NEW YORK CITY ENVIRONMENTAL QUALITY REVIEW
ENVIRONMENTAL ASSESSMENT STATEMENT
AND SUPPLEMENTAL REPORT

266 WEST 96th STREET
BOROUGH OF MANHATTAN

Prepared For:
NYC Department of Housing Preservation & Development
100 Gold Street
New York, NY 10025
and
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Lead Agency:
NYC Department of Housing Preservation & Development
100 Gold Street
New York, NY 10025
CEQR Number: 18HPD103M
14 March 2019

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TABLE OF CONTENTS

TABLE OF CONTENTS (CONTINUED)

LIST OF FIGURES

PART I: ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM
(CITY ENVIRONMENTAL QUALITY REVIEW)

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL Form

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME 266 West 96th Street

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
18HPD103M	N/A
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable)
TBD	(*e.g.*, legislative intro, CAPA) N/A

2a. *Lead Agency Information*	**2b. *Applicant Information***
NAME OF LEAD AGENCY	NAME OF APPLICANT
NYC Department of Housing Preservation and Development	NYC Department of Housing Preservation and Development on behalf of Project Sponsor, Fetner Properties
NAME OF LEAD AGENCY CONTACT PERSON	NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON
Callista Nazaire	Melissa Auton
ADDRESS 100 Gold Street	ADDRESS 100 Gold Street
CITY New York / STATE NY / ZIP 10038	CITY New York / STATE NY / ZIP 10038
TELEPHONE (212) 863-7826 / EMAIL nazairec@hpd.nyc.gov	TELEPHONE (212) 863-6515 / EMAIL AutonM@hpd.nyc.gov

3. *Action Classification and Type*

SEQRA Classification

☒ UNLISTED ☐ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): Part 617.4(b)(9)

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☒ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The project involves an application by the New York City Department of Housing Preservation and Development (HPD) on behalf of the Project Sponsor, Fetner Properties, for approval of two discretionary actions ("Proposed Actions") affecting Block 1243, Lot 57 ("Disposition Site") and Block 1243, Lots 59 and 60 ("Privately Owned Sites"), in the Borough of Manhattan, Community District 7. The Proposed Actions consist of the disposition of Lot 57, without the restrictions established in a prior disposition approval by the City Planning Commission (June 11, 1990); and (ii) the approval of funding through HPD's Mixed-Middle Income (M2) program. The Proposed Project is located on West 96 Street, between Broadway and West End Avenue. Collectively, the sites are approximately 10,402 square feet. The Proposed Actions would facilitate the construction of a 23-story (235 feet), approximately 150,890-gsf building containing residential and community facility uses. The Proposed Project includes (i) approximately 140,036 gsf of residential use (171 dwelling units), and (ii) approximately 10,854 gsf of community facility use. The Proposed Project includes 80 micro-units and 91 traditional dwelling units; 68 (approximately 40 percent) of the 171 dwelling units would be designated as permanently affordable for households with incomes averaging at 50, 70, and 130 percent of Area Median Income (AMI) . The Proposed Project is anticipated to be completed in 2022. Absent the approval of the Proposed Actions, the Privately Owned Sites would be improved with a 22-story (235 feet), approximately 74,951-gross-square-foot (gsf) residential building containing approximately 95 dwelling units, including 19 permanently affordable units for households with incomes averaging at or below 80 percent AMI.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 7	STREET ADDRESS 266-270 West 96 Street
TAX BLOCK(S) AND LOT(S) Block 1243, Lots 57, 59, and 60		ZIP CODE 10025

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS West 96 Street to the north, a two-story commercial building to the east, a six-story multi-family residential building and a 15-story multi-family residential building to the south, and a 13-story multi-family residential building and 16-story multi-family residential building to the west.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R10A	ZONING SECTIONAL MAP NUMBER 5D

5. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☐ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☐ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☒ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION	☒ FUNDING OF CONSTRUCTION, specify: Mixed Middle Income (M2) program
☐ RULEMAKING	☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES	☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL	☐ PERMITS, specify:
☐ OTHER, explain:	

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
	☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

6. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP	☒ ZONING MAP	☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP	☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 10,402
Waterbody area (sq. ft.) and type: N/A
Roads, buildings, and other paved surfaces (sq. ft.): 10,402
Other, describe (sq. ft.): N/A

7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 150,890
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 150,890
HEIGHT OF EACH BUILDING (ft.): 235
NUMBER OF STORIES OF EACH BUILDING: 23

Does the proposed project involve changes in zoning on one or more sites? ☐ YES ☒ NO
If "yes," specify: The total square feet owned or controlled by the applicant:
The total square feet not owned or controlled by the applicant:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 10,402 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 114,442 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 10,402 sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2		
ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2022		
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 22 Months		
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO		IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: See Attachment I		
9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)		
☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:		

ATTACHMENT A: PROJECT DESCRIPTION

INTRODUCTION

The New York City Department of Housing Preservation and Development (HPD), on behalf of Fetner Properties LLC (the "Project Sponsor"), is requesting approval of two discretionary actions (the "Proposed Actions") affecting Block 1243, Lot 57 ("Disposition Site") and Lots 59 and 60 ("Privately Owned Sites," referred to collectively with the Disposition Site as the "Directly Affected Area") in the Borough of Manhattan, Community District 7. The Proposed Actions consist of (i) the disposition of Lot 57, without the restrictions established in a prior disposition approval by the City Planning Commission (June 11, 1990) (C 900431 PPM); and (ii) the approval of funding through HPD's Mixed-Middle Income (M2) program.

The Proposed Actions would facilitate the construction of a 23-story (235-foot), approximately 150,890 gross square foot (gsf) building containing residential and community facility uses (the "Proposed Project") on Block 1243, Lots 57, 59, and 60 (Figures A-1, A-2, and A-3). The Proposed Project would comprise approximately 140,036 gsf of mixed-income residential area including 171 dwelling units, of which approximately 40 percent (68 dwelling units) would be allocated as permanently affordable for residents with incomes ranging from 50 to 130 percent of Area Median Income (AMI) and approximately 10,854 gsf of community facility space (Figure A-4).

DIRECTLY AFFECTED AREA

The approximately 10,402 square-foot (sf) Directly Affected Area is at 266-270 West 96 Street, between Broadway and West End Avenue in the Upper West Side neighborhood of Manhattan (Figure A-1). The Directly Affected Area comprises three tax lots (Lots 57, 59 and 60) on Block 1243, and is bounded by West 96 Street to the north, a two-story commercial building to the east, a six-story multi-family residential building and a 15-story multi-family residential building to the south, and a 13-story multi-family residential building and a 16-story multi-family residential building to the west. The Disposition Site (Lot 57) is occupied by a four-story, decommissioned electrical utility substation; the Privately Owned Sites (Lots 59 and 60) are both occupied by two-story buildings containing community facility uses (Figure A-5).

The Directly Affected Area is within an R10A zoning district (Figure A-6), which allows for both residential and community facility uses (Use Groups 1-4). In R10A zoning districts, residential and community facility uses are permissible at a Floor Area Ratio (FAR) of 10.0; however, residential FAR may increase up to 12.0 for developments providing affordable housing pursuant to the Inclusionary Housing (IH) program. The Directly Affected Area is in the Manhattan Core; as such, accessory parking is not required.

The Riverside-West End Historic District Extension II (LP-2464) is adjacent to the western and southern perimeters of the Directly Affected Area. The Directly Affected Area is served by public transportation with access to the 1, 2 and 3 lines of the MTA's New York City Transit (NYCT) Subway at the 96 Street Station, one block east of the Directly Affected Area at Broadway. Additionally, the MTA NYCT M96 bus and the M106 bus stop in front of the Directly Affected Area. The M104 bus is accessible at the intersection of Broadway and West 96 Street.

