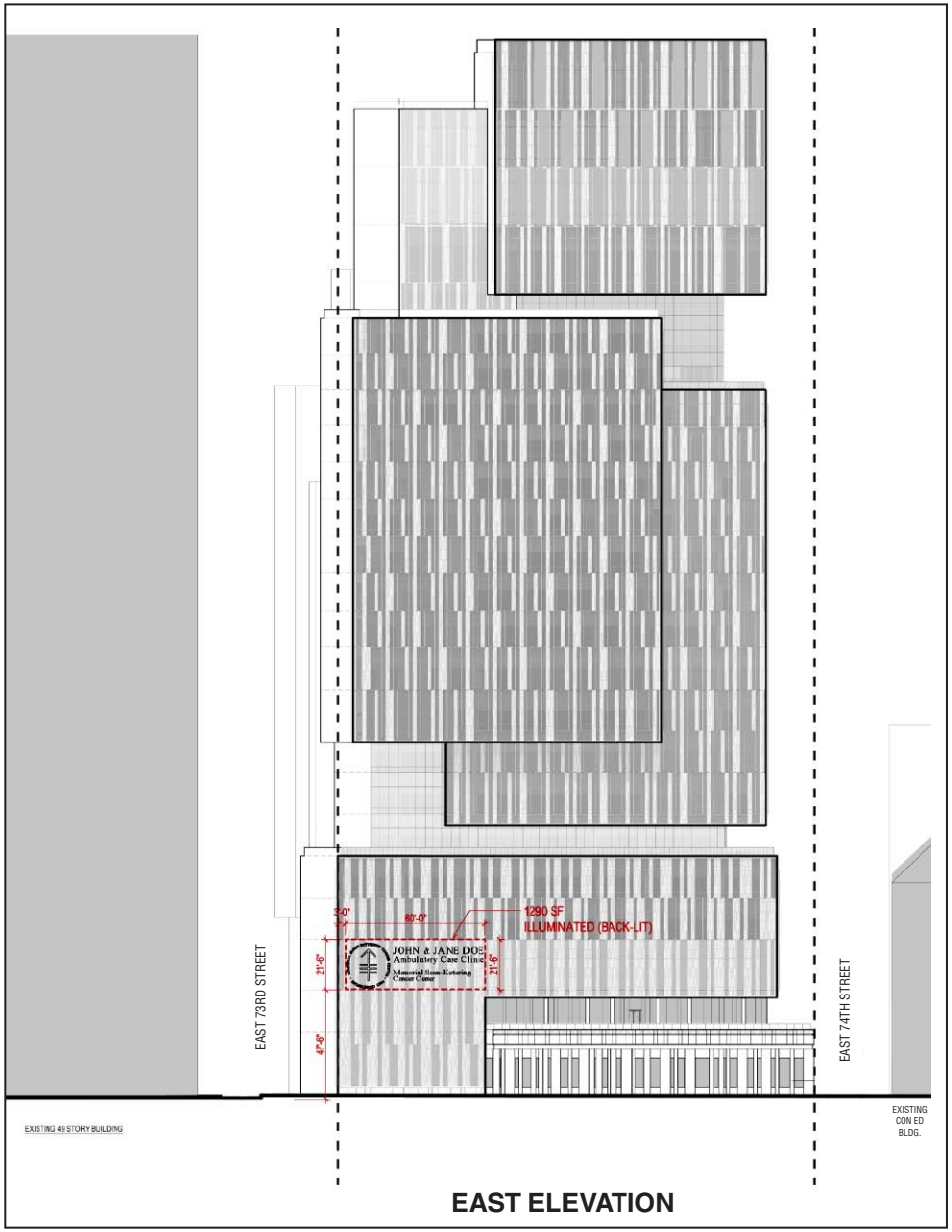
Source: Perkins Eastman | Ennead Architects

For Illustrative Purposes Only

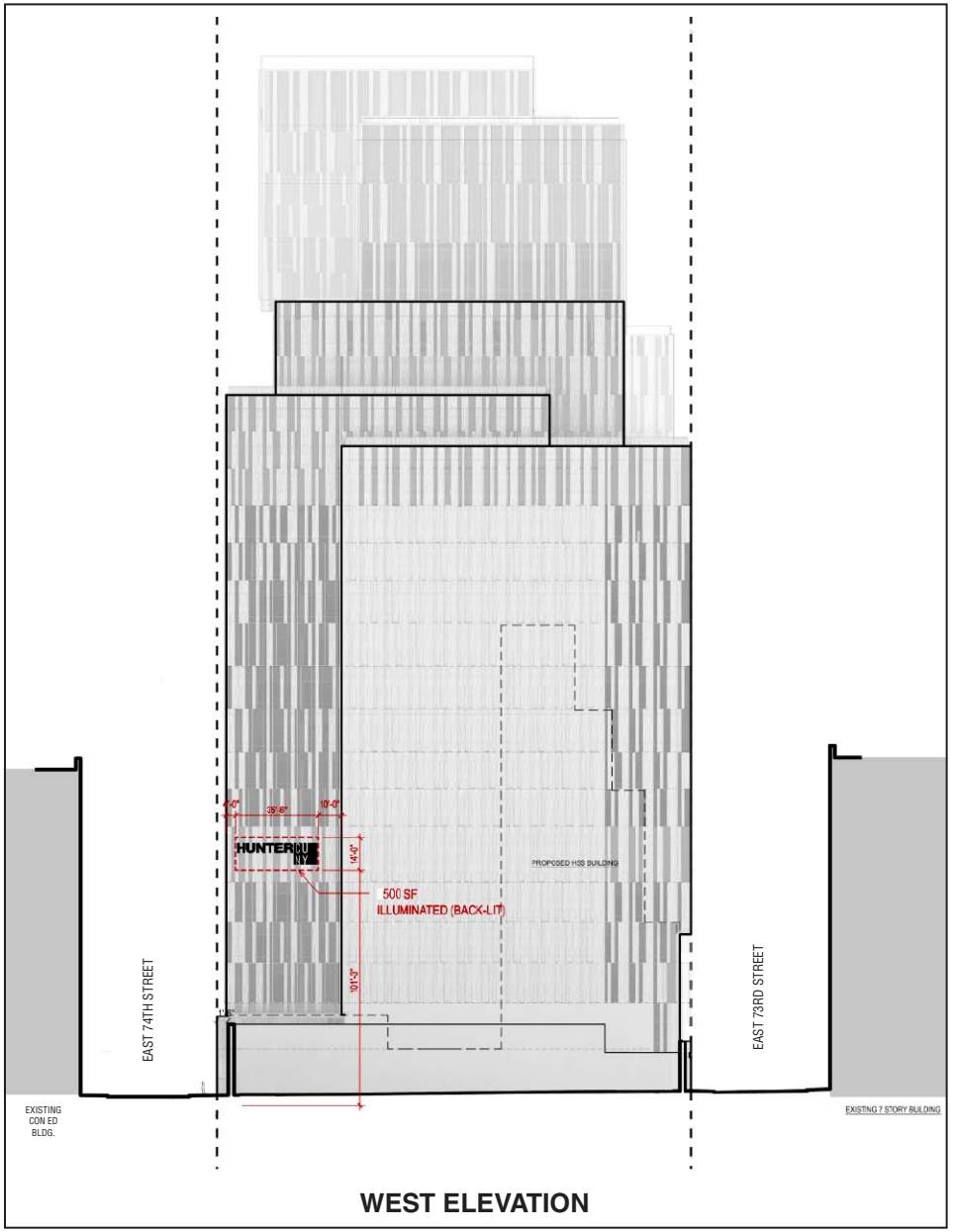
MSK ACC | CUNY-HUNTER

Signage - North Elevation

Figure 7



EAST ELEVATION



WEST ELEVATION

Source: Perkins Eastman | Ennead Architects

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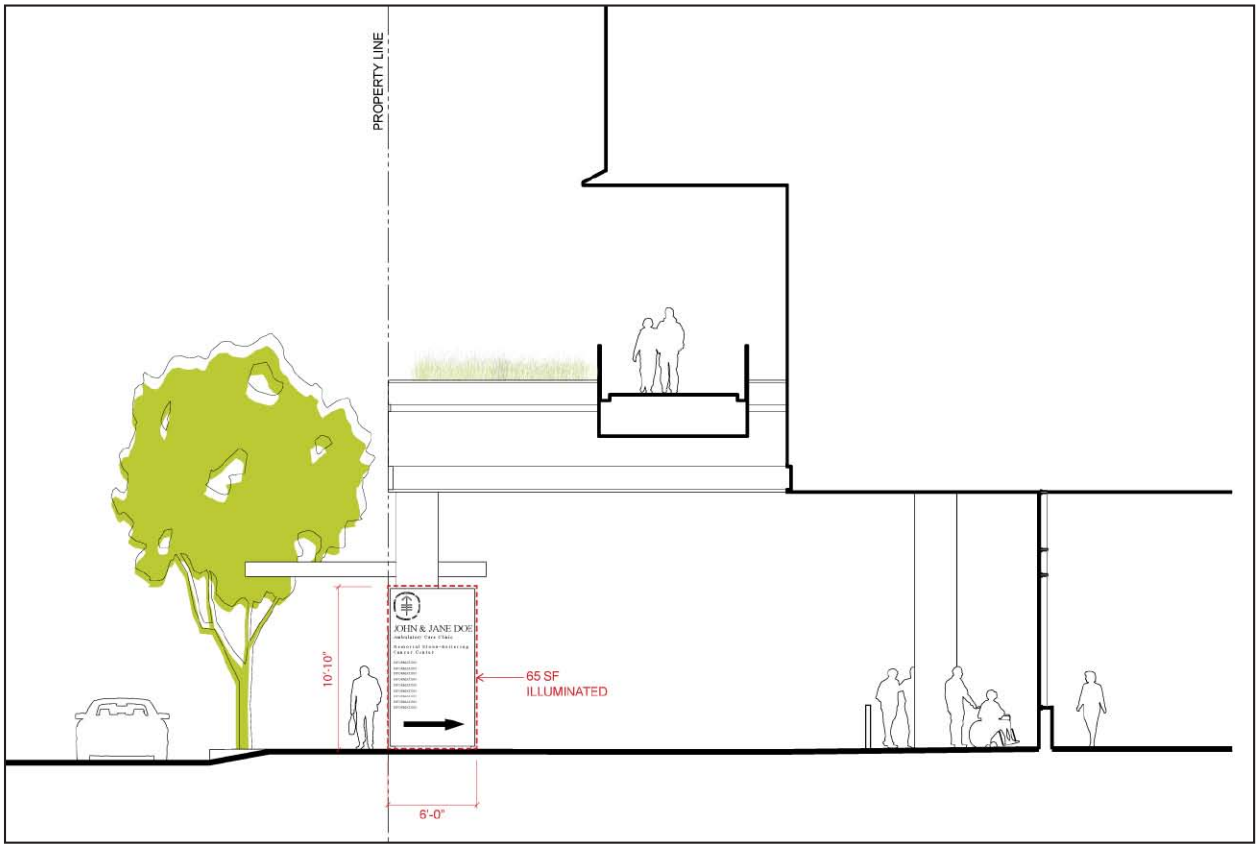
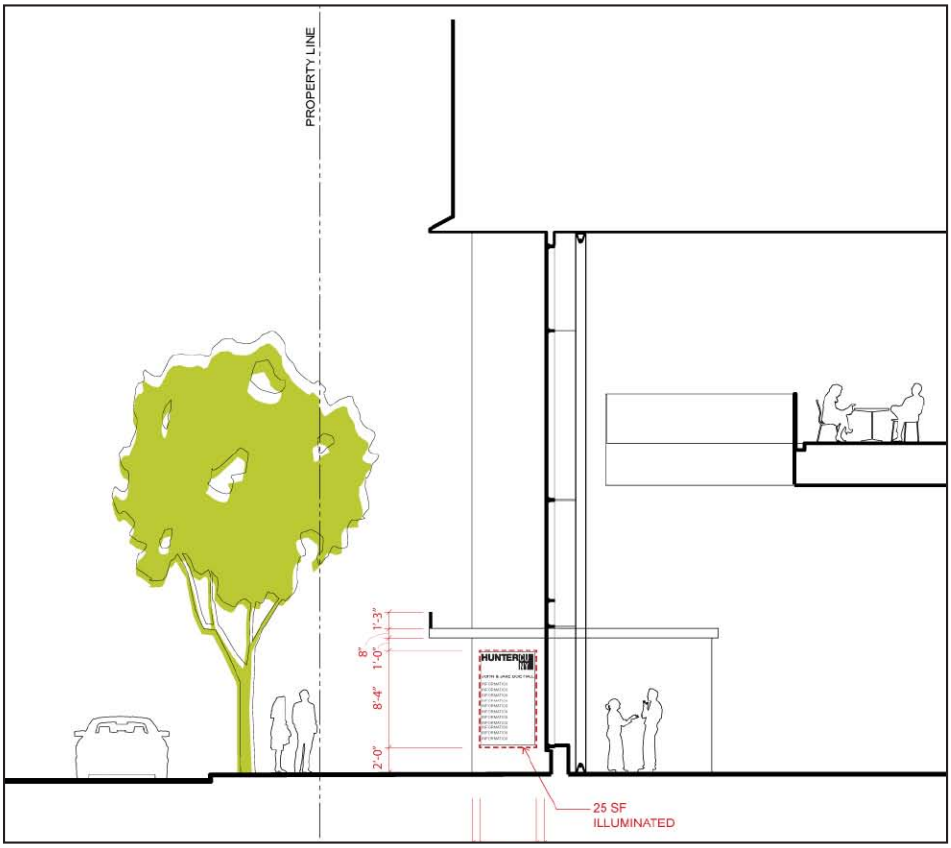
Signage - East and West Elevations

MSK ACC | CUNY-HUNTER

Figure 8



MSKCC Signage



Source: Perkins Eastman | Ennead Architects

CUNY Signage

For Illustrative Purposes Only

Signage - Wayfinding Signage

ZR 32-655: Height of Signs in Other Commercial Districts

In C1-9 districts, all permitted signs are not permitted to extend more than 25 feet above the curb level. Two signs are proposed at maximum height of 69 feet on the MSK ACC. One sign is proposed at a maximum height of 116 feet on the CUNY-Hunter Building (at the mechanical floor level). These heights are measured from average curb elevation.

- Special Permit for Off-Street Parking—Approval of a special permit pursuant to ZR Section 13-562 to increase the number of accessory parking spaces up to 250, which is approximately 84 more than permitted as-of-right.

OTHER AGENCY APPROVALS

NEW YORK CITY DEPARTMENT OF BUILDINGS

A certification by the Commissioner of Buildings to permit an entrance and exit to an accessory parking facility to be located within 50 feet of an intersection will be required.