DESCRIPTION OF PROPOSED ACTIONS

The Proposed Actions consists of:

I. Disposition of Lot 57, without the restrictions established in a prior disposition approval (C 900431 PPM); and
II. The approval of funding through HPD's Mixed-Middle Income (M2) program.

Disposition Site History

Previously, the Division of Real Property (DRP) (a predecessor of the New York City Department of Citywide Administrative Services), sought approval for the disposition of Lot 57 (December 20, 1989 disposition application). On June 11, 1990, the City Planning Commission approved the site for disposition stating the following restrictions:

(i) DRP will inform all concerned agencies, including the Office of Management and Budget (OMB), of the proposed disposition of the site, and convene a meeting to discuss any possible use of space in any new development on the site for social service purposes;

(ii) If any agency expresses an interest in utilizing space in any new development on this site for a public use, and funding for such a use is available, the feasibility of such a use should be fully explored by DRP; and

(iii) Upon DRP review of any such interest, a summary be drafted and circulated to all concerned agencies including the City Planning Commission.

The Board of Estimate adopted the City Planning Commission's resolution on July 19, 1990.

PROPOSED PROJECT

The Proposed Actions would facilitate the construction of a 23-story (235 feet), approximately 150,890-gsf building containing residential and community facility uses. The Proposed Project includes (i) approximately 140,036 gsf of residential use (171 dwelling units) and (ii) approximately 10,854 gsf of community facility use. The Proposed Project includes 80 micro-units and 91 traditional dwelling units; 68[1] (approximately 40 percent) of the 171 dwelling units would be designated as permanently affordable.[2] The Salvation Army currently owns and occupies Block 1243, Lot 59. Pursuant to an agreement with an affiliate of Fetner Properties LLC, the Salvation Army would acquire a portion of the community facility floor area that would be developed as part of the Proposed Project.

Development of the Proposed Project would occur in a single phase. Demolition of the existing buildings within the Directly Affected Area is anticipated to begin after the Proposed Actions have

[1] The affordable units would consist of 35 micro-units and 33 traditional units.
[2] The affordable dwelling units would be affordable for households earning up to 50 percent, 70 percent, and 130 percent of the area median-income (AMI).

been approved and construction is anticipated to begin upon the granting of building permits. The Proposed Project is anticipated to be complete and operational by 2022.

PURPOSE AND NEED

Lot 57 (Disposition Site) is occupied by a decommissioned MTA electric utility substation. Lots 59 and Lot 60 (the Privately Owned Sites) are substantially underbuilt. The Proposed Actions would facilitate the development of a 23-story (235 feet), approximately 150,890-gsf building containing residential and community facility uses that would comply with the underlying R10A district. The Proposed Actions would facilitate development consistent in both size and scale with the surrounding area.

The Proposed Project would create approximately 171 dwelling units, 68 (approximately 40 percent) of which would be affordable for households earning up to 50 percent, 70 percent, and 130 percent of the AMI. The Proposed Project would support the vision set forth in Mayor Bill de Blasio's *Housing New York: A Five-Borough, Ten-Year Plan* to create and preserve affordable housing in New York City by providing approximately 68 permanently affordable dwelling units. In addition, the Proposed Project would replace a vacant building on the Disposition Site and include ground floor community facility uses that would further activate West 96 Street, thereby enhancing the pedestrian experience at the street level.

SURROUNDING AREA

The area within 400 feet of the Directly Affected Area ("Study Area") includes primarily residential and commercial uses (Figure A-5). Residential uses in the Study Area largely consist of multi-family elevator buildings along West End Avenue and the west side of Broadway, as well as multi-family walk-up buildings. Commercial uses in the Study Area are predominantly along Broadway, within the Special Enhanced Commercial District (EC-3). In addition, the Study Area contains two transportation and utility uses, along with several community facilities and public institutions, including P.S. 75 Emily Dickinson, and M.S. 250 West Side Collaborative.

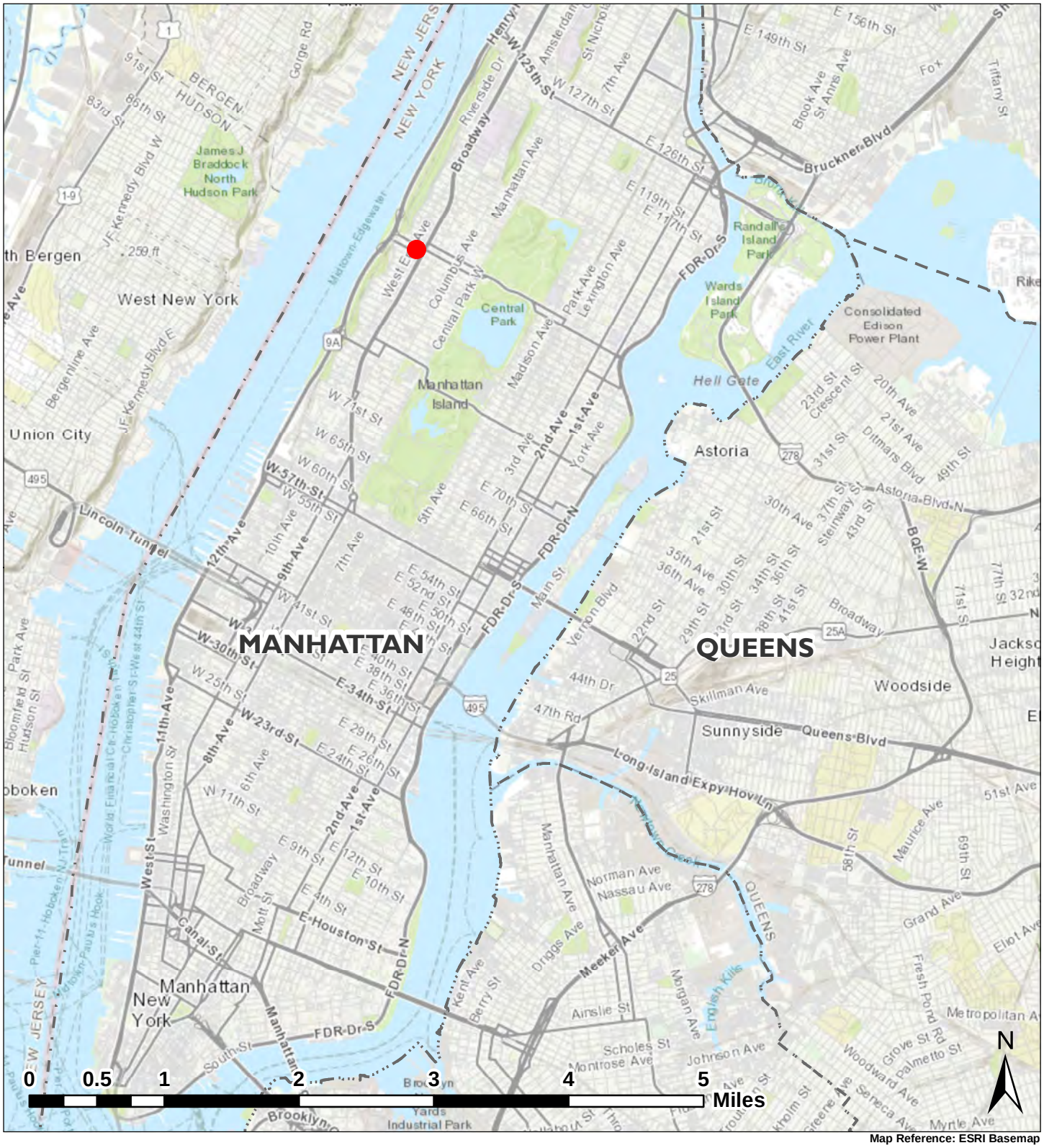
As shown in Figure A-6, zoning districts within the Study Area include residential districts (R8, R8B, R9, R9A, and R10A) to the north, west, and south, and a C4-6A district to the east along Broadway. In addition, the Special Enhanced Commercial District (EC-3) extends along Broadway generally between West 72 Street and Cathedral Parkway.

Riverside Park is west of the Directly Affected Area along the Hudson River between 72 Street and 158 Street, approximately 0.25 miles from the Study Area.

FIGURE A-1

266-270 WEST 96 STREET

REGIONAL LOCATION MAP



Map Reference: ESRI Basemap

Directly Affected Area

UPPER WEST SIDE, MANHATTAN, NY

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FIGURE A-2

266-270 WEST 96 STREET DIRECTLY AFFECTED AREA LOCATION MAP

Map Reference: Aerial Image from NearMap; and NYC Department of City Planning MapPLUTO and LION Shapefiles.

Directly Affected Area

Disposition Site

UPPER WEST SIDE, MANHATTAN, NY

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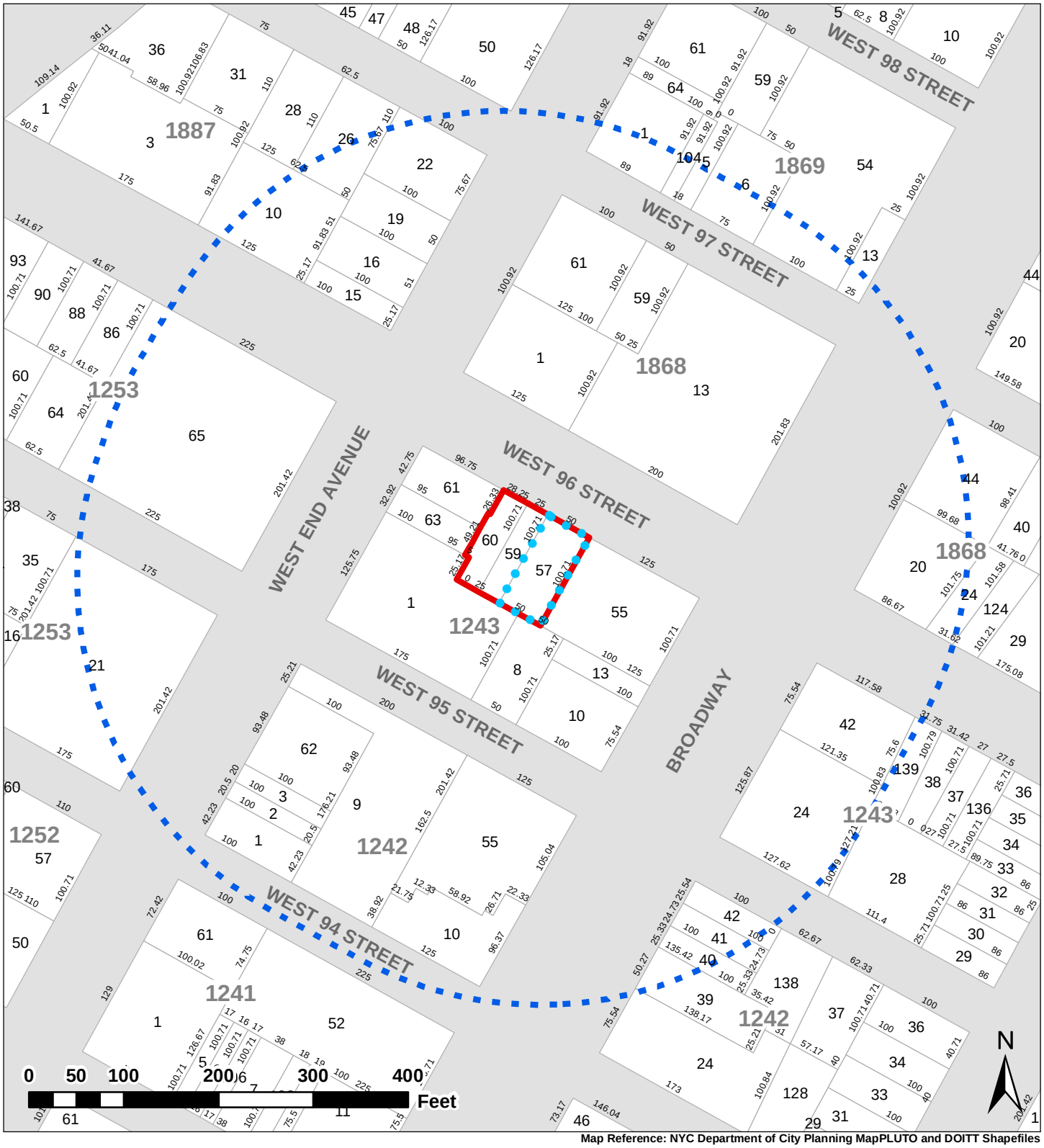
266-270 WEST 96 STREET

FIGURE A-3
TAX MAP



Map Reference: NYC Department of City Planning MapPLUTO and DOITT Shapefiles

Directly Affected Area
Disposition Site
Study Area (400-foot radius)

57 Tax Lot
1243 Tax Block

UPPER WEST SIDE, MANHATTAN, NY

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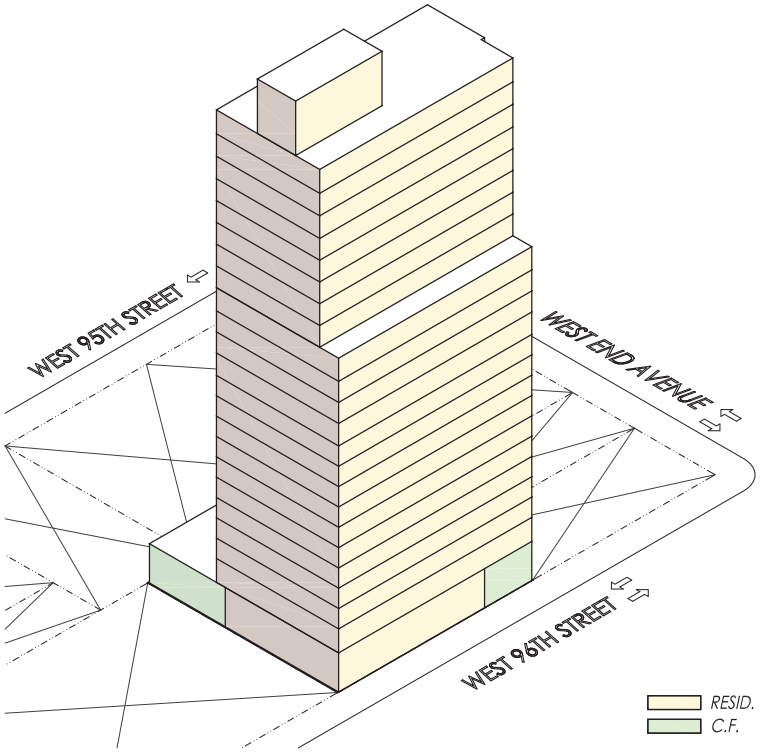
FIGURE A-4