NEW YORK STATE DEPARTMENT OF HEALTH

A Certificate of Need is required from the New York State Department of Health for the proposed MSK ACC.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

Both CUNY and MSK anticipate using DASNY funding. ~~MSK may seek funding through DASNY. CUNY expects to use funding through DASNY. Therefore, DASNY would be an involved agency.~~ For purposes of ~~State Environmental Quality Review (~~SEQR~~)~~, DASNY's proposed actions are Authorization of the Issuance of Bonds and/or Authorization of the Expenditure of Bond Proceeds. Therefore, DASNY would be an involved agency.

CUNY BOARD

The CUNY Board must approve, undertake, and fund the CUNY-Hunter Building. For purposes of SEQR/CEQR, CUNY's proposed action is the Final Approval of the undertaking and funding of the proposed project. Therefore, CUNY would be an involved agency.

CUCF APPROVAL

CUCF must also approve acquisition of the real property. For purposes of SEQR/CEQR, CUCF's proposed action is the Final Approval of the acquisition of real property. Therefore, CUCF would be an involved agency.

D. PROJECT PURPOSE AND NEED

In addition to the purposes and needs for each institution, which are described below, both institutions believe that there would be significant operational synergies with neighboring health care and research institutions; these synergies would benefit the population of New York City as well as enhance the City's position as a center of medical and academic excellence.

MSK

MSK is the world's oldest and largest private cancer treatment center. MSK has devoted more than a century to patient care as well as to innovative research, including the training of future

generations of oncologists. It has made significant contributions to new and better therapies for the treatment of cancer.

In recent years, MSK has expanded with new construction and renovations designed to meet the growing needs of its patients and research programs. Aside from its main campus and satellite facilities on Manhattan's Upper East Side, MSK has developed a network of state-of-the-art outpatient cancer treatment facilities that bring expert care closer to patients living throughout the greater New York area.

The MSK ACC Building would contain state-of-the-art ambulatory care facilities, including office practice space for head and neck, endocrinology, thoracic, hematologic oncology, dental, speech, and consultative services; infusion rooms; interventional and diagnostic radiology; radiation oncology; cardiology and pulmonary testing; pharmacy and clinical laboratories to support the on-site activities; ~~clinics for dermatological, breast, and prostate cancers; consultation rooms; infusion rooms; medical/surgical clinic; interventional radiology clinic; bone marrow transplant clinic;~~ academic offices; ~~a pharmacy; and~~ conference rooms; and up to 250 ~~as well as 200 to 225~~ parking spaces on the lower levels of the site for patients and visitors.

This proposed building would support two of the institution's strategic objectives. First, it would provide additional space to accommodate the anticipated growth in the number of outpatients, allowing MSK to continue to maintain a leadership role in the treatment and cure of cancer. Second, it would allow MSK to create an intensive outpatient environment that supports transfer of care from an inpatient to a more efficient ambulatory care setting. Keeping the site close to the main campus will allow for the appropriate coordination of care between outpatient clinical services and inpatient treatment, when needed.

Among the most important changes MSK anticipates in health care delivery is the transition to performing bone marrow transplants on an outpatient basis and the increased use of interventional radiology. In terms of bone marrow transplants, many hospitals have already moved to outpatient and hotel environments, enabling them to provide care at lower costs. It is unlikely that MSK's inpatient focused transplantation program will continue to be attractive to insurers with its heavy inpatient use and current cost structure.

In addition to enhancing access to clinical care, opening the MSK ACC Building would enable innovation, recruit talent, and offer financial sustainability for MSK.

HUNTER

CUNY is the nation's largest urban public university, comprising 24 institutions: 11 senior colleges, seven community colleges, the William E. Macaulay Honors College at CUNY, the Graduate School and University Center, the CUNY School of Law, the CUNY Graduate School of Journalism, the CUNY School of Professional Studies, and the CUNY School of Public Health. Serving more than 271,000 degree-credit students and nearly 270,000 continuing and professional education students, CUNY confers 35,000 degrees each year—more than 1.1 million associate, baccalaureate, masters, and doctoral degrees since 1967. CUNY plays a crucial role in the life and economy of the City and State and employs more than 39,000 faculty and staff. As of 2007, 54 percent of undergraduates and 46 percent of all college students in New York City were attending CUNY.

CUNY's history dates to the formation of the Free Academy in 1847 by Townsend Harris. The Free Academy later became the City College of New York, the oldest institution among the CUNY colleges. From this grew a system of senior colleges, community colleges, as well as

graduate schools and professional programs. CUNY was established in 1961 as the umbrella institution encompassing the municipal colleges and a new graduate school. Providing first-rate academic opportunities for students of all backgrounds has been CUNY's mission since its founding.

Hunter is the largest college in the CUNY system. Founded in 1870, it is also one of the oldest public colleges in the country. Currently, over 22,000 students attend Hunter, pursuing both undergraduate and graduate degrees in more than 170 different programs of study. Hunter College is famous for the diversity of its student body. For over 140 years, it has provided educational opportunities for women and minorities, and today, students from every walk of life and every corner of the world convene at Hunter.

Hunter is a proud leader in the sciences and medicine. Its professors win research grants in record amounts—more than $31 million in 2010 alone. Its graduates—largely products of City high schools—go on to careers in health care and scientific research in extraordinary numbers, well above the national average.

To maintain and build on its excellence in science, advanced research, and the health professions, Hunter proposes to build a new Science and Health Professions building near its main campus on the Upper East Side of Manhattan. Currently, Hunter's basic sciences and health sciences are located at two different campuses. Basic sciences and advanced research are located on Hunter's main campus at East 68th Street and Lexington Avenue in facilities that date to 1939; and health sciences and nursing are located on East 25th Street and First Avenue in a physical plant inherited from Bellevue Hospital in 1967.[1] The proposed CUNY-Hunter Building would allow Hunter to consolidate its related Science and Health Professions programs under one roof in a state-of-the-art facility. It would provide professors and students with the modern classrooms, laboratories and cutting-edge equipment they need to continue pushing the frontiers of teaching and scientific research. As well, the facility will allow Hunter scientists and health professionals to maintain close ties with the Upper East Side's world-renowned medical and research institutions.

[1] It is noted that this proposed project—the MSK Ambulatory Care Center and CUNY-Hunter College Science and Health Professions Building—is separate and independent from an anticipated proposal by DSNY to redevelop the Brookdale site on East 25th Street and First Avenue with a DSNY garage. According to DSNY, the Positive Declaration and Draft Scope of Work for the DSNY garage project are expected to be published late in the first~~fourth~~ quarter of 2013~~2~~. As such, each project will be subject to environmental review and a separate Environmental Impact Statement (EIS) will be appropriately prepared for each. There is no common purpose or goal for the two projects, one being a medical treatment building and a research/academic facility with the other being a DSNY garage. Because of this lack of common purpose it is not necessary for them to be completed at or around the same time. The former DSNY garage on East 73rd Street has already been demolished without regard to having a relocation site available. The two projects are approximately 2.5 miles (50 City blocks) apart and, therefore, not geographically near each other. No cumulative or synergistic impacts would be anticipated due to their physical separation and their dissimilarities of function. Each project belongs to a separate entity or entities – MSK and CUNY-Hunter at East 73rd Street and DSNY on East 25th Street. Overall the projects are separate and distinct and the approval of one would not commit the City to approving the other.

E. ANALYSIS FRAMEWORK

SCOPE OF ENVIRONMENTAL ANALYSIS

The DEIS will be prepared in accordance with the guidelines presented in the 2012 *CEQR Technical Manual*. For each technical attachment to the EAS, the analysis will include a description of existing conditions, an assessment of conditions in the future without the proposed project ~~actions~~, and an assessment of future conditions with the proposed project.

BASELINE CONDITIONS

EXISTING CONDITIONS

The analysis framework will begin with an assessment of existing conditions on the project site and in the relevant study area because these can be directly measured and observed. The assessment of existing conditions does not represent the condition against which the proposed project is measured, but serves as a starting point for the projection of future conditions with and without the proposed actions and the analysis of project impacts.

THE FUTURE WITHOUT THE PROPOSED PROJECT ~~ACTIONS~~

The future without the proposed project ~~actions~~ (the "No Build" ~~"Without Action"~~ condition) will describe a future baseline condition to which the changes that are expected to result from the proposed actions are compared. For each technical analysis, approved or designated development projects within the appropriate study area that are likely to be completed by the 2019 analysis year are considered.

In the future without the proposed project ~~actions~~, it is anticipated that no development would take place on the project site. It would remain largely vacant with a parking lot occupying the western edge of the site.

F. PROJECT POPULATION

MSK ACC BUILDING

With the proposed project it is anticipated that approximately 1,620 staff would work at the MSK ACC Building, with an estimated 1,335 patients and 2,670 visitors per day.

MSK ACC	Population (persons)
Staff	1,620
Patients	1,335
Visitors and Family	2,670
Total	5,625

MSK estimates that 95 percent of the staff would be in the building daily. With 1,539 staff coming to the building each day, the total population over the course of the day would reach 5,544. However, since patients would arrive based on the time of their appointments and depart based on the length of their tests, treatments or procedures, the entire daily population would not be on the site at once. In addition, staff schedules would be staggered throughout the day to meet patient demand.

CUNY-HUNTER BUILDING

With the proposed project it is anticipated that approximately 1,130 undergraduate students, 1,219 graduate students, 547 ~~658~~ faculty and staff, and 48 visitors would come to the CUNY-Hunter ~~College Science and Health Professions~~ Building. The faculty and staff are divided into 153 faculty, 114 adjunct faculty, 209 research staff, and 71 support staff.

CUNY-Hunter Building	Population (persons)
Undergraduate Students	1,130
Graduate Students	1,219
Faculty	267
Staff	280
Visitors	48
Total	2,944

In addition, Hunter College expects that the single, 350-seat auditorium would be used by students from the main Hunter College campus at Lexington Avenue and East 68th Street. When the auditorium is in use, the population of the building could reach 3,294. However, it is unlikely that all the students and staff would be on the campus at the same time given differing class and work schedules.

PROBABLE IMPACTS OF THE PROPOSED ACTIONS

The identification of potential environmental impacts will be based upon the comparison of the No Build ~~Without Action~~ condition to the future with the proposed project ~~actions~~ (Build ~~With Action~~ condition). In certain technical areas this comparison can be quantified and the severity of impact rated in accordance with the State Environmental Quality Review Act (SEQRA), the City's Executive Order No. 91 of 1977, as amended, and Title 62 of the Rules of the City of New York, Chapter 5 (CEQR), as well as the relevant guidelines of the *CEQR Technical Manual*. In other technical areas, the analysis is qualitative in nature. The methodology for each analysis is presented at the start of each technical analysis chapter.

G. ENVIRONMENTAL REVIEW PROCESS

ODMED, as lead agency for~~in~~ the environmental review, determined that the proposed project has the potential to result in significant environmental impacts and, therefore, pursuant to CEQR ~~procedures~~, issued a Positive Declaration directing that an EIS be prepared in conformance with all applicable laws and regulations, including SEQRA, the City's Executive Order No. 91 of 1977, as amended, and Title 62 of the Rules of the City of New York, Chapter 5 (CEQR), as well as the relevant guidelines of the *CEQR Technical Manual*. This FSOW ~~Draft Scope of Work~~ was prepared in accordance with those laws and regulations and the *CEQR Technical Manual*.

In accordance with SEQRA and CEQR, th~~e~~ ~~is~~ Draft Scope of Work was distributed for public review on October 2, 2012. A public meeting was ~~will be~~ held November 1, 2012 ~~at 6:30 P.M.~~ at the Kaye Playhouse at Hunter College ~~(located on the north side of~~ on East 68th Street between Park and ~~, just west of~~ Lexington Avenue~~s~~), New York, NY. The scoping meeting was continued on December 4, 2012, at the Mortimer B. Zuckerman Research Center Auditorium of the Memorial Sloan-Kettering Cancer Center, 415 East 68th Street, New York, New York, and the period for the submission of written comments was extended to December 14, 2012. ~~The period~~

~~for submitting written comments will remain open until 5:00 P.M. on Wednesday, November 14, 2012.~~ After considering comments received during the public comment period, this FSOW was ~~a Final Scope of Work will be~~ prepared to direct the content and preparation of the DEIS. Based on the screening questions provided as part of the environmental assessment statement (EAS Part II: Technical Analysis) ODMED determined that the proposed project will not have the potential for significant adverse impacts in the following areas: socioeconomic conditions, community facilities and services, natural resources, solid waste and sanitation services, and energy. Therefore, the analyses contained in the DEIS will focus on those areas where impacts are anticipated.

As the next step in the process, once the lead agency has determined that the DEIS is complete, it will be subject to additional public review. At a date to be announced later, a public hearing on the DEIS will be held in conjunction with the public hearing on the ULURP application for the project. A Final EIS (FEIS) will then be prepared to respond to comments, as appropriate. The lead agency and involved agencies will make CEQR findings based on the FEIS, before making a decision on project approval.

As described in greater detail below, the EIS will contain:

- A description of the proposed actions and the proposed project and their environmental setting;
- An analysis of the potential for adverse environmental impacts to result from the project;
- A description of mitigation measures proposed to eliminate or minimize any adverse environmental impacts disclosed in the EIS;
- An identification of any adverse environmental effects that cannot be avoided if the proposed project is implemented;
- A discussion of alternatives to the proposed actions and project; and
- A discussion of any irreversible and irretrievable commitments of resources to develop the project.

H. ENVIRONMENTAL IMPACT STATEMENT SCOPE OF WORK

TASK 1. PROJECT DESCRIPTION

The Project Description introduces the reader to the proposed project and provides the data from which impacts are assessed. The chapter will contain a brief history of the uses on the project site; the purpose and need for the project for each institution; the proposed development program for each institution; a description of the design of the proposed building; figures to depict the proposed development; and a discussion of the approvals required.

Estimates of patients, visitors, and employees will be provided for the MSK program and an estimate of the faculty, staff, and students will be provided for the CUNY-Hunter program.

Appropriate data from the ULURP application will be used. The role of the lead agency for CEQR will also be described. The need for environmental requirements (e.g., E-designations or restrictive declarations) necessary to develop the proposed project will also be identified. The framework for the analysis will also be described, including procedures to be followed, the No Build ~~Without Action~~ condition (which in this case would be a continuation of the existing condition), and the single analysis year for all technical areas except construction.

TASK 2. LAND USE, ZONING AND PUBLIC POLICY

This analysis will consider the proposed project's effects in terms of land use compatibility and trends in zoning and public policy. The context for the zoning map amendment and the need for the zoning text change will be described along with any other land use actions required. Because the project site is located within the Coastal Zone designated by New York State and City, a review of the project's compliance with the New York City Waterfront Revitalization Program (WRP) as well as the State Coastal Management Program will be included. In addition, consistency with the State Smart Growth Public Infrastructure Policy Act (SSGPIPA) will be considered. In general, this chapter provides a context for other analyses in the EIS. It will:

- Describe predominant land use patterns in the study area, including recent development trends. The study area will include the portions of the blocks immediately surrounding the project site and land uses within approximately 400 feet.
- Provide a zoning map and discuss existing zoning and recent zoning actions on the project site and in the study area.
- Summarize other public policies that may apply to the project site and study area.
- Describe conditions on the project site absent the proposed actions. Prepare a list of other projects expected to be built in the study area that would be completed before or concurrently with the proposed project. Describe the effects of these projects on land use patterns and development trends. Also, describe any pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area, including plans for public improvements.
- Describe the proposed actions and provide an assessment of the impacts of the proposed actions and project on land use and land use trends, zoning, and public policy. Consider the effects related to issues of compatibility with surrounding land use, consistency with zoning and other public policy initiatives, and the effect of the project on development trends and conditions in the area. Assess the project's compatibility with the WRP, PlaNYC 2030, the State Coastal Management Program, and the State Smart Growth Program.

TASK 3. OPEN SPACE

Open space is defined as publicly or privately owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or is set aside for the protection and/or enhancement of the natural environment. An analysis of open space is required to determine whether or not a proposed project would have direct effects resulting from the elimination or alteration of open space, and/or indirect effects resulting from overtaxing available open space. In accordance with the *CEQR Technical Manual*, an open space analysis is required because the proposed actions are expected to result in a worker population greater than 125, the CEQR threshold for areas of the city that are underserved in terms of open space.

The methodology set forth in the *CEQR Technical Manual* requires an inventory of publicly accessible open spaces within ¼-mile of the project site, noting their facilities, condition, and level of use. The study will also project conditions in the future without the proposed project, and assess open space impacts as a result of the proposed project based on quantified ratios and qualitative factors.

TASK 4. SHADOWS

The *CEQR Technical Manual* requires a shadows assessment for proposed actions that would result in new structures (or additions to existing structures) greater than 50 feet in height or located adjacent to, or across the street from, a sunlight-sensitive resource. Such resources include publicly accessible open spaces, important sunlight-sensitive natural features, or historic resources with sun-sensitive features.

The proposed actions would result in new buildings on the project site that would be taller than 50 feet in height, and the project site is located across the FDR Drive from a well-used, albeit narrow, section of the East River Esplanade. Therefore, a shadows assessment will be performed to determine how the project-generated shadow would affect the Esplanade and if it would reach other sunlight-sensitive resources. The shadows assessment will be coordinated with the open space and historic and cultural resources analyses, and will include the following tasks:

- Develop a base map illustrating the project site in relationship to publicly accessible open spaces, historic resources with sunlight-dependent features, and natural features in the area.
- Determine the longest possible shadow that could result from the proposed project to determine whether it could reach any sunlight-sensitive resources other than the Esplanade at any time of year.
- Develop a three-dimensional computer model of the elements of the base map developed in the preliminary assessment.
- Develop a three-dimensional representation of the proposed project.
- Using three-dimensional computer modeling software, determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the proposed actions on four representative days of the year.
- Document the analysis with graphics comparing shadows resulting from the No Build ~~Without Action~~ condition with shadows resulting from the proposed project, with incremental shadow highlighted in a contrasting color. Include a summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource.
- Assess the significance of any shadow impacts on sunlight-sensitive resources. If any significant adverse shadow impacts are identified, identify and assess potential mitigation strategies.

TASK 5. HISTORIC AND CULTURAL RESOURCES

Historic and cultural resources include archaeological (buried) resources and architectural (historic standing structure) resources. The project site (Block 1485, Lots 15) was previously disturbed by construction and then demolition of the DSNY garage. The project site is currently vacant except for wall remnants, demolition debris and a surface parking lot. While the proposed project would require excavation, the potential for any remaining archaeological resources appears to be slight. In accordance with the *CEQR Technical Manual*, the New York City Landmarks Preservation Commission (LPC) was consulted regarding the site's potential archaeological sensitivity. Also, the project will be reviewed in conformance with the New York State Historic Preservation Act of 1980 (SHPA), especially section 14.09 of the Parks, Recreation and Historic Preservation Law (PRHPL). Accordingly, the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) will also be consulted. In ~~a~~ letters dated December 11, 2012 and

January 18, 2013, ~~September 4, 2012~~ LPC and OPRHP determined that the there are no areas of archaeological sensitivity on the project site; therefore, no further work will be required with respect to archaeological resources (see **Appendix A**). ~~However, if required by OPRHP, a Phase 1A archaeological study will be performed.~~

Following the guidelines in the *CEQR Technical Manual*, this historic and cultural resources analysis will identify and briefly describe known architectural resources within a 400-foot study area surrounding the project site. Although the project site is vacant, there are structures in the study area which may be potential resources (properties that appear to meet S/NR or NYCL criteria but have not yet been reviewed). A field survey will be conducted to determine whether there are any potential architectural resources in the study area; any potential architectural resources will be mapped and briefly described in the analysis. Impacts on any architectural resources that are expected in the future without the proposed project ~~actions~~ as a result of other expected development projects will be qualitatively discussed. This analysis will also assess the project's potential impacts, including visual and contextual changes as well as any direct physical impacts, on any designated and potential architectural resources. If applicable, measures to avoid, minimize, or mitigate any adverse impacts on architectural resources will be developed.

TASK 6. URBAN DESIGN AND VISUAL RESOURCES

According to the guidance of the *CEQR Technical Manual*, if a project requires actions that would result in physical changes to a project site beyond those allowable by existing zoning and which could be observed by a pedestrian from street level, a preliminary assessment of urban design and visual resources should be prepared. Since the proposed project would require land use approvals relating to bulk and possibly setbacks that would result in physical differences to what would be allowed under existing zoning and those differences could be observed by a pedestrian from street level, a preliminary assessment of urban design and visual resources will be prepared.

The preliminary assessment will determine whether the proposed project would create a change to the pedestrian experience that is sufficiently significant to require greater explanation and further study. The study area for the preliminary assessment of urban design and visual resources will be consistent with that of the study area for the analysis of land use, zoning and public policy. The preliminary assessment will include a concise narrative of the existing project area, the future with the proposed project, and the future without the proposed project ~~actions~~. The preliminary assessment will present photographs, zoning and floor area calculations, building heights, project drawings and site plans, and view corridor assessments.

A detailed analysis will be prepared if warranted based on the preliminary assessment. As described in the *CEQR Technical Manual*, examples of projects that may require a detailed analysis are those that would make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings, potentially obstruct view corridors, or compete with icons in the skyline. The detailed analysis would describe the project site and the urban design and visual resources of the surrounding area. The analysis would describe the potential changes that could occur to urban design and visual resources in the future with the proposed project, in comparison to the future without the proposed project ~~actions~~, focusing on the changes that could negatively affect a pedestrian's experience of the area. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

TASK 7. HAZARDOUS MATERIALS

The EIS will address the potential presence of hazardous materials on the project site. Previous investigations and remedial activities conducted by others at the site between 1998 and 2011 identified petroleum contamination in soil and groundwater, including the presence of free product on the water table. The EIS will include a summary of the Phase I Environmental Site Assessment (ESA), the Phase II Environmental Site Investigation results, and previous monitoring reports completed by others, and will include any necessary recommendations for additional testing or other activities that would be required either prior to or during construction and/or operation of the project, including a discussion of any necessary remedial or related measures. The EIS will include a general discussion of the health and safety measures that would be implemented during project construction. Any appropriate remediation measures specific to the proposed uses on the project site, including those recommended by the New York City Department of Environmental Protection (~~NYC~~DEP), will be provided in the EIS.

This section of the EIS will also include an overview of hazardous materials (e.g., radiation sources, chemotherapy drugs, medical wastes), if any, that would be associated with operation of the MSK facility as well as the CUNY-Hunter laboratories with a brief summary of the procedures/requirements for ensuring they are each managed safely.

TASK 8. WATER AND SEWER INFRASTRUCTURE

WATER SUPPLY

According to the *CEQR Technical Manual*, an analysis of an action's impact on the water supply system should be conducted only for actions that would have exceptionally large demand for water, such as power plants, very large cooling systems, or large developments (e.g., those that use more than 1 million gallons per day). In addition, actions located at the extremities of the water distribution system should be analyzed. The proposed project does not meet any of these criteria, and therefore an analysis of water supply is not warranted. However, the water demand for the Existing, No Build ~~Without Action~~, and Build ~~With Action~~ conditions will be calculated and presented.

WASTEWATER AND STORMWATER CONVEYANCE AND TREATMENT

According to the guidelines of the *CEQR Technical Manual*, a preliminary analysis of wastewater and stormwater conveyance and treatment is warranted if a project is located in a combined sewer area and would have an incremental increase above the No Build ~~Without Action~~ condition of 1,000 residential units or 250,000 square feet of commercial, public facility and institution and/or community facility space in Manhattan. Since the proposed project will provide over 250,000 square feet of institutional use, an analysis of wastewater and stormwater conveyance and treatment will be performed and will include the following:

- The existing stormwater drainage system and surfaces (pervious or impervious) on the project site will be described, and the amount of stormwater generated on the site will be estimated using DEP's volume calculation worksheet. Drainage areas with direct discharges and overland flow will be presented.
- The existing sewer system serving the project site will be described based on records obtained from DEP. Records obtained will include sewer network maps, drainage plans, capacity information for sewer infrastructure components, and other information for sewer

infrastructure components, and other information as warranted (such as sewer backup complaints/repair history). The existing flows to the Waste Water Treatment Plant (WWTP) that serves the project site (Wards Island WWTP) will be obtained for the latest 12-month period, and the average dry weather monthly flow will be presented. Existing capacity information for pump stations, regulators, etc. within the affected drainage area will be presented.

- Any changes to the site's stormwater drainage system and surface area expected in the future without the proposed project will be described.
- Any changes to the sewer system expected to occur in the future without the proposed project will be described based on information provided by DEP.
- Assess future stormwater generation from the proposed project and the project's potential to impact the existing sewer system. The assessment will discuss any planned sustainability elements and best management practices (BMPs) that are intended to reduce storm water runoff from the project site. Any changes to the site's proposed surface area (pervious or impervious) will be described, and runoff coefficients and runoff for each surface type/area will be presented.
- The preliminary sewer assessment is undertaken by calculating existing and future water demands and sanitary sewage generation based on use generation rates set forth in the *CEQR Technical Manual*. The estimated amount of sewage generated from the proposed project conservatively includes all of the project site's water consumption excluding air conditioning, which is typically not discharged into the sewer system. The DEP volume calculation worksheet is then used to calculate the overall combined sanitary sewage and stormwater runoff volume discharged to the sewer system for four rainfall volume scenarios with varying durations. Stormwater runoff volumes are determined by estimating the project site's pervious and impervious surfaces. The ability of the City's sewer infrastructure to handle the proposed project's anticipated demand is assessed by comparing the change in flows and volumes to the combined sewer system due to the proposed project.
- A more detailed assessment may be required if increased sanitary or stormwater discharges from the proposed project are predicted to affect the capacity of the existing sewer system, exacerbate Combined Sewer Overflow (CSO) volumes/frequencies, or contribute greater pollutant loadings in stormwater discharged to receiving water bodies. The scope of a more detailed analysis, if necessary, will be developed based on conclusions from the preliminary infrastructure assessment (described above) and in coordination with DEP.

TASK 9. TRANSPORTATION

Based on the *CEQR Technical Manual*, detailed transportation analyses may be warranted if a proposed action is anticipated to result in an incremental increase of 50 or more peak hour vehicles trips, 200 or more peak hour subway or bus trips, or 200 or more peak hour pedestrian trips. As currently contemplated, the proposed actions are expected to result in peak hour trip generation that would exceed these thresholds; therefore, detailed analyses of traffic, transit, and pedestrian operations, as well as assessments of vehicular and pedestrian safety and the area's parking supply and utilization, are warranted. Although completion of the CUNY-Hunter Building may lag the MSK ACC Building completion by a few years, this Scope of Work assumes that the project's potential operational impacts will be analyzed as one phase. The specific transportation analysis tasks to be undertaken as part of this environmental review are outlined below.

TRAVEL DEMAND PROJECTIONS AND SCREENING ASSESSMENTS

To determine the scale of the detailed transportation impact analyses, trip generation estimates will be developed for the proposed MSK ACC and CUNY-Hunter Buildings. These estimates will rely primarily on information provided by MSK on anticipated population of hospital staff, patients, and visitors and by CUNY-Hunter on anticipated population of faculty, students, administrators/staff, and visitors. Travel characteristics of the different user groups (i.e., work shifts, temporal distribution, and modal split) and the buildings' operational characteristics (building hours, programming details, etc.) will also be identified via a combination of available information from MSK and CUNY-Hunter, as well as travel data from approved studies of other similar uses, and consideration of newly available subway service via the Second Avenue Subway.

Based on the results of the trip generation estimates, "Level 1" and "Level 2" screening assessments will be prepared in accordance with the *CEQR Technical Manual*. The Level 1 screening assessment will compare the projected peak hour trips against the CEQR analysis thresholds described above. For analysis areas (traffic, transit, and pedestrians) that are expected to generate more peak hour trips than these thresholds, a Level 2 screening assessment, involving the distribution and assignment of the projected peak hour trips onto the transportation network, would be undertaken. The trip assignment will need to account for the appropriate on- and off-site parking assumptions, as well as anticipated pick-up/drop-off, ambulance, and truck delivery activities on East 73rd and East 74th Streets. (As currently contemplated, loading facilities for both proposed buildings would be accessed from the north side of East 73rd Street. Delivery vehicles would be able to head into the respective loading areas and maneuver into designated bays. After completion of delivery activities, these vehicles would head out directly onto westbound East 73rd Street.)

Based on the results of the Level 2 screening assessment, the appropriate study areas for detailed traffic, transit, and pedestrian analyses will be identified. The trip estimates and results of the Level 1 and Level 2 screening assessments will be summarized in a Travel Demand Factors (TDF) memo for review and comment by the lead agency and the New York City Department of Transportation (NYCDOT) for concurrence on travel demand assumptions and detailed analysis study areas. The specific detailed analyses that will then be prepared are described below.