266-270 WEST 96 STREET PROPOSED PROJECT MASSING AND SITE PLAN

PROJECT MASSING



SITE PLAN

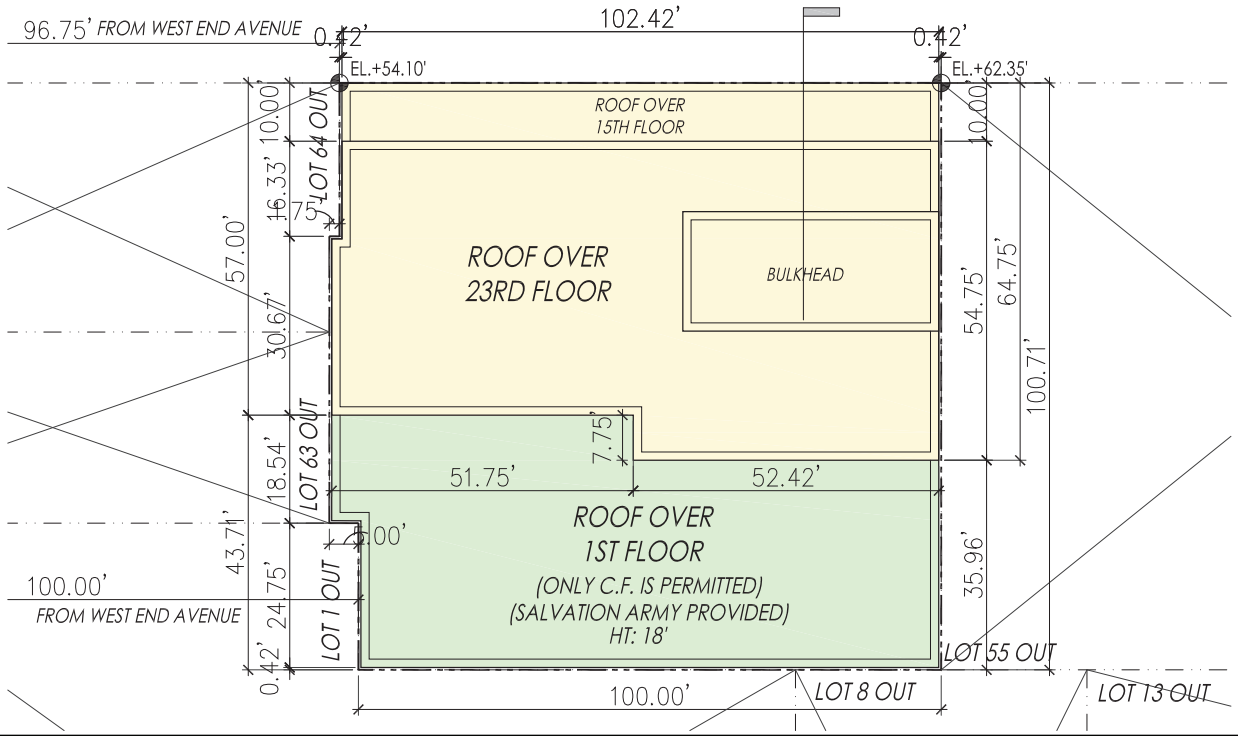
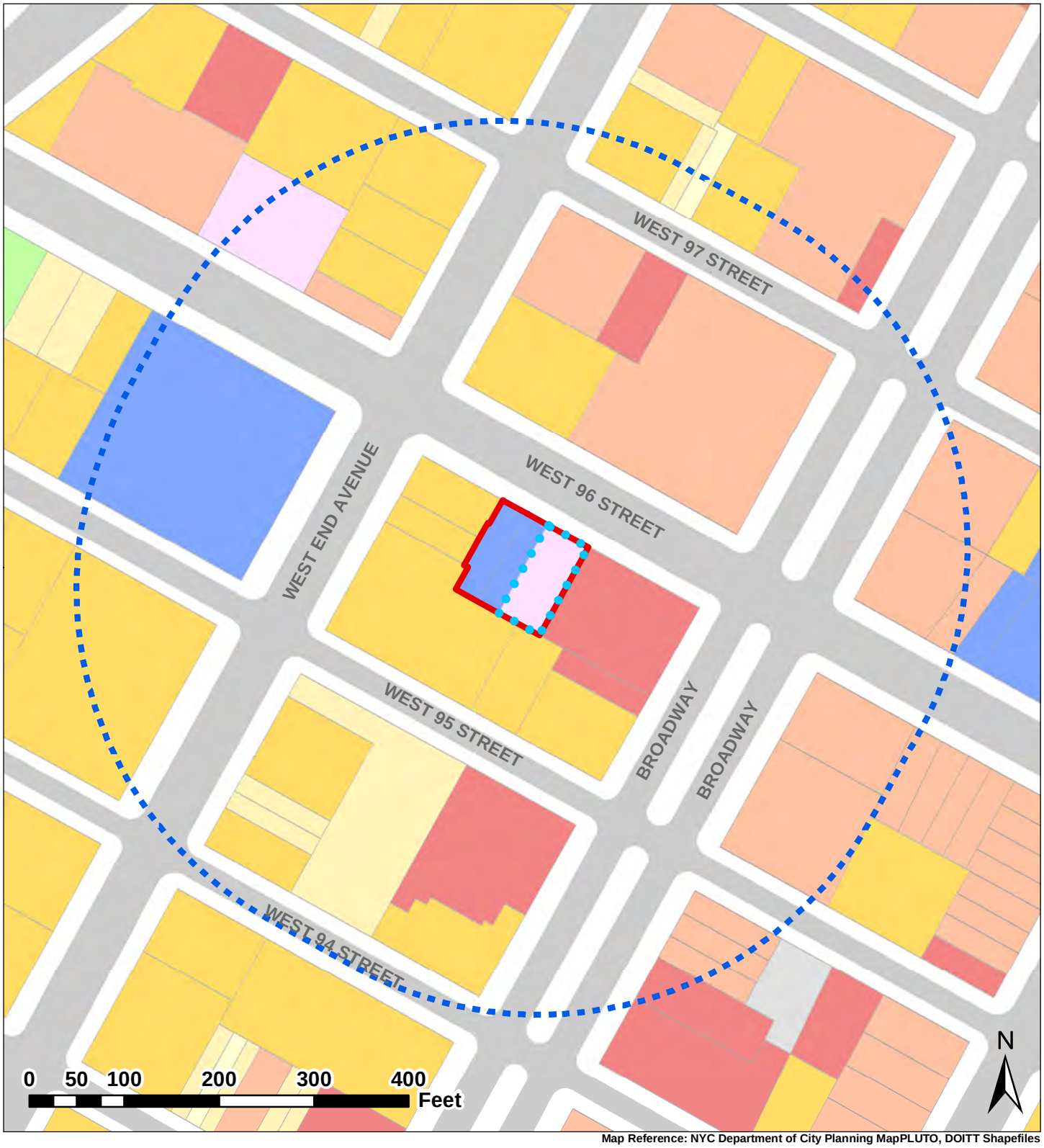


Image Source: SLCE Architects LLP
For Illustrative Purposes Only

FIGURE A-5

EXISTING LAND USE MAP

266-270 WEST 96 STREET



Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

Directly Affected Area
Disposition Site
Study Area (400-foot radius)

Land Use
One & Two Family Residences
Multifamily Walkup Residences
Multifamily Elevator Residences
Mixed Residential/ Commercial
Commercial Uses
Industrial/Manufacturing
Transportation/Utility
Public Facilities/Institutions
Open Space
Parking
Vacant Land