TRAFFIC AND PARKING ANALYSES

The project site is bounded by the FDR Drive southbound roadway to the east, York Avenue to the west, East 74th Street to the north, and East 73rd Street to the south. Given the project site's access to the FDR Drive and the local street network, it is anticipated that the trip estimates and assignments described above would result in the need for a weekday peak period (AM, midday, and PM) detailed traffic impact study for a study area comprising up to 19 intersections. Additional intersections that may be identified as warranted for analysis will be added to the traffic study area. Existing traffic data will be collected for these locations by a combination of manual and machine counts in accordance with CEQR procedures. Operational characteristics at the study area intersections during the analysis peak hours will be documented with a field inventory of roadway configurations, lane widths and utilization, curbside regulations, traffic congestion/queuing, and signal phasing/timing (to be confirmed with NYCDOT official signal timing data). If a mobile source air quality analysis is determined to be warranted based on the results of the Level 2 screening assessment, additional data on travel time and delays will also be collected.

Using the collected baseline data, existing peak hour balanced traffic networks will be developed for the detailed analysis of intersection levels-of-service (LOS). This analysis will be prepared in accordance with the 2012 *CEQR Technical Manual* and 2000 *Highway Capacity Manual* (HCM) procedures using the latest approved *Highway Capacity Software* (HCS). Building on the existing traffic volumes, background growth and traffic attributed to other approved or as-of-right projects, as well as any anticipated changes to the area's roadway network, will be compiled to project future baseline traffic volumes and establish the No Build ~~Without-Action~~ condition. Project-generated peak hour trips will then be overlaid onto the future No Build ~~Without-Action~~ condition traffic networks to create the future condition with the proposed project traffic networks. Operating conditions for the No Build ~~Without-Action~~ and proposed project traffic volumes at the study area intersections will be analyzed in the same manner as described for existing conditions. The analysis results for the No Build ~~Without-Action~~ condition and the future condition~~s~~ with the proposed project will then be compared to the impact criteria outlined in the *CEQR Technical Manual* to determine the potential for significant adverse traffic impacts. Where impacts are identified, practical mitigation measures (i.e., signal timing adjustments, parking restrictions, lane restriping, etc.) will be explored to alleviate these impacts. Because the MSK ACC Building would be operational prior to the future analysis year, if mitigation measures are necessary, an interim impact/mitigation analysis will also be prepared to determine the need to advance some or all of the mitigation measures identified for the condition with the proposed project.

For parking, since there are very limited on-street resources, the on-street parking analysis will be limited to an inventory of curbside regulations within ¼-mile of the project site. It is expected that the proposed project's parking demand will be accommodated on-site and/or at nearby off-street public parking facilities. To address the effects of the projects parking demand on the area's parking resources, a ¼-mile off-street parking study will be prepared to determine the potential for a parking shortfall.

TRANSIT AND PEDESTRIAN ANALYSES

Currently, trips made by public transportation to and from the project site are served by the Lexington Avenue No. 6 train at the 68th Street and 77th Street subway stations and by the York Avenue M31, First/Second Avenue M15, and Crosstown M66, M72, and M79 bus routes. By the project's build year, additional subway service is expected to be available with the completion and opening of the Second Avenue Subway's 72nd Street station, which is scheduled for completion in 2016. Based on the development program, the trip estimates and distribution of transit trips to these area public transportation services are expected to result in the need for detailed analysis of vertical circulator ~~stairway~~ and control area elements at one or more of the three nearby subway stations and line-haul conditions of the M66 and M72 bus routes. The detailed transit analysis will be prepared in the same manner as described for the traffic analysis, but only for the AM and PM commuter peak periods. If~~Where~~ impacts are identified, practical mitigation measures will be discussed.

Trips made by various modes of transportation, except for autos that park on-site and pick-ups/drop-offs that take place within an internal lay-by area, will traverse area sidewalks, corner reservoirs, and crosswalks as pedestrian trips. Based on the Level 2 screening assessment described above, it is anticipated that an equivalent of up to four intersections (consisting of the intersection corners, crosswalks, and connecting sidewalks) would be included for a detailed pedestrian analysis. This analysis will be prepared in accordance with the 2012 *CEQR Technical Manual* and 2010 ~~*Highway Capacity Manual* (~~HCM~~)~~ procedures using the latest approved

analysis templates. Where impacts are identified, practical mitigation measures (i.e., street furniture removal, crosswalk widening, corner extension, etc.) will be explored to alleviate these impacts. Additional pedestrian analysis locations that may be identified as warranted for analysis will be added to the pedestrian study area.

VEHICULAR AND PEDESTRIAN SAFETY ASSESSMENT

Accident data for the study area intersections and other nearby sensitive locations from the most recent three-year period will be obtained from the New York State Department of Transportation (NYSDOT). These data will be analyzed to determine if any of the studied locations may be classified per CEQR criteria as high vehicle crash or high pedestrian/bike accident locations and whether trips and changes resulting from the proposed project would adversely affect vehicular and pedestrian safety in the area. If any high crash locations are identified, feasible improvement measures will be explored to address potential safety issues.

TASK 10. AIR QUALITY

The air quality studies for the proposed actions will include both mobile and stationary source analyses. The mobile source air quality impact analysis will assess the potential for PM and CO from traffic-generated emissions. The stationary source air quality impact analysis will address the effects of emissions from combustion sources of emissions on pollutant levels.

MOBILE SOURCE ANALYSIS

Based on preliminary estimates of trip generation, it is expected that the number of project-generated vehicles would exceed the *CEQR Technical Manual* CO and/or $PM_{2.5}$ screening thresholds during a peak hour at one or more intersections in the study area, requiring a detailed analysis of mobile source air quality impacts. Using computerized dispersion modeling techniques, the effects of project-generated traffic on CO and $PM_{2.5}$ levels at critical intersection locations will be determined. In addition, the impact of the proposed parking garages on air quality will be analyzed, and the results from that analysis will be combined with the intersection analyses, where applicable.

The work program will consist of predicting (using computerized dispersion modeling techniques) the effects of traffic under both the No Build ~~Without Action~~ and Build ~~With Action~~ conditions on $PM_{2.5}$ and CO levels at intersection locations within the study area, and, if significant impacts are predicted to occur due to the action, developing feasible traffic measures to alleviate those impacts. The analysis methodology is as follows: selection of appropriate sites for intersection analysis, calculation of vehicular emissions, calculation of pollutant concentration levels using dispersion models that have been approved by the applicable air quality review agencies (i.e., U.S. Environmental Protection Agency [EPA], the New York State Department of Environmental Conservation (NYSDEC), and DEP), and the determination of impacts. Specifically:

- Collect and summarize existing ambient air quality data for the study area. Ambient air quality monitoring data published by the NYSDEC will be compiled for the analysis of existing conditions.
- Calculate emission factors. Select emission calculation methodology and "worst-case" meteorological conditions. Compute vehicular cruise and idle emission factors for the intersection modeling using the EPA-developed MOVES ~~MOBILE6.2.03~~ model ~~(or the~~

~~MOVES mode, as applicable)~~ and applicable assumptions based on guidance by EPA, NYSDEC~~,~~ and DEP. Compute re-suspended road dust emission factors based on the EPA procedure defined in AP–42.

- Select appropriate background levels. Select appropriate CO background levels for the study area.
- Select appropriate analysis sites. Based on the background and project-increment traffic volumes and levels of service, select intersections for analysis, representing locations with the worst potential total and incremental pollution impacts. At intersections that exceed *CEQR Technical Manual* thresholds, those locations with the highest vehicle increments and/or highest level of congestion will be selected for analysis.
- Use EPA's first-level CAL3QHC intersection model to predict the maximum change in CO concentrations, and the refined CAL3QHCR intersection model to predict the maximum change in $PM_{2.5}$. At each analysis site calculate for each peak period the maximum 1- and 8-hour average CO concentrations for: (i) No Build ~~Without Action~~ condition~~s~~; and (ii) the future with the proposed project. For selected intersections, the maximum 24-hour and annual average $PM_{2.5}$ concentrations will be determined for: (i) No Build ~~Without Action~~ conditions; and (ii) the future with the proposed project.
- Perform an analysis of CO for the proposed project's parking facility. The analysis will use the procedures outlined in the *CEQR Technical Manual* for assessing potential impacts from proposed parking facilities. Cumulative impacts from on-street sources and emissions from parking garages will be calculated, where appropriate.
- Compare with benchmarks and evaluate impacts. Evaluate potential impacts by comparing predicted future CO pollutant levels with standards, the predicted CO increment with *de minimis* criteria, and the $PM_{2.5}$ increments with the City's interim guidance criteria. If significant adverse impacts due to CO concentrations are predicted, refine results by performing detailed dispersion analysis at affected locations using EPA's refined CAL3QHCR intersection model and compare refined results to benchmarks.
- For locations where significant adverse impacts are predicted, measures to alleviate such impacts will be examined. In the event that a significant adverse impact is identified, feasible traffic mitigation measures will be evaluated.
- ~~Provide a qualitative discussion of the effects of project related traffic on NO_2 concentrations at affected roadways.~~

STATIONARY SOURCE ANALYSIS

HVAC Analysis

- A screening analysis will be performed to determine whether emissions from any onsite fuel-fired heating, ventilation and air conditioning (HVAC) equipment (for example, boilers or hot-water heaters) would be significant. The screening analysis will use the procedures outlined in the *CEQR Technical Manual* that consider the distance of the HVAC exhaust to the nearest building of equal or greater height, the proposed building size, the height of the exhaust stack and the type(s) of fuel used. The screening analysis will also be performed to determine whether there are any potential significant adverse impacts with respect to the new 1-hour nitrogen dioxide (NO_2) and 1-hour sulfur dioxide (SO_2) ambient air quality standards.

- If the screening analyses for the proposed project's HVAC systems indicate that there would be a potential for significant adverse air quality impacts, a more detailed stationary source analysis will be performed using EPA's AERMOD model. For this analysis, five years of meteorological data from La Guardia Airport and concurrent upper air data from Brookhaven, New York will be utilized for the simulation program. Concentrations of nitrogen dioxide, sulfur dioxide, and particulate matter (PM_{10}) will be determined at sensitive receptor sites. Predicted values will be added to ambient background concentrations and compared with national ambient air quality standards. Predicted concentrations of $PM_{2.5}$ at sensitive receptor sites will be compared to the City's interim guidance criteria for $PM_{2.5}$. In the event that violations of standards are predicted, design measures to reduce pollutant levels to within standards will be proposed.

Laboratory Spill Analysis

- The EIS will assess the potential impacts for an accidental spill in the project's fume hoods exhausting to the atmosphere. The analysis will be performed using a list of chemicals that would likely be used at the proposed site, or using a typical list of chemicals for similar facilities. The analysis will be based on procedures and methodologies described in the *CEQR Technical Manual*. Chemical evaporation rates will be calculated using the Shell Development Company (M.T. Fleisher, An Evaporation/Air Dispersion Model for Chemical Spills on Land, December 1980), an examination of recirculation potential using the methodology described by D.J. Wilson in *A Design Procedure for Estimating Air Intake Contamination from Nearby Exhaust Vents* (ASHRAE TRANS 89, Part 2A, pp.136-152, 1983), and the determination of maximum pollutant concentrations at elevated receptors downwind of the fume exhausts using the latest EPA INPUFF model (W.B. Peterson, *Estimating Concentrations Downwind From an Instantaneous Puff Release*, EPA 600/3-82-078, August 1978). One set of design parameters will be evaluated. Maximum concentrations from an accidental chemical spill will be compared to the short term Exposure Levels (STELs) or ceiling levels recommended by the U.S. Occupational Safety and Health Administration (OSHA) for the chemicals examined. Where necessary, recommendations will be made to reduce any potential levels of concern.

~~Other~~ Industrial Sources

- An analysis of uses surrounding the project site will be conducted to determine the potential for impacts from industrial emissions. A field survey will be performed to determine if there are any manufacturing or processing facilities within 400 feet of the project site. In addition, a search of federal and state air permits, and the DEP's Bureau of Environmental Compliance (BEC) files will be performed to determine if there are permits for any sources of toxic air compounds from industrial processes. Based on this information, a determination will be made as to whether a detailed analysis of industrial stationary source air quality issues is necessary.
- If manufacturing or processing facilities other than Con Edison are identified within 400 feet of the project site, or if any emissions from processing or manufacturing facilities within 400 feet of the project site are on file with DEP or NYSDEC, an industrial stationary source air quality analysis as detailed in the *CEQR Technical Manual* will be performed. The *CEQR Technical Manual's* industrial source screening procedures will be used to estimate the short-term and annual concentrations of critical pollutants at sensitive receptor sites. Predicted worst-case impacts on the project will be compared with the short-term guideline concentrations (SGC) and annual guideline concentrations (AGC) reported in NYSDEC's

DAR-1 AGC/SGC Tables guidance document to determine the potential for significant impacts. In the event that exceedances of guidance concentrations are predicted, more refined dispersion modeling (using EPA's AERMOD dispersion model) may be employed as a separate task, or measures to reduce pollutants to within guidance levels will be examined.

Analysis of ~~Con Edison East 74th Street Plant~~ Additional Sources

- The project site is in the vicinity of the Con Edison East 74th Street Steam Plant and the New York Presbyterian Hospital central steam plant on East 68th Street. An analysis will be performed to determine the potential for significant adverse air quality impacts from each of these emission sources on the proposed project. ~~The methodology and assumptions for performing this analysis will be submitted to DEP for review.~~
- In the event that a potential significant impact is identified, a refined analysis would be performed using the ~~US~~EPA AERMOD model. For this analysis, five years of meteorological data from La Guardia Airport and concurrent upper air data from Brookhaven, New York will be utilized for the simulation program. Concentrations of nitrogen dioxide, sulfur dioxide, and particulate matter (PM_{10}) will be determined at sensitive receptor sites. Predicted values will be added to ambient background concentrations and compared with national and state ambient air quality standards. Predicted concentrations of $PM_{2.5}$ at sensitive receptor sites will be compared to the City's interim guidance criteria for $PM_{2.5}$. In the event that a potential significant impact is identified, further refined analysis would be performed, or measures to minimize or avoid impacts would need to be stipulated.

TASK 11. GREENHOUSE GAS~~ES~~ EMISSIONS AND CLIMATE CHANGE

According to the *CEQR Technical Manual*, a greenhouse gas (GHG) consistency assessment is appropriate for projects in New York City being reviewed in an EIS that would result in development of 350,000 square feet or greater. Therefore, GHG emissions from the proposed project will be quantified and an assessment of consistency with the City's GHG reduction goal will be performed. Project GHG emissions will be estimated for one worst case development plan and one analysis year and reported as carbon dioxide equivalent (CO_{2e}) metric tons per year. The quantified assessment will include operational emissions (emissions from the operation of the buildings in the project, including direct and indirect emissions), and mobile source emissions. The construction phase or the extraction or production of materials or fuels needed to construct the project is not likely to be a significant part of total project emissions. Therefore, emissions resulting from construction activity and construction materials will be assessed qualitatively. The project would not fundamentally change the city's solid waste management system. Therefore a quantified assessment of emissions due to solid waste management is not warranted. Features of the project that demonstrate consistency with the City's GHG reduction goal will be described.

In addition to quantifying GHG emissions, the design will be reviewed to assess the potential for the proposed project to result in a significant adverse impact to the environment, and will include a discussion of design elements to increase climate resilience and adaptive management strategies to allow for uncertainties in environmental conditions resulting from climate change. Given the proposed project's location, the project would be designed in accordance with applicable Advisory Base Flood Elevations (ABFEs) issued as drafts in February 2013, as determined by the Federal Emergency Management Agency (FEMA), and would include design

measures to reduce the likelihood of flood damage, to enable quicker recovery after potential flooding events, and to locate critical infrastructure at elevations above future projected flood levels. This GHG analysis will focus primarily on potential flooding events.

The ~~GHG~~ analysis will consist of the following subtasks:

- Direct and Indirect Operational Emissions—emissions from on-site boilers used for heat and hot water would be quantified, as well as emissions from purchased electricity generated off-site and consumed on-site. Emissions would be based on the carbon intensity factors specified in the *CEQR Technical Manual* or project specific information on energy use.
- Indirect Mobile Source Emissions—emissions from vehicle trips to or from the proposed project will be quantified using trip distances and emission factors provided in the *CEQR Technical Manual*.
- Emissions from construction and emissions associated with the extraction or production of construction materials will be qualitatively discussed. Opportunities for reducing GHG emissions associated with construction will be considered.
- Features of the proposed project that reduce energy use and GHG emissions will be discussed and quantified to the extent that information from the project team is available.
- To determine the consistency with the City's overall GHG reduction goal, consistency with the City's goals will be assessed as relevant to the proposed project, addressing the project's carbon intensity based upon its density, fuel choices, geographic setting, avoided GHG emissions, and building energy efficiency. The City's goals include improved building energy efficiency, use of clean power, transit-oriented development and sustainable transportation, and the reduction of construction-associated emissions. This section will outline potential measures that could reduce energy use and GHG emissions associated with the proposed project, and will identify the measures that would be implemented as part of the proposed project, and measures still under consideration. To the extent that information is available, the potential of these measures to reduce GHG emissions will be discussed. Overall, the project design, location, and incorporated measures relevant to GHG emissions will be assessed for consistency with the City's GHG reduction goal.
- The potential future climate conditions for the proposed project's location will be reviewed, focused on severe storms and potential coastal flooding.
- The design will be reviewed to assess the potential for climate impacts on the proposed project and for the proposed project to result in a significant adverse impact to the environment as a result of potential coastal flooding events.
- Design elements to increase climate resilience and adaptive management strategies to allow for uncertainties in environmental conditions resulting from climate change will be discussed, focused on resilence in the face of potential flooding events.

TASK 12. NOISE

The *CEQR Technical Manual* requires that the noise study address whether the proposed project would result in a significant increase in noise levels (particularly at sensitive land uses such as residences and institutions) and what level of building attenuation is necessary to provide acceptable interior noise levels within the proposed buildings.

The proposed project would generate vehicular trips, but given the background conditions and the anticipated project-generated traffic it is not expected that project-generated traffic would be

likely to result in significant noise impacts—except on East 74th street where traffic is very light and therefore a detailed analysis is necessary. For CEQR purposes, it is assumed that outdoor mechanical equipment would be designed to meet applicable regulations and no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be required.

The noise analysis will examine the level of building attenuation necessary to meet CEQR interior noise levels requirements. The building attenuation study will be an assessment of noise levels in the surrounding area associated primarily with traffic and nearby uses and their potential effects on the proposed project.

Specifically, the analysis will include the following:

- Select appropriate noise descriptors. Appropriate noise descriptors to describe the existing noise environment will be selected. The L_{eq} and L_{10} levels will be the primary noise descriptors used for the EIS analysis. Other noise descriptors including the L_1, L_{10}, L_{50}, L_{90}, L_{min}, and L_{max} levels will be examined when appropriate.
- Based on the traffic studies (see Task 9, "Transportation"), perform a screening analysis to determine whether there are any locations (other than East 74th Street) where there is the potential for the proposed project to result in significant noise impacts (i.e., doubling of Noise PCEs) due to project generated traffic.
- Select receptor locations for building attenuation analysis (including the FDR Drive adjacent to the project site) and the East 74th street mobile source noise analysis purposes. Receptor locations will be selected to assess noise sources adjacent to the project site, including vehicle traffic on local streets and the FDR Drive, and will include locations adjacent to the proposed project area and other locations if Noise PCE's double beyond the project block.
- Perform 20-minute measurements at each receptor locations during typical weekday AM, midday, and PM peak periods. L_1, L_{10}, L_{50}, L_{90}, L_{min}, and L_{max} values will be recorded. Where site access and security permits, a 24-hour continuous measurement may be performed in lieu of a 20-minute measurement.
- Data analysis and reduction. The results of the noise measurement program will be analyzed and tabulated.
- Determine future noise levels without the proposed actions. At the East 74th Street mobile source noise analysis receptor location, the Without Action noise levels will be determined for the analysis year using existing noise levels, acoustical fundamentals and either proportional modeling or the Traffic Noise Model (TNM).
- Determine future noise levels with the proposed actions. At the East 74th Street mobile source noise analysis receptor location, noise levels with the proposed actions will be determined analysis year using existing noise levels, acoustical fundamentals and either proportional modeling or the TNM.
- Compare noise levels with CEQR impact evaluation criteria. Existing noise levels and future noise levels, both with and without the proposed actions, will be compared with the CEQR noise impact criteria to determine project impacts.
- Determine the level of attenuation necessary to satisfy CEQR criteria. The level of building attenuation necessary to satisfy CEQR requirements is a function of exterior noise levels and will be determined. Measured values will be compared to appropriate standards and guideline levels. As necessary, recommendations regarding general noise attenuation

measures needed for the proposed project to achieve compliance with standards and guideline levels will be made.

TASK 13. PUBLIC HEALTH

According to the *CEQR Technical Manual*, public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and if so, to identify measures to mitigate such effects.

According to the guidelines of the *CEQR Technical Manual*, a public health analysis is not warranted if a project does not result in a significant unmitigated adverse impact in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified in any one of these technical areas, and the lead agency determines that a public health assessment is warranted, an analysis will be provided for that specific technical area.

TASK 14. NEIGHBORHOOD CHARACTER

Neighborhood character is determined by a number of factors, such as land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, and noise. Methodologies outlined in the *CEQR Technical Manual* will be used to provide an assessment of neighborhood character. This analysis will consist of the following:

- Based on other technical analyses, describe the predominant factors that contribute to defining the character of the neighborhood surrounding the project site.
- Based on planned development projects, public policy initiatives, and planned public improvements, summarize changes that can be expected in the character of the area in the future without the proposed project ~~actions~~.
- Assess and summarize the proposed project's effects on neighborhood character using the analysis of impacts as presented in other pertinent analyses (particularly urban design and visual resources, historic resources, socioeconomic conditions, traffic, and noise).

TASK 15. CONSTRUCTION

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction activity could affect transportation conditions, community noise patterns, air quality conditions, and mitigation of hazardous materials. This task will describe the construction schedule and logistics, discuss anticipated on-site activities, and provide estimates of construction workers and truck deliveries.

Based on the projected construction activities and equipment in the context of duration, location of emissions relative to nearby sensitive locations, and the implementation of air emissions controls and noise reductions measures, a detailed qualitative air quality and noise analysis will be provided to assess the potential impacts of construction activities.

- Duration – In terms of air emissions and noise levels, the most intense construction activities are demolition, excavation, and foundation work, where a number of large non-road diesel

engines would be employed. Based on the anticipated construction schedule, these activities are anticipated to take less than 24 months.

- Location of Sensitive Receptors – The nearest sensitive receptor location is an existing residential building (530 East 73rd Street) located approximately 55 ~~65~~ feet away south of the project site. However, there are currently no sensitive receptors immediately east of the project site (FDR Drive), immediately north of the project site (Con Edison Steam Plant) and immediately west of the project site (commercial buildings, auto body repair shop, and parking garage). Although the Hospital for Special Surgery would be built in the adjacent lots west of the project site, based on the anticipated completion year for this building and the anticipated construction schedule for the proposed project, the hospital would unlikely be occupied before the completion of the proposed project's most intense construction activities (demolition, excavation, and foundation work). To the extent practicable, construction equipment would be located away from the residential building to the south of the project site.
- Air Emissions Controls/Noise Reduction Measures – A variety of air emissions control measures would be implemented to the extent practicable and feasible to ensure that the construction of the proposed project would result in the lowest practicable diesel particulate matter emission. These measures would include diesel equipment reduction, clean fuel, best available tailpipe reduction technologies, utilization of new equipment, source location, dust control, and idle restriction. In addition, noise control measures would be implemented to minimize construction noise and reduce potential impacts associated with the construction of the proposed project. These measures would include a variety of source and path controls as specified in the New York City Noise Control Codes.

Technical areas to be analyzed include:

- Transportation Systems – This assessment will consider losses in lanes, sidewalks, off-street parking on the project site, and effects on other transportation services, if any, during the construction periods, and identify the increase in vehicle trips from construction workers and equipment. Based on the trip projections of activities associated with peak construction and completed portions of the proposed project, an assessment of potential impacts during construction and how they are compared to the project's operational impacts will be provided. This scope assumes that this assessment can be made via a qualitative comparison using the impact findings from the operational analysis and would not require a separate detailed analysis. Similar to other recently approved EISs, construction trip projections will be developed to inform the necessary impact analyses. If quantified analyses are determined to be warranted and specific mitigation measures are required, they will be discussed in the EIS.
- Air Quality – The construction air quality impact section will contain a qualitative discussion of both mobile source emissions from construction equipment and worker and delivery vehicles, and fugitive dust emissions. It will discuss measures to reduce impacts and may include components such as: diesel equipment reduction; clean fuel; best available tailpipe reduction technologies; utilization of equipment that meets specified emission standards; and fugitive dust control measures, among others.
- Noise – The construction noise impact section will contain a qualitative discussion of noise from each phase of construction activity. Appropriate recommendations will be made to comply with DEP Rules for Citywide Construction Noise Mitigation and the New York City Noise Control Code.

- Hazardous Materials – In coordination with the hazardous materials summary, determine whether the construction of the project has the potential to expose construction workers to contaminants.
- Other Technical Areas – As appropriate, discuss other areas of environmental assessment for potential construction-related impacts.

TASK 16. MITIGATION

Where significant adverse impacts have been identified in the analyses discussed above, measures will be described to mitigate those impacts. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

TASK 17. ALTERNATIVES

The purpose of an alternatives analysis is to examine reasonable and practicable options that avoid or reduce project-related significant adverse impacts while still achieving the goals and objectives of the proposed project. The specific alternatives to be analyzed are typically finalized as project impacts are clarified. CEQR requires an analysis of a Without Action Alternative (without the proposed actions), which in this case assumes that the existing use on the site would continue. Other alternatives to be analyzed could possibly involve different design alternatives and/or a different zoning text amendment or map change. The analyses will be primarily qualitative, except where specific project impacts have been identified (e.g., traffic intersections with significant adverse impacts). However, the qualitative analysis will be of sufficient detail to allow comparisons of associated environmental impacts and attainment of project goals and objectives.

TASK 18. SUMMARY CHAPTERS

Several summary chapters will be prepared, focusing on various aspects of the ~~S~~EIS, as set forth in the regulations and the *CEQR Technical Manual*. They are as follows:

1. *Executive Summary*. Once the EIS technical sections have been prepared, a concise executive summary will be drafted. The executive summary will use relevant material from the body of the EIS to describe the proposed actions, environmental impacts, measures to mitigate those impacts, and alternatives to the proposed actions.
2. *Unavoidable Adverse Impacts*. Those impacts, if any, that could not be avoided and could not be practicably mitigated will be described in this chapter.
3. *Growth-Inducing Aspects of the Proposed Actions*. This chapter will focus on whether the proposed actions would have the potential to induce new development within the surrounding area.
4. *Irreversible and Irretrievable Commitments of Resources*. This chapter focuses on those resources, such as energy and construction materials, that would be irretrievably committed should the proposed project be built. ✷

Responses to Comments on the Draft Scope of Work for the Draft Environmental Impact Statement for Memorial Sloan-Kettering Cancer Center Ambulatory Care Center and CUNY—Hunter College Science and Health Professions Building

A. INTRODUCTION

This document summarizes and responds to comments on the Draft Scope of Work, issued on October 2, 2012 for the Memorial Sloan-Kettering Ambulatory Care Center and the City University of New York (CUNY)—Hunter College Health Professions Building (the proposed project).

Oral and written comments were received during the public meeting held by the Office of the Deputy Mayor for Economic Development on November 1, 2012 and continued on December 4, 2012. Written comments were accepted through the close of the public comment period, which ended at 5:00 PM on Friday, December 14, 2012. **Appendix B** contains the written comments received on the Draft Scope of Work.

Section B lists the organizations and individuals that provided relevant comments on the Draft Scope of Work; no elected officials provided comments. Section C contains a summary of these relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the Draft Scope of Work. Where more than one commenter expressed similar views, those comments have been grouped and addressed together.