UPPER WEST SIDE, MANHATTAN, NY

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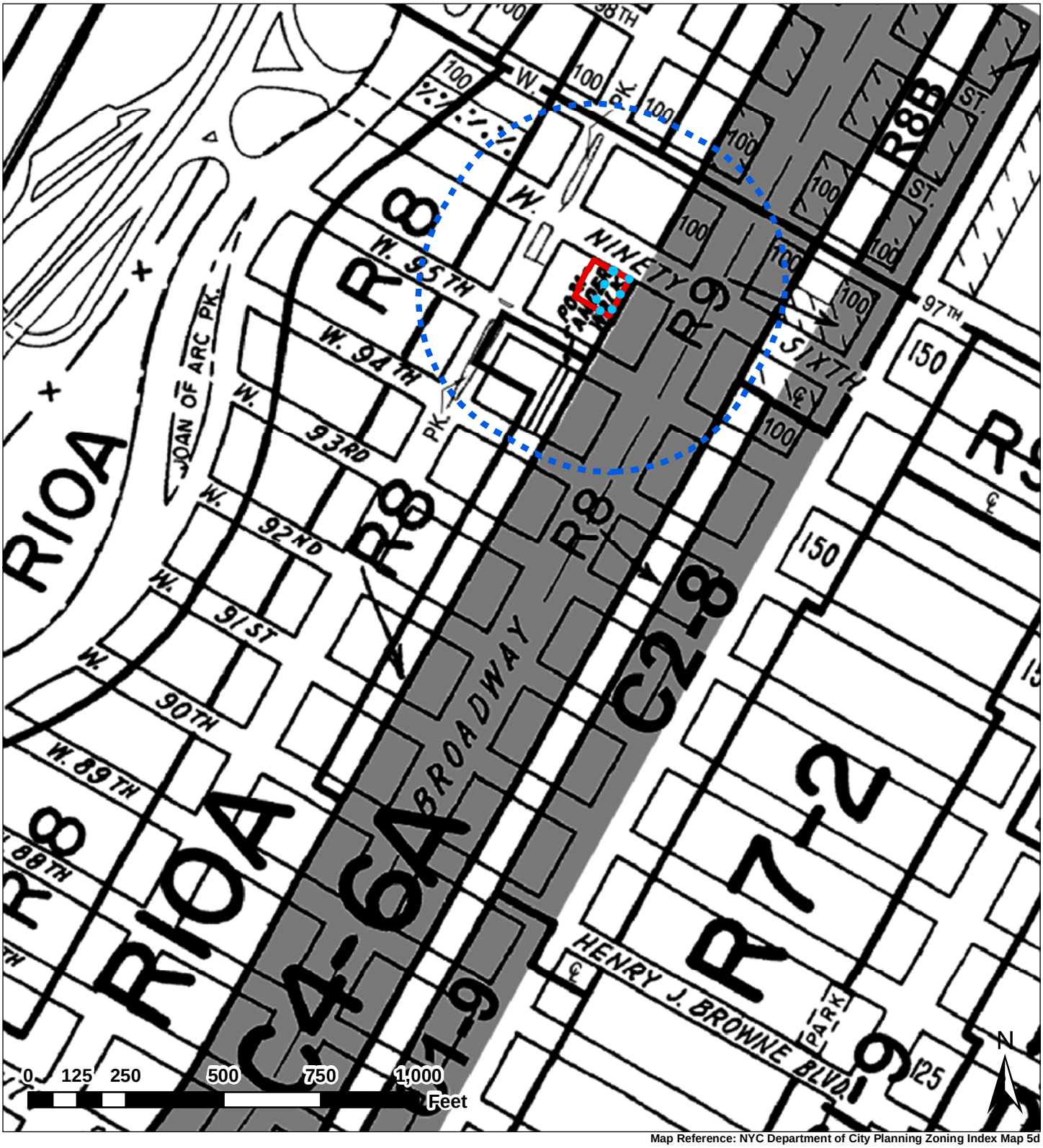
FIGURE A-6

266-270 WEST 96 STREET

EXISTING ZONING MAP



Map Reference: NYC Department of City Planning Zoning Index Map 5d

- Directly Affected Area
- Disposition Site
- Study Area (400-foot radius)
- Special Enhanced Commerical District
- R9A Zoning District

UPPER WEST SIDE, MANHATTAN, NY

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DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures		Multi-family residential	Multi-family residential	-
No. of dwelling units		95	171	76
No. of low- to moderate-income units		19	68	49
Gross floor area (sq. ft.)		74,951	140,036	65,085
Commercial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type (retail, office, other)				
Gross floor area (sq. ft.)				
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☒ YES ☐ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type	Salvation Army and NAACP		Salvation Army	
Gross floor area (sq. ft.)	10,410	0	10,854	10,854
Vacant Land	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," describe:	Lot 57 contains a vacant utility substation (5,034-sf lot)	Lot 57 contains a vacant utility substation (5,034-sf lot)	0	- 5,034 sf
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
POPULATION				
Residents	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify number:		161	289	128
Briefly explain how the number of residents was calculated:	The Population Multiplier (1.69) is based on the average household size of renter-occupied units in Manhattan Census Tract 183. (Selected Housing Characteristics, 2012-2016 American Community Survey 5-Year Estimates).			
Businesses	☒ YES ☐ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	Two (2) Community Facilities	Residential Operations	Salvation Army (Community Facility)	
No. and type of workers by business	31	4	43	39
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:				
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	R10A	R10A	R10A	-
Maximum amount of floor area that can be developed	124,824 zsf	124,824 zsf	124,824 zsf	-
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential with commercial along Broadway	Residential with commercial along Broadway	Residential with commercial along Broadway	-
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☐	☒
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
o If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
o If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
o If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
o If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
o If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
o Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☐
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☐
iv. Indirect Business Displacement		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐

	YES	NO
o Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Effects on Industry		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
o Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
o If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
o Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
o If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
o Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
o If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☐
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
o If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5 percent?	☐	☐
o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒

	YES	NO
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. See Attachment D		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See Attachment E		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☐	☒
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10.		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
o If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☒	☐
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Attachment F	☒	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒

	YES	NO
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 7,337		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 20,463,659		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☐	☐
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See Attachment H	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☒
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☐	☒
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. An assessment of Neighborhood Character will be included in an EIS.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	☐	☒
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
o The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
o Closure of a community facility or disruption in its services?	☒	☐
o Activities within 400 feet of a historic or cultural resource?	☒	☐
o Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. See Attachment I		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Robert Kulikowski, Ph.D		3/14/2019

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☒	☐
Historic and Cultural Resources	☒	☐
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☒	☐
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☒ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director of Environmental Planning	NYCHPD
NAME	DATE
Callista Nazaire	May 1, 2019
SIGNATURE	

PART II: ENVIRONMENTAL (CEQR) ANALYSIS

ATTACHMENT B: CEQR ANALYSIS FRAMEWORK

INTRODUCTION

The Proposed Actions consist of (i) the Disposition of Lot 57, without the restrictions established in a prior disposition approval by the City Planning Commission (June 11, 1990); and (ii) the approval of funding through the New York City Department of Housing Preservation and Development (HPD) Mixed-Middle Income (M2) program. These are discretionary approvals subject to City Environmental Quality Review (CEQR), which is New York City's process for implementing the New York State Environmental Quality Review Act (SEQRA), by which City agencies review proposed discretionary actions to identify and disclose the potential effects those actions may have on the environment. This Environmental Assessment Statement (EAS) has been prepared pursuant to Mayoral Executive Order No. 91 of 1977, as amended, the CEQR Rules of Procedure found at Title 62 RCNY Chapter 5 (CEQR), and the implementing regulations for SEQRA found at 6 NYCRR Part 617. This EAS will inform HPD, as lead agency, in making the determination as to whether the Proposed Actions would result in significant adverse environmental impacts and require further environmental review.

ANALYSIS FRAMEWORK

The framework for the EAS analysis is based on the guidelines established in the March 2014 Edition of the *CEQR Technical Manual* (*CEQR Technical Manual*). For each technical area, the *CEQR Technical Manual* defines thresholds that, if met or exceeded, typically require a detailed analysis. Accordingly, preliminary screening analyses were conducted for all applicable CEQR technical areas to determine if detailed analyses would be necessary. The following sections of this EAS provide additional analyses and information for technical categories listed in Part II of the EAS form for which CEQR thresholds were determined to have been met or exceeded, or if supplemental information is needed to complete the analysis.