B. LIST OF ORGANIZATIONS AND INDIVIDUALS THAT COMMENTED ON THE DRAFT SCOPE OF WORK

ORGANIZATIONS

1. Nick Viest, Chair, Community Board 8 (CB8), comments made at public meeting December 4, 2012 (Viest)
2. Edward Hartzog, CB8, comments made at public meeting December 4, 2012 and written comments dated December 14, 2012 (Hartzog)
3. A. Scott Falk, CB8, comments made at public meeting December 4, 2012 (Falk)
4. Barbara Rudder, CB8, comments made at public meeting December 4, 2012 (Rudder)
5. Peggy Price, Community Board 8, comments made at public meeting December 4, 2012 (Price)
6. Judy Schneider, co-chair, CB8 Educational Committee, comments made at public meeting November 1, 2012 and written comments dated November 5, 2012 (Schneider)

INTERESTED MEMBERS OF THE PUBLIC

7. Hunter Armstrong, Executive Director, CIVITAS, written comments dated December 14, 2012 (CIVITAS)
8. Stuart Beckerman, attorney representing Glorious Food, Inc., written comments dated November 21, 2012 (Beckerman)
9. Judith Berdy, comments made at public meeting November 1, 2012 and written comments dated November 19, 2012 (Berdy)
10. Eric Frankel, comments made at public meeting December 4, 2012 (Frankel)
11. Terry Grace, comments made at public meeting December 4, 2012 (Grace)
12. Lorena Greeley, comments made at public meeting December 4, 2012 (Greeley)
13. Kaitilin Griffin, comments made at public meeting November 1, 2012 and written comments dated November 21, 2012 (Griffin)
14. Wendy Levey, Owner, Director, and Founder, Epiphany Community Nursery School, comments made at public meeting November 1, 2012 (Levey)
15. Michele Ruggieri, comments made at public meeting December 4, 2012 (Ruggieri)
16. Suzanne Schnell, written comments dated December 13, 2012 (Schnell)
17. Alex Zimmer, comments made at public meeting November 1, 2012 (Zimmer)

C. COMMENTS AND RESPONSES ON THE DRAFT SCOPE OF WORK

ANALYSIS FRAMEWORK

Comment 1: Will the planned Hospital for Special Surgery project on the project block be taken into consideration for the analysis, including for traffic, pedestrians, and construction? (Schneider)

Response: As noted in the Scope of Work, the analyses presented in the EIS will account for future conditions without the proposed project, in which known development projects in the study area that are likely to be built by the analysis year are assessed. The EIS analyses will account for the Hosptial for Special Surgery's new, 13-story, approximately 213,775-gross-square-foot (gsf) Ambulatory Surgery Center, which is assumed to be complete by the project's 2019 analysis year. The project was subject to review pursuant to CEQR (CEQR Number 12BSA126M) by the Board of Standards and Appeals (BSA), which issued a Negative Declaration and approved the required variance(s) for the project on December 11, 2012.

Comment 2: Has anyone looked at the impact of what happened with [Hurricane] Sandy since you're going to be building right on the water? (Frankel)

Where will the electrical equipment be located? (Schneider)

Response: The project site is not located on the water; it is located across the FDR, and west of the Con Edison facility on the waterfront. In accordance with the *City Environmental Quality Review (CEQR) Technical Manual*, the EIS will include a greenhouse gas (GHG) consistency assessment, including an assessment of the proposed project's resilience in the face of predicted future climate conditions. As discussed in the *CEQR Technical Manual*, climate change could have wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate change are also likely to be felt at the local level. Through PlaNYC, the City has established sustainability initiatives and goals for greatly reducing GHG emissions and for adapting to climate change in the City. In addition, given the coastal location of the proposed project, the project would be designed in accordance with applicable Advisory Base Flood Elevations (ABFEs), issued as drafts in February 2013, as determined by the Federal Emergency Management Agency (FEMA), and would include design measures to reduce the likelihood of flood damage, to enable quicker recovery after potential flooding events, and to locate critical infrastructure at elevations above future projected flood levels.

The MSK ACC's electrical service would be located on the third floor, in a standard, interior secondary service Con Edison vault configuration. The CUNY-Hunter building's electrical service would be located on the sixth floor in a standard interior secondary service Con Edison vault configuration.

PROJECT DESCRIPTION

Comment 3: From a cancer patient's point of view, being able to reach your treatment zone is really important. So both as a resident of the Upper East Side, it is really nice for those like me who are patients at Memorial Sloan Kettering who also live here and would like to be able to walk to be treated and to see their doctors. It is also really important to me that my doctors have easy access to the places that they need to work to do research and to meet with me. This project is going to help make that possible for them. (Zimmer)

Response: Comment noted.

Comment 4: What is the total number of feet of each of these buildings? The total of feet should include the height of any mechanical equipment on the roof. (Berdy)

Response: The CUNY-Hunter building would be approximately 350 feet tall, and the MSK ACC would be approximately 450 feet tall, to the top of each screenwall.

Comment 5: Does your report estimate how many people (doctors, professors, etc.) might want to move into the area? (Frankel)

Response: No. The proposed project does not add to or subtract residential units in the study area. As noted in the Scope of Work, the analysis considers the population that will use the two facilities.

Comment 6: What type of services are going to be provided through this project? Will the ambulatory care include drug rehab? (Greeley)

Response: The MSK ACC would contain state-of-the-art ambulatory care facilities, including office practice space for head and neck, endocrinology, thoracic, hematologic oncology, dental, speech, and consultative services; infusion rooms; interventional and diagnostic radiology; radiation oncology; cardiology and pulmonary testing; pharmacy and clinical laboratories to support the on-site activities; academic offices; conference rooms; and up to 250 accessory parking spaces on the lower levels of the site for patients and visitors. The CUNY-Hunter Building would house teaching and research laboratories, class rooms, a learning center, a single 350-seat lecture hall, faculty offices, and a vivarium to house research animals.

Comment 7: Is MSK closing their ambulatory department? If it's going to be completely relocated to the project site, then we'll have noise pollution, ambulances running up and down York Avenue 24/7. (Ruggieri)

Response: MSK is not closing its ambulatory department. In recent years, MSK has expanded with new construction and renovations designed to meet the growing needs of its patients and research programs. Aside from its main campus and satellite facilities on Manhattan's Upper East Side, MSK has developed a network of state-of-the-art outpatient cancer treatment facilities that bring expert care closer to patients living throughout the greater New York area. The proposed MSK ACC would contain state-of-the-art ambulatory care facilities; the proposed building would support two of the institution's strategic objectives. First, it would provide additional space to accommodate the anticipated growth in the number of outpatients, allowing MSK to continue to maintain a leadership role in the treatment and cure of cancer. Second, it would allow MSK to create an intensive outpatient environment that supports transfer of care from an inpatient venue to a more efficient ambulatory care setting. Keeping the site close to the main campus would allow for the appropriate coordination of care between outpatient clinical services and inpatient treatment, when needed.

Ambulatory care faciltiies do not generate ambulance trips as patients arrive for regularly scheduled appointments. The ambulance bay would be provided in order to accommodate an ambulance that would take a patient to the main hospital if an emergency requiring transportation occurs.

Comment 8: Please describe the layout of and how the CUNY-Hunter building will function within the community. (Schneider)

Response: Currently, Hunter's basic sciences and health sciences are located at two different campuses. Basic sciences and advanced research are located on Hunter's main campus at East 68th Street and Lexington Avenue in facilities that date to 1939; and health sciences and nursing are located on East 25th Street and First Avenue in a physical plant inherited from Bellevue Hospital in 1967. The proposed CUNY-Hunter Building would allow Hunter to consolidate its related Science and Health Professions programs under one roof in a state-of-the-art facility. It would provide professors and students with the modern classrooms, laboratories, and cutting-edge equipment they need to continue pushing the frontiers of teaching and scientific research. In addition, the facility would allow Hunter scientists and health professionals to maintain close ties with the Upper East Side's world-renowned medical and research institutions.

Comment 9: Could interventional radiology be defined in the DEIS? (Schneider)

Response: Interventional radiology (i.e., surgical radiology) will be defined in Chapter 1, "Project Description," of the EIS.

Comment 10: Will there be a back-up generator for the MSK building? Where would it be located? (Schneider)

Response: The MSK ACC and CUNY-Hunter Building would have emergency generators on their roofs.

Comment 11: Does the New York State Department of Health have to give approval for the CUNY-Hunter building? (Schneider)

Response: As noted in the Scope of Work, a Certificate of Need is required from the New York State Department of Health for the proposed MSK ACC. Since the CUNY-Hunter building is not a hospital or ambulatory care facility, it does not require NYSDOH approval.

Comment 12: The easternmost 5 feet of the Glorious Foods building located at 522 East 74th Street (Block 1485, Lot 39) is within the proposed rezoning area, while the westernmost 20 feet of that lot is currently zoned M1-4. The proposed rezoning area should be extended to include the entirety of the lot. Extending the boundary by 20 feet will ensure that appropriate development occurs at 522 East 74th Street minimizing any environmental effect of the proposed project on this particular site. We believe that a floor area ratio of 10 is appropriate and additional uses such as Use Group 2 residences, Use Group 3 non-profit hospital staff dwellings or non-profit institutions with sleeping accommodations or Use Group 4 hospitals or ambulatory diagnostic or treatment health care facilities are appropriate. (Beckerman)

Response: As originally comtemplated in the Draft Scope of Work, the rezoning would have rezoned the M2-3 portion of the block that reaches approximately 320 feet west of the eastern end of the block on East 73rd Street. This rezoned area

would have included the area approximately 4.5 feet west of the MSK/CUNY lot line. However, as described in the Final Scope of Work, the rezoning area has been reduced to 315 feet west of the east end of the block. Therefore, the existing Light Manufacturing M1-4 District (High Performance) west of the project site would be extended 5 feet east to the C1-9 boundary, which is located approximately 0.5 feet west of the MSK/CUNY lot line. Upzoning an adjacent site is not part of the proposed project, and doing so potentially would change the Reasonbable Worst Case Development Scenario requiring revisions to the EIS analyses.

LAND USE, ZONING, AND PUBLIC POLICY

Comment 13: The review process should focus on the impact of the proposed land use in this heavily populated area and not stray into the area of the virtues of cancer research. (Griffin)

Response: In accordance with the *CEQR Technical Manual*, the land use assessment in the EIS will analyze the proposed project from the perspective of its context within the existing land use pattern of the surrounding area.

Comment 14: Two hundred underground parking spaces next to the easily and frequently flooding FDR Drive is ridiculous. (Berdy)

Response: This is not a comment on the Scope of Work. However, the project would be designed to meet all New York City Department of Buildings (DOB) regulations and as noted above, the project would, to the extent practible, include design measures to reduce the likelihood of flood damage and to enable quicker recovery after potential flooding events. The garage entrance ramp would be engineered to rise four feet higher than the FDR Drive, before it goes down to the lower level. This would provide natural protection from the flooding of the FDR. In addition, there would be sump pumps located in the lowest level.

COMMUNITY FACILITIES AND SERVICES

Comment 15: In the past, MSK workers living out of the district have sent their children to our local public schools, and the project's population may use public libraries. In addition, new staff might move to the area, adding students to the already overcrowded schools. The EIS should analyze the demand on schools and libraries resulting from the project's population. (Schneider)

Response: Per the *CEQR Technical Manual*, an assessment of a proposed project's potential impact on schools and libraries is only undertaken in cases where the proposed project would result in the direct introduction of a residential population. The proposed project would not include any residential units; therefore analyses of schools and libraries are not required.

Comment 16: The analysis should consider the impact of the proposed project on all neighborhood resources, and should be asked to assist in improvements to the City. Specific needs include the repair of the sea wall, location of new open spaces, and support and improvement of libraries and public schools. (Griffin)

Response: As stated in the Scope of Work, potential impacts on open space will be studied in the EIS. Analyses of schools and libraries are not warranted because no residential units are included as part of the project.

OPEN SPACE

Comment 17: Access to the riverfront must be considered—the proposed project should not impede pedestrian access to the waterfront. (Griffin)

Response: The proposed buildings would not alter existing pedestrian access to the waterfront. There is no pedestrian access across the FDR Drive at either East 73rd or East 74th Street.

Comment 18: The project would include financing from the Dormitory Authority of the State of New York (DASNY); MSK and CUNY would receive benefits that are subsidized by the citizens of this City and State. Therefore, the citizens of CB8 should receive some benefit from this project. MSK and CUNY should set aside some publicly accessible open space. There should be some sort of concession to the community, whether this takes the form of open space surrounding the project; a foot bridge over the FDR Drive allowing pedestrian access to the Esplanade; the dedication of funds for the refurbishment of the Esplanade; a combination of all three; or something else. (Hartzog)

CB8 has been extremely concerned about the lack of planning for public open space with this humungous project. We find it unfathomable that this big building where the big crowd of people that it's bringing to the neighborhood, has no compensation to our community for the intrusion that's being introduced here. We absolutely must have public open space added to the project. There is none. And we've been told there's room for students to circulate inside. That's not adequate. That does not serve the interest of the community. And we implore you to go back to the design phase and insert ample open space so that the project has some sensitivity to the community and is not just operating at our expense without any thought to compensation. (Price, Falk, Rudder)

Because the project is located within an area in Manhattan that is densely populated and underserved by open space, access and improvements to the East River Esplanade should be considered. With the proposed project's employees, the need for the Esplanade, which is deteriorated, will be even greater. Options to increase open space and improve access to existing parkland include an additional deck over the FDR Drive and funding toward improving the Esplanade park. (CIVITAS, Grace)

The institutions should provide outdoor space for their users to lunch, sit, etc. (Grace)

MSK should fund the repair of the seawall at Andrew Haswell Green Park. (Griffin)

Response: As stated in the Scope of Work, the EIS will include an analysis of open space, and if significant adverse open space impacts are identified, measures to mitigate such impacts will be evaluated.

The CUNY-Hunter second floor terrace would wrap around the MSK ACC building to include space facing over the FDR Drive to the East River. Planters and seating areas would be used to create outdoor areas for students to gather, eat lunch or have informal teaching. The sixth level of the MSK ACC would set back on its north, east and south sides to provide another terrace. This terrace is intended to provide a calming outdoor respite for patients and their families.

SHADOWS

Comment 19: How would the proposed project affect the light on the rooftop garden of the Epiphany Community Nursery School? (Levey)

Response: In accordance with the *CEQR Technical Manual*, the EIS will assess the project's shadows on sunlight-sensitive resources. Such resources generally include: public open space, features of architectural resources that depend on sunlight for their enjoyment by the public, and natural resources where the introduction of shadows could alter the resource's condition or microclimate. The *CEQR Technical Manual* does not consider private open spaces (e.g., front and back yards, stoops, vacant lots, and any private, non-publicly accessible open space). As it is a private open space, there is no CEQR requirement for analysis of shadows on the rooftop garden.

HAZARDOUS MATERIALS

Comment 20: There are no specific plans for the removal of hazardous and medical waste. (Berdy)

Response: Removal of hazardous and medical waste is governed by a wide variety of federal, state, and local regulations. Any project-generated hazardous and medical waste would be removed in accordance with all applicable rules and regulations.

WATER AND SEWER INFRASTRUCTURE

Comment 21: Will these be environmentally green buildings and will water be recycled at all anywhere in the project? What will be their "LEED" designation? (Schneider)

Response: Both CUNY and MSK are committed to constructing green buildings. Stormwater will be used for cooling tower make-up water as well as irrigation for the planted areas. Each institution intends to pursue LEED Silver.

SOLID WASTE AND SANITATION

Comment 22: The project's added burden of garbage disposal would not meet building code. (Schnell)

Response: There are no garbage disposal requirements in the NYC Building Code. CUNY-Hunter's garbage disposal would be handled by the New York City Department of Sanitation (DSNY). MSK waste would be managed by private carters.

TRANSPORTATION

Comment 23: The traffic and pedestrian assessment should be done at a peak time, such as when school is in session. (Schneider, Griffin)

Response: As noted in the Draft Scope of Work, the transportation assessment will be performed in accordance with the guidelines presented in the *CEQR Technical Manual*, which stipulate that collection of transportation data used in analyses should be conducted during the school year for the appropriate day(s) of the week and time periods of the day.

Comment 24: The project generated traffic would have an impact on the Ephiphany Community Nursery School located at 510 East 74th Street and thousands of children that use the facility, as well as the Town School on East 76th Street and Lycee Francais de New York on East 75th Street. (Levey)

We are concerned about traffic from the project. How would the additional population arrive and depart the project site? Two schools on 75th Street have limited access. (Grace)

The proposed project, along with the HSS development, would contribute to existing traffic congestion on East 74th Street; because of this traffic and construction, Glorious Foods will likely sell the building and move to a more appropriate location. (Beckerman)

How would the 73rd Street entrances operate? (Berdy)

Response: In coordination with NYCDOT, study area intersections were selected for the analysis of potential impacts. As stated in the Draft Scope of Work, the analyses will incorporate existing traffic volumes, growth projections, and estimated trip-making from other area projects (including the adjacent HSS development). Where impacts are identified, feasible mitigation measures will be explored to address these impacts. As stated in the Draft Scope of Work, the primary access to the project site would be on East 74th Street, where there would be an accessory garage for MSK patients and visitors. All other populations of the MSK-CUNY buildings would walk to the eastern end of East 74th Street from other area parking lots/garages and nearby transit facilities. With regard to the East 73rd Street frontage, delivery berths would be provided in off-street

loading facilities and there would be secondary pedestrian access provided for MSKCC staff only.

Comment 25: The project should consider a widening of the existing entrance and exit lanes to the FDR to mitigate traffic conditons on East 71st and East 73rd Streets. (Hartzog)

The project takes special care to diminish existing and anticipated pressures on the already deleterious traffic conditions; the FDR on/off ramps also contribute to the traffic. (Griffin)

How will the project affect traffic on East 70th and East 71st Streets, and East 73rd Street at the FDR Drive? The proposed project will further impact already congested conditions. How will the additional gridlock be corrected when the project is complete in 2019? (Greeley, Ruggieri)

The proposed area of construction is already too congested with traffic. To add to it would be totally inadvisable—especially in a hospital location where ambulances abound. (Schnell)

East 73rd Street should be one-way westbound and East 71st Street should be one-way eastbound. To have both directions [on 73rd Street] with the trucks, and you've got Hospital for Special Surgery's and your hospital's trucks parking perpendicular to 71st Street right when you're trying to go through there because it's also the service bay without a bay from hospitals. It is a real problem. (Grace)

Response: As noted in the Draft Scope of Work, the EIS will include a traffic impact study and mitigation measures will be identified for any significant adverse impacts identified from the proposed project.

Comment 26: On 74th Street, Con Ed are (*sic*) not good neighbors when it comes to traffic and trucks. They will take their tankers and they will park it right where you want to have your patient get off right in the bay there. We have two schools on 75th Street struggling with that right now. Just no access. (Grace)

Response: Comment noted.

Comment 27: Will cars need to turn around at the end of 74th Street? (Berdy)

Response: As noted in the Draft Scope of Work, East 74th Street dead-ends at the FDR Drive. Therefore, all vehicles entering onto this block would need to turn around to exit. As part of the proposed project, a set-back circulation area would be constructed in front of the MSK building to manage pick-up/drop-off and garage access/egress activities.

Comment 28: What parking will be available for Hunter College coaches? (Berdy)

Is the parking available for MSK only or will the Hunter students/faculty be using those spaces? (Schneider)

Outpatients and care coaches do not park in a garage. There should be planning for cars waiting, vans, taxis, and hospital related vehicles at the entrance to avoid interruption and normal traffic and life on this quiet side street. (Berdy)

Response: The on-site accessory parking would be used for MSK patients and visitors only. MSK staff and Hunter College staff/students who elect to commute to the project site by car would need to seek available parking in the surrounding area. As part of the proposed project, a set-back circulation area would be constructed in front of the MSK building to manage pick-up/drop-off and garage access/egress activities.

Comment 29: The limited buses on First Avenue do not stop at 72nd Street. They bypass that area. With the subway walk and the influx of people, you cannot get a taxi now. This would be further impacted by 5,000 more people in the area. (Ruggieri)

Response: As stated in the Draft Scope of Work, the EIS will study travel conditions for various modes of transportation (i.e., autos, taxis, subways, buses, and pedestrians), disclose the potential significant adverse impacts, and identify feasible mitigation measures to address these impacts.

AIR QUALITY

Comment 30: What kind of fuel is being used in these buildings? (Schneider)

Response: The primary fuel that would be used in both buildings is natural gas. In the event of a temporary loss of utility gas service, ultra low distillate sulfur fuel would be used. In addition, each building would have emergency generators which would use ultra low sulfur distillate fuel.

NOISE

Comment 31: Increased noise from ambulance traffic is of concern. (Griffin)

Response: As stated in the Draft Scope of Work, the EIS will include an assessment of mobile source noise. Further, the MSK ACC would not have an emergency department and, as noted above, would have scheduled patient visits. Ambulance activity would be for emergencies requiring transport to an inpatient facility only.

CONSTRUCTION IMPACTS

Comment 32: We have the impact of what's going on with the Second Avenue Subway and air quality. And it's hard to assess what the combined effects of these mulitiplicity of projects are going to have on our air quality. This should be addressed. (Greeley, Rudder)

Response: As noted in the Draft Scope of Work, air quality impacts during construction of the proposed project will be assessed in the EIS. However, it should be noted that air quality impacts due to construction activities are typically very localized. Therefore, potential cumulative impacts with the Second Avenue Subway project would not be expected to occur due to its distance from the project site.

Comment 33: Will the construction of the Hospital for Special Surgery occur during the time you will be doing any environmental, demolition, or construction work on this project and how will it affect pedestrian and vehicular traffic? (Schneider)

The Epiphany Community Nursery School would be in the midst of construction of the proposed project and the Hospital for Special Surgery building. (Levey)

Response: As noted in the Draft Scope of Work, the EIS will include an assessment of construction impacts associated with the proposed project.

Comment 34: The FDR Drive adjacent to the site is aged, over 70 years and in poor condition. The last thing needed is more traffic and construction abutting its fragile structure. (Berdy)

Response: The EIS will assess the potential traffic impacts associated with the proposed project and discuss any necessary preventive measures that would need to be considered during construction to maintain and protect traffic, control dust, and attenuate construction noise.

PROCEDURE

Comment 35: The October 31, 2012 meeting should have been cancelled since we were in the midst of a hurricane aftermath with virtually no public transportation and over a million residents blacked out. (Berdy)

Local residential buildings did not receive sufficient notice of the public hearing; extended comment period is insufficient especially during the holiday season (Greeley, Ruggieri)

Thank you for acceding to the request of CB8 for the second public session and the extension of time to file comments on the proposed project. It is vital that the public be made aware of and included in this process as it moves forward. (Hartzog)

Response: The scoping meeting was held November 1, 2012 and continued on December 4, 2012. The record was held open until December 14, 2012. ✷

Appendix A

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPUTY MAYOR FINANCE/ECO DEV / 13DME003M
Project: MSK/CUNY
Address: 525 EAST 73 STREET, **BBL:** 1014850015
Date Received: 12/11/2012

[X**] No architectural significance**

[X**] No archaeological significance**

[ ] Designated New York City Landmark or Within Designated Historic District

[ ] Listed on National Register of Historic Places

[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[ ] May be archaeologically significant; requesting additional materials

Comments: Revised of this date.

Gina Santucci 12/11/2012

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 28083_FSO_GS_12112012.doc

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

New York State Office of Parks,
Recreation and Historic Preservation

Division for Historic Preservation • Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643

www.nysparks.com

January 18, 2013

Ms. Sara E. Stein, AICP, LEED-AP
Environmental Manager
DASNY, Office of Environmental Affairs
One Penn Plaza, 52nd Floor
New York, NY 10119-0098

Re: DASNY/DOH
MSK/CUNY-Hunter Project at East 74th Street
New York County
12PR05364

Dear Ms. Stein:

Thank you for requesting the comments of the New York State Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) for the proposed work at East 74th Street in Manhattan. We have reviewed the materials submitted in accordance with Section 14.09 of the State Historic Preservation Law of 1980. These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

We concur with the New York City Landmarks Preservation Commission's assessment that the subject property is not eligible for listing in the state register and is not likely to contain any intact archeological resources. Two adjacent properties, 524 East 73rd Street and 503-507 East 74th Street, have been determined eligible for listing in the state register. A copy of the Resource Evaluation for each property is enclosed for your reference.

We note that the project proposal involves the construction of new facilities. Any such construction will need to protect the adjacent historic properties. As such it is OPHRP's opinion that the proposed work will have No Adverse Impact upon historic resources provided the following condition is met:

1. A construction protection plan is put in place for any historic structures within 90 feet of the proposed work. The construction protection plan should be developed in accordance with the New York City Department of Buildings "Technical Policy Procedure Notice #10/88" and the New York City Landmarks Preservation Commission guidelines described in "Protection Programs for Landmarked Buildings."

If you have any questions, I can be reached at (518) 237-8643, ext. 3282. Please refer to the SHPO Project Review (PR) number in any future correspondences regarding this project.

Sincerely,

Beth A. Cumming
Historic Site Restoration Coordinator
e-mail: Beth.cumming@oprhp.state.ny.us

enc: Resource Evaluations

via e-mail only

Appendix B

November 19, 2012

To: Robert Kulikowski, Ph.D., Art Aguilar

I attended the public meeting on October 31, 2012. I was one of the three speakers. The balance of the audience were officials who were required to attend.

This meeting should have been canceled since we were in the midst of a hurricane aftermath with virtually no public transportation and over 1,000,000 city residents blacked out.

About the project:

It is apparent that common sense has not prevailed in considering building a health care facility with over 1300 patients and staff in a building on two side streets.

The need for parking is noted as a 200 car garage. Valet parking is the term used.

There is no reasonable planning for cars waiting, vans, taxis and hospital related vehicles parked at the entrance. The interruption to normal traffic and life on this quiet side street will be destroyed.

200 underground parking spaces next to the easily and frequently flooding FDR Drive is ridiculous.

There are no specific plans for the removal of hazardous and medical waste.

The Hunter CUNY building is even more poorly planned with over 2000 persons a day using the building. There seem to be no parking facilities.

The amount of delivery, catering and service vehicles would easily overwhelm any interior parking area.

The plans are vague as to how large the 73rd street service entrances would operate.

The FDR Drive adjacent to the site is aged, over 70 years and in poor condition. The last thing needed is more traffic and construction abutting its fragile structure.

The constant demand from MSKCC that their facilities be close to each other have continually strangled the neighborhood. Their demands have been met too many times and have ruined the quality of life on too many area blocks. This is not their private "campus" and they must be respectful and plan for facilities that do not overwhelm the character of a residential neighborhood.

I am deeply distressed that little publicity has been given to this "elephant in the house" project.
It is time for the City of New York to reconsider the size of this project and its negative impact to our community.

Judith Berdy
531 Main St., #1704
Roosevelt Island, NY 10044
212-688-4836
917-744-3721 cell
jbird134@aol.com

CIVITAS
WORKING FOR QUALITY
IN URBAN LIFE

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December 14, 2012

Robert R. Kulikowski, Ph.D.
Assistant to the Mayor
Mayor's Office of Environmental Coordination
100 Gold Street, 2nd Floor
New York, NY 10038

Dear Dr. Kulikowski,

CIVITAS would like to request that the Draft Environmental Impact Statement for the Memorial Sloan-Kettering – CUNY Hunter College proposal (CEQR No. 13DME003M) on East 74th Street to consider in its analysis the effects of open space as it pertains to the East River Esplanade. Specifically, because the project is located within an area in Manhattan that is densely populated and underserved by open space, we request access and improvements to the East River Esplanade be considered.

There is a dire need for improved conditions at the Esplanade as it is one of few parks in a neighborhood that lacks green space. With the proposed project generating the addition of more than 125 employees, the need for the Esplanade, which is deteriorated, will be even greater. Options to increase open space and improve access to existing parkland include an additional deck over the FDR Drive and funding towards improving the Esplanade park.

CIVITAS is a non-profit community-based planning organization that since 1981 has worked to improve zoning and land use policies, transportation, and environmental and streetscape quality in the Upper East Side and East Harlem communities.

In 2011, CIVITAS launched *Reimagining the Waterfront*, an ideas competition to generate dramatic and original concepts for the East River between East 60th and 125th Streets. The competition was organized in 2012 as an exhibition at the Museum of the City of New York in response to the great community need for an improved waterfront, CIVITAS is now embarking on a community-based initiative to plan for the future of the park.

Thank you for considering CIVITAS's comments in the Draft EIS.

Sincerely,

Hunter F. Armstrong

Hunter Armstrong
Executive Director

Robert Kulikowski
Mayor's Office of Environmental Coordination
100 Gold Street, 2nd floor
New York, N.Y. 10038

November 21, 2012

Re: PUBLIC COMMENT:
Draft Scope of Work for an Environmental Impact Statement for Memorial Sloan-Kettering Cancer Center Ambulatory Care Center and CUNY—Hunter College Science and Health Professions Building

Dear Dr. Kulikowski,

My name is Kaitilin Griffin. I am a life-long resident (51 years) of Community Board 8, and specifically York Avenue between 66th (where I was born and where my parents continue to live) and 64th Street (where I presently live).

While I do not speak in favor of or against the project, I believe that much attention for the duration of the project needs to be paid to the details of the application – specifically traffic and noise emission by institutional vehicles - and pressures on civic infrastructure and public institutions within the community board. Since traffic and sound emissions are already deleterious –due in large part to the activities of MSK and other hospitals already, this project needs to take special care to even diminish these existing pressures and not only focus on anticipated pressures. The presence of on/off ramps to the FDR is another major cause of traffic. This project must deal honestly and directly with these existing problems.

Previous MSK projects have issued EISs with traffic studies that have been proven to be incorrect, even done in bad faith (data/photos taken on Sunday mornings). We live with those mistakes. Going forward, there must be improvement in this area.

Of the presentations, MSK continues to take the moral high ground when this application has nothing to do with the virtues of cancer research but planning/land use issues. Going forward, we must ask that MSK put all of its moral arguments aside, stop sending the gurney to the public microphone, and speak directly to the issues of traffic, sound, infrastructure, noise, and contributing to public institutions. They are a corporation like any other and have a physical impact on their surrounds, like any other. This must be an honest discussion in order to make the project yield positive results for the community as well as the population served by MSK and CUNY.