In order to assess the potential effects of the Proposed Actions, a Reasonable Worst Case Development Scenario (RWCDS) was developed for both the Future Without the Proposed Action (the "No-Action Condition") and the Future With the Proposed Action (the "With-Action Condition)" for Build Year 2022. The future With-Action Condition identifies the extent, type, and location of development that would be expected to occur by the end of 2022 as a result of the Proposed Actions. The future No-Action Condition identifies development projections for 2022 absent the Proposed Actions. The incremental difference between the No-Action and With-Action conditions serves as the basis for assessing the potential environmental impacts of the Proposed Actions.

Build Year

The Proposed Project would be constructed in a single phase. Construction would commence as soon as the necessary discretionary approvals and building permits are granted. The Proposed Project would be complete and operational in 2022 ("Build Year").

No-Action Condition

Lots 59 and 60 are each occupied by a single two-story building, both of which would be demolished in the No-Action Condition. The development in the No-Action Condition would be built pursuant to the underlying R10A zoning regulations with the as-of-right residential Floor Area Ratio (FAR) bonus under the Inclusionary Housing (IH) program. In R10A zoning districts, residential and community facility uses are permissible at a FAR of 10.0; however, residential FAR may increase up to 12.0 for developments providing affordable housing pursuant to the IH program.

Pursuant to the underlying zoning regulations, Lots 59 and 60 would be developed with a 22-story (235 feet), approximately 74,951-gross-square-foot (gsf) residential building[3] (64,416 zoning square feet, or 12.00 FAR).[4] As shown in Table B-1, the No-Action development would be entirely residential and would contain approximately 95 dwelling units, including 19 permanently affordable units. The development in the No-Action Condition would have a maximum building height of approximately 235 feet above the curb level. Because the Privately Owned Sites are in the Manhattan Core, no accessory parking would be required. No development would be anticipated to occur on the Disposition Site; therefore, Lot 57 would remain as it is under existing conditions.

A review of resources, including DCP's Land Use & CEQR Application Tracking System (LUCATS), New York City Mayor's Office of Environmental Coordination's (MOEC) CEQR Access, the Department of Buildings (DOB) Buildings Information System (BIS), and the New York YIMBY website indicates that there are no "No-Build" projects proposed within the Study Area with a build year between 2019 and 2022.

With-Action Condition

In the With-Action Condition, the Proposed Project would maximize the permitted FAR under the existing R10A zoning district and IH program. In R10A zoning districts on a wide street, a building utilizing the as-of-right inclusionary housing bonus is permitted to develop a base with a height of 125 to 155 feet and a maximum building height of 235 feet.

In the With-Action Condition, the existing buildings on Lots 57, 59, and 60 would be demolished and improved with a 23-story (235 feet), approximately 150,890-gsf building containing residential and community facility uses. The development in the With-Action Condition would include (i) approximately 140,036 gsf of residential use (171 dwelling units); and (ii) approximately 10,854 gsf of community facility use. The development in the With-Action Condition would include 80 micro-units and 91 traditional dwelling units; 68[5] (approximately 40 percent) of the 171 dwelling units would be designated as permanently affordable. Because the Directly Affected Area is in the Manhattan Core, no accessory parking would be required.

[3] Although the Project Sponsor would be anticipated to include ground-floor community facility floor area in the development absent approval of the Proposed Actions, based on neighborhood trends, the development in the No-Action Condition assumes an entirely residential building.

[4] The maximum zoning square feet (zsf) permitted on the Privately Owned Sites is achieved by pursuing the as-of-right residential FAR bonus under the IH program. By pursing the IH bonus, the as-of-right zsf is approximately 64,416. The total gsf, however, includes an approximately eight (8) percent increase in floor area to account for deductions for mechanical space and an approximately 5,369 sf cellar.

[5] 35 micro-units and 33 traditional units would be designated as permanently affordable.

Incremental Difference: No-Action Condition and With-Action Condition

The incremental difference between the No-Action Condition and With-Action Condition provides the basis by which the potential environmental impacts of the Proposed Actions are evaluated. As shown in Table B-2, the development in the With-Action Condition would result in (i) a net increase of 65,085 gsf of residential space, representing an increase of 76 dwelling units, including an increase of 49 permanently affordable dwelling units, and (ii) a net increase of approximately 10,854 gsf of community facility space. The development in the With-Action Condition would result in an overall net increase of 75,939 gsf of new development.

Based on standard employee space utilization rates in the *CEQR Technical Manual*, the With-Action Condition would result in approximately 43 workers [6], which would represent a net increase of 39 workers compared to the No-Action Condition. Based on the maximum height permitted in the R10A zoning district, the height of the development on the Privately Owned Sites (Lots 59 and 60) in the No-Action Condition and With-Action Condition would remain the same at 235 feet. However, because no new development would occur on the Disposition Site in the No-Action Condition, there would be an incremental building height increase of approximately 185 feet on Lot 57 in the With-Action Condition.

[6] Community facility use: 36 workers; residential use: 7 workers.

Table B-1: Maximum Permitted Zoning Floor Area and Proposed Zoning Floor Area

	No-Action Condition		With-Action Condition	
Maximum Permitted Zoning Floor Area	**FAR[1]**	**ZSF**	**FAR**	**ZSF[2]**
Residential	12.0	64,416	12.0	124,824
Community Facility	10.0	53,680	10.0	104,020
Proposed Zoning Floor Area				
Residential	12.0	64,416	11.20	116,463
Community Facility	0.00	0	0.80	8,343[3]

Source: Zoning Resolution of the City of New York (ZR)

Notes:
[1] Floor Area Ratio (FAR) is ratio of total building floor area to the area of its zoning lot.
[2] ZSF excludes mechanical deductions and cellar floor area.
[3] An additional 2,500 sf of community facility floor area would be located in the cellar.

Table B-2: No-Action and With-Action Conditions

Land Use	No-Action Condition	With-Action Condition	Increment
	(gsf/units)	**(gsf/units)**	**(gsf/units)**
Residential	74,951[1]	140,036	65,085
Total Dwelling Units	95[2]	171[3]	76
Affordable Dwelling Units	19	68	49
Community Facility	0	10,854	10,854
Building Height (feet)	235 feet	235 feet	0 feet
Lots 59 and 60 (Privately Owned Sites)	235 feet	235 feet	0 feet
Lot 57 (Disposition Site)	50 feet	235 feet	185 feet
Total (gsf)	74,951	150,890[4]	75,939

Notes:
[1] Zoning Floor Area: 64,416.
[2] Dwelling Unit factor of 680 was used pursuant to the New York City Zoning Resolution.
[3] Approximately 80 of the 171 dwelling units are anticipated to be micro units.
[4] Including approximately 5,709 gsf of mechanical space.

The potential adverse environmental impacts that may result from the net incremental difference between the two development conditions are evaluated in the following sections of this EAS report.

ATTACHMENT C: LAND USE, ZONING, AND PUBLIC POLICY

INTRODUCTION

According to *CEQR Technical Manual* guidelines, a land use analysis identifies the uses and development trends in the surrounding area that may be affected by a proposed project and determines whether that proposed project is compatible with those conditions or may have the potential to influence or affect them. Similarly, the analysis contemplates the proposed project's compliance with, and effect on, the surrounding area's zoning as well as other applicable public policies.