The City has given land to the project. Since MSK is the principal beneficiary of this gift, it stands to reason that they – MSK - should be asked to give back to the City, as a form of 'mitigation' or equivalent, given the pressures they will introduce to infrastructure and

public institutions when this project is realized. We have specific needs including the repair of our sea wall, the location of new open spaces, the support and improvement of our libraries, the support and improvement of our public schools. MSK should be asked to assist in these improvements in exchange for all of the benefits that this community has given them.

I live very near MSK - both its previous 'project areas' and the current one. As a resident of Yorkville, I am very aware of the cumulative effect of the three hospitals (Cornell Weill, NY Presbyterian and MSK), which – if we include the research facility/hospital Rockfeller University – are almost all in expansion mode. Overall, their activities have had a major impact on the quality of life of this community, and those impacts will obviously increase more with this project. Because we cannot allow for our city to be transformed into a 'campus' for a select constituency – this is undemocratic and flies in the face of sound urban planning, I ask that every effort be made to insure that this project works in harmony with, and does not diminish the quality of life for, the existing population, public institutions and infrastructure in Yorkville.

Sincerely,

Kaitilin Griffin
429 East 64th Street, apt 6B
NY NY 10065
Kaitilin61@gmail.com
Cell 646 326 4910

Edward A. Hartzog
300 East 75th Street, Apt. 12J
New York, New York 10021
(212) 223-0734

December 14, 2012

VIA E-MAIL – rkulikowski@cityhall.nyc.gov

Robert R. Kulikowski, Ph.D.
Director, NYC Mayor's Office of
Environmental Coordination
100 Gold Street
2nd Floor
New York, New York 10038

Re: MSK-CUNY Project
CEQR Number: 13DME003M

Dear Mr. Kulikowski:

I am writing to follow-up on my earlier testimony at the second session of the scoping meeting, on December 4, 2012, for the above-referenced matter. Specifically, I would like to reiterate my concerns regarding the issues of: financing; open space; and, traffic.

Before I address those issues, I would like to thank you for acceding to the request of Community Board 8 Chairman Nicholas Viest's letter of November 9, requesting the second session and the extension of the time to file comments regarding this Large Scale General Development project. Indeed, it is vital that the public be made aware of and included in this process as it moves forward.

As to financing, I am concerned about the funding of this project through the *Dormitory Authority of the State of New York*, to wit, the Authorization of the Issuance of Bonds and/or Authorization of the Expenditure of Bond Proceeds. Specifically, as you are aware, these bonds are tax-exempt and the authority itself is a public benefit entity. Thus, MSK and CUNY will be receiving benefits that are subsidized by the citizens of this City and State. Therefore, I believe it is of the utmost importance that the citizens of the City and State and, more importantly, the citizens residing within Community District 8 receive some benefit from this project. Indeed, as MSK and CUNY will be building two structures that combined equal the mass and floor space of the General Electric building (i.e., over 1 million sq. feet of office space and approximately 70 floors) it is certain that there will be major impacts upon the immediate and surrounding neighborhood(s).

This leads to my second concern regarding open space, or more specifically, the proposed lack thereof for the immediate and surrounding neighborhood(s). As noted

during the scoping session presentations by MSK and CUNY, there is no allotment for open space and/or its development in the current configuration of this project. This is very troubling. Indeed, MSK and CUNY will be purchasing land that is currently owned by the City of New York --- approximately 1.5 acres (66,111 sq. ft.) --- at a price of $215 million. Moreover, MSK will be contributing $150 mil. towards the purchase of this parcel. Given the size and scope of the structures being proposed, the overall cost of this project may reach $1 billion. That no public open space is contemplated for inclusion in something of this size and scope, in a community that by your own office's admission is underserved with respect to open space, is unthinkable.

Indeed, I refer you to the current proposed project on Roosevelt Island (i.e., Cornell NYC Tech – C 130076 ZMM) that will be built on approximately 12.5 acres of land and will produce close to 2 million sq. ft. of office space. The proponents of that project, in a gesture of good faith (i.e., "being a good neighbor") have set aside approximately 20% or close to 2.5 acres of land for public open space, for the residents of Roosevelt Island to use and enjoy. While the footprints of these projects are not comparable, it is worth noting that Cornell NYC Tech is producing only 2 times the amount of office space on a parcel 8 times the size of the instant project.

While it may not be reasonable to expect MSK and CUNY to set aside 20% of the proposed land mass for public open space; it does seem reasonable to demand some amount of public open space for residents of this community. Whether this takes the form of open space surrounding the project; a foot bridge over the FDR Drive allowing pedestrian access to the East River esplanade; the dedication of funds for the refurbishment of the esplanade; a combination of all three; or something else, I urge you and your office to make the availability and/or creation of public open space a mandatory part of this project before it is certified.

Finally, I ask you to consider the issue of traffic, to wit, the flow and mitigation thereof. In its current form, this project makes no effort to consider the pernicious by-products of projects of this type (i.e., traffic congestion, air pollution, noise and related respiratory illnesses). In short, I would ask that you and the developers consider an extension (i.e., widening) of the current access lane that is used to enter and exit the FDR Drive at 73rd and 71st Streets, respectively. As there is not a dedicated yield at the terminus of 73rd Street - for entrance to the FDR Drive - traffic is frequently backed up to York Avenue and beyond, during morning, afternoon and evening rush hours.

The addition of this project, along with that for the Hospital for Special Surgery (a project that will also occupy the land between 73rd and 74th Streets – bounded by York Avenue and the FDR Drive) will only make this situation worse. I urge you to consider all forms of mitigation for the undeniable nuisance and hazard to the community that these projects will bring. Whether this includes a widening of the current access lane (by reserving an easement as part of the sale of this parcel) and/or breaking through the

current barrier at the terminus of 74th Street to allow traffic to flow onto the Drive, or some other solution, I leave it to you and the experts in your office to decide.

I wish to thank you for your time and consideration of these issues and suggestions. Please do not hesitate to contact me directly at 212 223-0734 if you or another member of your staff have any questions or would like to discuss these or other issues in greater detail. I look forward to working with you and MSK and CUNY as this project moves forward as part of the ULURP process.

Sincerely,

Edward A. Hartzog

Judith E. Schneider

340 East 64th Street
New York, NY 10065
Tel 212 755-1296 E-mail jes24@nyc.rr.com

November 5, 2012

Robert R. Kulikowski, Ph.D.
Assistant to the Mayor
Mayor's Office of Environmental Coordination
100 Gold Street – 2nd Floor
New York, New York 10038

VIA EMAIL: rkulikowski@cityhall.nyc.gov

RE: MSK Hunter Draft Environmental Impact Statement

Dear Dr. Kulikowski:

The following are my comments at the scoping hearing on November 1st as well as some other thoughts after the presentation was made.

- **The presentation seemed to dwell on the Memorial Sloan Kettering (MSK) building. The community is just as interested in the Hunter building--the layout and how it will function within the community. It was disappointing to others present that this was not part of the presentation. It is hoped as this process continues that this will be rectified.**

- **The following questions/statements applied to both the Hunter and MSK buildings and their campus:**

  - **During the presentation, and after Hurricane Sandy, it was said the electrical equipment will not be located in the basement. We would like to know more specifics on this item.**

  - **Will there be a backup generator for each building and where will be their locations?**

  - **Is the parking for MSK only for them, or will Hunter students/faculty be using any of these spaces?**

  - **Will AKRF be doing the Traffic Assessments while NYC Public schools are in session?**

  - **In preparing your list of other projects being constructed in the area, will Hospital for Special Surgery (HSS) and Marine Transfer Station be considered in the pedestrian and vehicular traffic analysis?**

  - **Will the construction of HSS occur during the time you will be doing any environmental, demolition or construction work on this project and how will it affect pedestrian and vehicular traffic?**

- **Will these be environmentally green buildings and will water be recycled at all anywhere in the project?**

- **What kind of fuel will these buildings use?**

- **What will be their "Leed" designation?**

- **State Department of Health (DOH) approval is required for the MSK building—is State or City DOH required for Hunter/ nursing school building?**

- **The scoping document said "No further analysis required for Libraries". That seems incorrect. Won't any of the students/faculty/their children be using the public libraries for other than their research or school related work?**

- **"No effect on the Schools" I did not see anything on the hospital staff that they might be using local schools for their children, as this might be very conducive to their work schedules? In the past it has happened that MSK workers, living out of the district, have sent their children to our local public schools.**

  Secondly, might new staff move to the area that would add new children to many of our already overcrowded schools?

- **The above two questions would apply to Hunter faculty and possibly their students.**

- **Could interventional radiology be defined in the DEIS?**

Thank you for considering my questions/comments.

Very truly yours,

Judith Schneider

CC: Nick Viest, Chair Community Board 8
Latha Thompson, District Manager Community Board 8

From: Art Aguilar
To: Kulikowski, Robert;
cc: Hardy Adasko;
Subject: FW: Memorial Sloan Kettering Hospital - CUNY Hunter College CEQR No. 13DME003M
Date: Thursday, December 13, 2012 4:12:44 PM

-----Original Message-----
From: suzanne schnell [mailto:suzanneischnell@gmail.com]
Sent: Thursday, December 13, 2012 4:11 PM
To: Art Aguilar
Subject: Memorial Sloan Kettering Hospital - CUNY Hunter College CEQR No. 13DME003M

Sloan Kettering Hospital and Hunter College can do without any more buildings! The services that would be performed in the proposed buildings are already being provided in buildings now in use that do not need to be replaced.

As for the high tech-cutting edge treatment that would be offered in the proposed building for Sloan Kettering, all too often such treatment is more lethal than the illness itself, and the patient would be better off going to another hospital! Indeed, we have other hospitals in the area that provide fine services for cancer patients.

If need be, Hunter College students can go to other colleges for classes that Hunter College cannot provide. Plus, the college campus should be altogether not broken into pieces and scattered all about the city! That would not be fair to the students who would have to trapse hither and yon!

The proposed area of construction is already too congested with traffic. To add to it would be totally inadvisable - especiallly in a hospital location where ambulances abound!

The added burden of gargage disposal would not presently meet with the approval of the Building Codes. To change the zoning laws really would not make anything more acceptable!

Furthermore, the cost of the buildings would only serve to increase the cost of medical treatment and the cost of education here in this city. That, of course, would be very unfair to taxpayers!

In sum, just forget about it!

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November 21, 2012

VIA EMAIL (rkulikowski@cityhall.nyc.gov)
AND FIRST CLASS MAIL
Mr. Robert Kulikowski
New York City Office of Environmental Coordination
100 Gold Street, 2nd Floor
New York, New York 10038

Re: Comments to Draft Scope of Work
CEQR # 13DME003M
Memorial Sloan Kettering (MSK) – CUNY-Hunter College
524 East 74th Street (Block 1485, Lot 15), Borough of Manhattan.

Dear Mr. Kulikowski,

We represent Glorious Food, Inc., the owner of the three-story building on a 25 x 100 foot lot at 522 East 74th Street (Block 1485, Lot 39), Borough of Manhattan (the "Premises"). Jean-Claude Nedelec, the owner of Glorious Food, has operated a food catering business at the Premises since the 1980s, with food prepared on-site and transported to catering locations throughout the city. The easternmost five feet of the Premises are within the proposed rezoning of the east end of Block 1485 from an M3-2 zoning district to a C1-9 zoning district (the "Rezoning"), and the westernmost 20 feet of the Premises are currently located in an M1-4 zoning district.

We respectfully request that the Rezoning be extended an additional 20 feet to include the entirety of the Premises for the following reasons:

1. The Premises, which consist of a small, 2,500 square foot lot improved with a three-story building, are located between two major development sites: the Hospital for Special Surgery ("HSS") to the west, and the Memorial-Sloan Kettering/CUNY development to the east ("MSK/CUNY"). HSS has requested a variance from the Board of Standards and Appeals to allow a thirteen-story ambulatory care facility. And, of course, MSK/CUNY seeks the Rezoning to facilitate a twenty-three-story health and educational complex.

2. Both the HSS and MSK/CUNY developments will contribute to the existing traffic congestion on East 74th Street and impede our client's ability to operate his catering business. Our client's engineer has analyzed the plans showing proposed loading and dropoff lanes for

the HSS facility and believes the proposed loading and dropoff lanes will be inadequate to service the daily traffic flow to the HSS site. Due to this traffic difficulty and the prospect of many years of construction abutting the Premises, our client will very likely sell the Premises and move his catering establishment to a more appropriate location.

3. The Premises are currently used for a Use Group 17 food preparation establishment, which is a conforming use in an M1-4 district, but the Premises are not well-suited for manufacturing uses due to the narrow floorplate. The location of the Premises between two large traffic-generating community facilities will worsen this already bad situation.

4. Extending the boundary of the Rezoning area by 20 feet should have minimal, if any, impact on the environmental analysis. There is no question that MSK/CUNY will have significant negative effects on the existing business at the Premises. Extending the boundary by 20 feet will ensure that appropriate development occurs at the Premises, minimizing any environmental effect of the MSK/CUNY project on the Premises.

5. Inclusion of the Premises in the Rezoning is consistent with the overall purpose and intent of the Rezoning because it would allow: (a) a wider variety of uses complementary to the two major community facility developments which will surround the Premises; and (b) the floor area and overall envelope of any future building on the Premises to appropriately match the massing of the immediately abutting developments.

   (a) We anticipate that, if the Rezoning were to encompass the Premises, possible uses may include Use Group 2 residences; Use Group 3 non-profit hospital staff dwellings or non-profit institutions with sleeping accommodations; or Use Group 4 hospitals or ambulatory diagnostic or treatment health care facilities.

   (b) We believe that a floor area ratio of 10 is appropriate for the Premises because of the towering mass proposed for both the HSS and MSK/CUNY sites. As currently proposed, the Rezoning would allow on the Premises a community facility FAR of 7.2 (based on FAR averaging under ZR §77-22). The proposed height of the HSS building is 167 feet and the height of the MSK/CUNY building will be in excess of 300 feet. Restricting any redevelopment of the Premises to an FAR of 7.2 would result in a building inconsistent with the overall massing on the north side of East 74th Street. (The height of any new building on the Premises may, pursuant to ZR §23-692, extend to the height of the lower of the two abutting buildings, which will be 167 feet, the height of the proposed HSS building.)

Thank you for your time and consideration of this matter.

Very truly yours,

Stuart Beckerman

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cc: Hardy Adasko, NYC Economic Development Corporation
Adam Wolff, NYC Department of City Planning
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