An assessment of land use, zoning, and public policy is appropriate if an action would result in a significant change in land use or would substantially affect regulations or policies governing land use. Although the Proposed Actions do not involve a change in land use or zoning, guidance in the *CEQR Technical Manual* indicates it is often appropriate to provide a brief description of existing land uses and zoning designations in the surrounding area to better inform the remainder of the environmental review. Additionally, a public policy assessment was prepared to determine the relevant policies governing the surrounding area and disclose the potential for the Proposed Actions to adhere to or conflict with them.

METHODOLOGY

The analysis methodology is based on guidance in the *CEQR Technical Manual* and involves an assessment of the Proposed Actions consistency with existing land use patterns and development trends, zoning regulations, and applicable public policies.

The land use, zoning, and public policy analysis contemplates a 400-foot radius around the Directly Affected Area (the "Study Area"). Existing conditions within the Study Area were identified through field studies and research of available resources, including DCP's LUCATS database and Primary Land Use Tax Lot Output (PLUTO™) data files; MOEC's CEQR Access; and the Manhattan Community Board 7 website. The Zoning Resolution of the City of New York (ZR) and DCP's web-based Zoning and Land Use Application (ZOLA) were used to identify and describe existing zoning districts in the Study Area and for the zoning evaluation of the No-Action and With-Action conditions. Relevant public policy documents were examined to assist in identifying and describing existing public policies that have the potential to affect both the Directly Affected Area and Study Area.

LAND USE

Existing Conditions

The approximately 10,402 square-foot (sf) Directly Affected Area is at 266-270 West 96 Street, between Broadway and West End Avenue, in the Upper West Side neighborhood of Manhattan. The Directly Affected Area comprises three tax lots (Lots 57, 59 and 60) on Block 1243, and is bounded by West 96 Street to the north, a two-story commercial building to the east, a six-story multi-family residential building and a 15-story multi-family residential building to the south, and a 13-story multi-family residential building and a 16-story multi-family residential building to the west. A four-story decommissioned electrical utility substation occupies the Disposition Site (Lot 57); a two-story building containing community facility uses occupies each of the Privately Owned Sites (Lots 59 and 60).

As shown in Figure A-5, the Study Area includes primarily residential, commercial, and mixed residential-commercial uses. Residential uses in the Study Area consist largely of multi-family elevator buildings along West End Avenue and the west side of Broadway, as well as multi-family walk-up buildings. Commercial uses in the Study Area are predominantly along Broadway, within the Special Enhanced Commercial District (EC-3). Mixed-use (residential/commercial) buildings are north and east of the Directly Affected Area. In addition, the Study Area contains a transportation and utility use, along with several community facilities and public institutions, including P.S. 75 Emily Dickinson, and M.S. 250 West Side Collaborative.

A review of resources, such as DCP's LUCATS database, MOEC's CEQR Access, the DOB's BIS database, and the New York YIMBY website, indicates that there are no "No-Build" projects proposed within the Study Area with a build year between 2019 and 2022.

ASSESSMENT

No-Action Condition

In the No-Action Condition, the Privately Owned Sites (Lots 59 and 60) would be developed pursuant to the underlying R10A zoning district regulations and the as-of-right residential FAR bonus under the IH program. The existing buildings on the Privately Owned Sites would be demolished and the lots would be improved with a 22-story (235 feet), approximately 74,951-gsf residential building.[7] The No-Action development would be entirely residential and would contain approximately 95 dwelling units, including 19 permanently affordable units. Because the Privately Owned Sites are in the Manhattan Core, no accessory parking would be required. In the No-Action Condition, it is assumed that the Disposition Site would remain the same as under existing conditions due to the restrictions established in the City Planning Commission's resolution dated July 19, 1990. Due to these restrictions, no development is anticipated to occur on the Disposition Site and it would continue to be occupied by the four-story, former electrical substation.

[7] The maximum zoning square feet (zsf) permitted on the Privately Owned Sites is achieved by pursuing the as-of-right residential FAR bonus under the IH program. By pursing the IH bonus, the as-of-right zsf is approximately 64,416. The total gsf, however, includes an approximately eight (8) percent increase in floor area to account for deductions for mechanical space and an approximately 5,369 sf cellar.

With-Action Condition

In the With-Action Condition, the Directly Affected Area would be developed to the maximum permitted floor area pursuant to the underlying zoning and would be comprised of a 23-story (235 feet), approximately 150,890-gsf building containing residential and community facility uses. The With-Action development would include (i) approximately 140,036 gsf of residential use (171 dwelling units) and (ii) approximately 10,854 gsf of community facility use. The development in the With-Action Condition would include 80 micro-units and 91 traditional dwelling units; 68 (approximately 40 percent) of the 171 dwelling units would be designated as permanently affordable. Because the Directly Affected Area is in the Manhattan Core, no accessory parking would be required.

Conclusion

The Proposed Actions would facilitate the construction of a primarily residential building on the Directly Affected Area that would include community facility uses facing West 96 Street. As described above, land uses within the Study Area are characterized primarily by multi-family elevator residences, commercial uses, and mixed residential/commercial uses. The development facilitated by the Proposed Actions would be consistent with these uses. The Proposed Project would replace a vacant building on the Disposition Site and include ground floor community facility uses that would further activate West 96 Street, thereby enhancing the pedestrian experience at the street level. The Proposed Actions would neither directly displace any current land uses that would result in an adverse impact on the surrounding uses nor generate new land uses that would be incompatible with current land uses in the Study Area.

Based on this information, the Proposed Actions would not result in any potentially significant adverse environmental impacts related to land use; therefore, no further analysis is necessary.

ZONING

Existing Conditions

The Directly Affected Area is within an R10A district (Figure A-6), which allows for both residential and community facility uses (Use Groups 1-4). In R10A districts, residential and community facility uses are permissible at a Floor Area Ratio (FAR) of 10.0; however, residential FAR may be increased to 12.0 for developments providing affordable housing pursuant to the IH program. R10A districts are governed by the bulk and height requirements of the Quality Housing Program. Assuming the development of an IH building with on-site affordable housing, provision of a Qualifying Ground Floor (QGF), and development frontage along a wide street, the maximum base height before setback is 155 feet, after which the building must setback to a minimum depth of 10 feet before rising to a maximum height of 235 feet. The Directly Affected Area is in the Manhattan Core; therefore, accessory parking is not required.

ASSESSMENT

The Proposed Actions consists of the disposition of Lot 57 and funding for affordable housing. No changes to or waivers from the existing R10A zoning are proposed; therefore, the Proposed Project would be built pursuant to the existing R10A district regulations.

Based on this information, the Proposed Actions would not result in any potentially significant adverse environmental impacts related to zoning; therefore, no further analysis is necessary.

PUBLIC POLICY

According to the *CEQR Technical Manual*, a proposed project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports that pertain to the study area. If the proposed action could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

Public policies applicable in the Directly Affected Area include *One New York: The Plan for a Strong and Just City* (*OneNYC*) and *Housing New York: A Five-Borough, Five-Year Plan* (*Housing New York*).

OneNYC

OneNYC, originally released as *PlaNYC* in 2007, is a policy document designed to address the City's long-term challenges, including a projected population of 9 million residents by 2040, changing climate conditions, an evolving economy, and aging infrastructure. *OneNYC* was released in 2015 to address New York City's long-term challenges previously identified in *PlaNYC*, the City's prior long-term plan. *OneNYC* builds upon *PlaNYC* and focuses on four guiding principles: growth, equity, sustainability, and resiliency.

The Proposed Actions are consistent with initiatives identified in *OneNYC*.

OneNYC's goal for housing is that, "New Yorkers will have access to affordable, high-quality housing coupled with robust infrastructure and neighborhood services." The Proposed Project includes the development of approximately 171 dwelling units, of which approximately 68 would be designated as permanently affordable, in a neighborhood that is served by public transportation. By facilitating the creation of permanent affordable housing, the Proposed Actions would support a diverse residential population and would create additional housing options within Manhattan, which would help strengthen the City's economy.

Therefore, the Proposed Actions are consistent with the policies of *OneNYC*.

Housing New York

Housing New York is the City's comprehensive housing development policy that includes a primary goal of building or preserving 300,000 units of high-quality affordable housing by 2026. *Housing New York* was developed in conjunction with the New York City Department of Housing Preservation

and Development (HPD) to create housing opportunities for New Yorkers with a range of incomes, while fostering vibrant and diverse neighborhoods.

Key components of *Housing New York* include:

- Identify opportunities for affordable housing in all five boroughs
- Develop affordable housing on underused public and private sites

The Proposed Project involves the disposition and redevelopment of an underused City-owned site that will introduce approximately 171 new residential dwelling units, of which approximately 68 dwelling units would be permanently affordable. The Proposed Project would provide the Upper West Side neighborhood with new mixed-income, permanently affordable housing, which would support the City's effort to increase the overall supply of affordable housing.

Therefore, the Proposed Actions would align with the policies and programs of *Housing New York*.

ATTACHMENT D: SHADOWS

INTRODUCTION

According to the *CEQR Technical Manual*, a shadow assessment is necessary when a proposed action would result in a new structure(s) or additions to an existing structure(s) that are greater than 50 feet in height and/or are adjacent to an existing sunlight-sensitive resource. The *CEQR Technical Manual* defines a shadow as a condition that results when a building or other built structure blocks sunlight that would otherwise directly reach a certain area, space, or feature. An adverse shadow impact would occur when a shadow from a proposed project falls on a publicly accessible open space, historic landscape, or other historic resource that requires sunlight for its enjoyment by the public, or its architectural and historic integrity (*e.g.*, stained glass windows), or if the shadow falls on an important natural feature and adversely affects its use or landscaping and vegetation. Shadows occurring on non-significant features (city streets, sidewalks, buildings, and privately-owned open space), or within 1.5 hours of sunrise or sunset, generally are not considered significant under CEQR.

In the No-Action Condition, Lots 59 and 60 would be redeveloped with a 22-story (235-foot) residential building; no development would occur on the Disposition Site; therefore, Lot 57 would continue to be occupied by the existing 4-story (50 foot) building.

In the With-Action Condition, the existing buildings on Lots 57, 59, and 60 would be demolished and the site would be redeveloped with a 23-story (235 feet) building containing residential and community facility uses. Therefore, the With-Action Condition would not result in any incremental building height increase on Lots 59 and 60. However, because no new development would occur on Lot 57 in the No-Action Condition, there would be an incremental building height increase of approximately 185 feet on Lot 57 in the With-Action Condition.

PRINCIPAL CONCLUSIONS

Based on a preliminary assessment, the shadow study area includes 28 potentially sunlight-sensitive resources that have the potential to be affected by incremental shadows from the development in the With-Action Condition. These sunlight-sensitive resources include Joan of Arc Park, Riverside Park, Happy Warrior Playground, the Broadway Malls, four buildings within the Riverside-West End Historic District, 17 buildings within the Riverside-West End Historic District Extension II, two LPC individual landmarks (the Former East River Savings Bank, 743 Amsterdam Avenue and the Midtown Theater, 2626 Broadway), and one State and National Registered (S/NR) and LPC individual landmark (St. Michael's Episcopal Church, Parish House and Rectory, 227 West 99 Street). Accordingly, a detailed shadow analysis was conducted.

Based on the detailed shadow analysis, the Proposed Actions would result in incremental shadow coverage on seven potentially sunlight-sensitive resources: Broadway Malls, 330 West 95 Street, 720 West End Avenue, 711 West End Avenue, 306 West 94 Street, 706 West End Avenue, and 743 Amsterdam Avenue. Due to the intervening existing buildings, no buildings in the Riverside-West End Historic District and only five of the 17 buildings in Riverside-West End Historic District Extension II would receive incremental shadows on any of the four analysis days. Additionally, no

incremental shadows would be cast on Joan of Arc Park or Riverside Park due to intervening existing buildings.

The incremental project-generated shadows would not substantially reduce or eliminate direct sunlight on any of the seven sunlight-sensitive resources, and thus would not result in significant adverse impacts. Therefore, the Proposed Actions would not result in any significant adverse shadow impacts on sunlight-sensitive resources within the shadow study area.

In a letter dated February 5, 2019 (Appendix C), the LPC identified the Church of the Holy Name of Jesus, 718 Amsterdam Avenue (northwest corner of Amsterdam Avenue and West 96 Street) as appearing to be S/NR eligible, therefore an assessment of incremental project-generated shadows on this resource will be provided in the Environmental Impact Statement (EIS).

METHODOLOGY

The analysis methodology is based on the guidelines of the *CEQR Technical Manual*, which includes conducting a preliminary assessment to determine whether shadows resulting from a proposed project could reach any sunlight-sensitive resource at any time of year. The Tier 1 screening assessment identifies a shadow study area based on the height of structure(s) in the future with the proposed action and the longest shadow a proposed structure(s) could cast, which in New York City is 4.3 times the height of the structure. If there are sunlight-sensitive resources within the shadow study area, a Tier 2 screening assessment is warranted. As stated in the *CEQR Technical Manual*, because of the path the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, the area is between -108 and +108 degrees from true north. If the area outside this triangular area contains a sunlight-sensitive resource(s), further analysis is necessary. The Tier 3 screening assessment is a detailed assessment that further refines the analysis once sunlight-sensitive resources have been identified by analyzing specific representative days of the year and determining the maximum extent of shadows over the course of each representative day on these sunlight-sensitive resources.

Based on the guidelines of the *CEQR Technical Manual*, if the three-tiered screening analysis described above does not rule out the possibility that project-generated shadows would reach any sunlight-sensitive resources, a detailed shadow analysis is warranted.

Preliminary Screening Assessment

According to the *CEQR Technical Manual*, the longest shadow a structure will cast in New York City is 4.3 times its height. The area surrounding the structure is defined as the shadow study area and is used to determine if a sunlight-sensitive open space and historic resources would be shaded by the incremental shadows cast as a result of the development in the With-Action Condition. According to the *CEQR Technical Manual*, public open spaces and certain publicly-accessible designated historic landmarks – such as landmarks that have sunlight sensitive components including stained glass or ornate carving on the façade (the enjoyment of which relies on sunlight) – are considered sunlight-sensitive resources.

The Proposed Actions would result in the development of a 23-story (235 feet) building on Lots 57, 59, and 60 (Directly Affected Area). Therefore, a three-tiered shadow screening assessment was

performed, in accordance with *CEQR Technical Manual* guidelines using the maximum building height of 235 feet to determine the longest shadow study area and the sunlight-sensitive open space and historic resources within the study area that could be shaded by the incremental shadows cast as a result of the development in the With-Action Condition.

Tier 1 Screening Assessment

As shown in Figure D-1, a building with a maximum height of 235 feet could cast a shadow extending over a maximum radius of 1,010.5 feet—the "Shadow Study Area" occurring on December 21, the winter solstice (235 feet x 4.3 = 1,010.5 feet). As shown, the Shadow Study Area contains both sunlight-sensitive open space resources and historic resources. Therefore, a Tier 2 screening assessment is necessary to determine which of these sunlight-sensitive resources are within the portion of the Shadow Study Area that potentially can be shaded by the Proposed Project.

Tier 2 Screening Assessment

The purpose of the Tier 2 screening is to determine which of the sunlight-sensitive resources identified in the Tier 1 Screening Assessment are within the portion of the Shadow Study Area that have the potential to be shaded by the Proposed Project. According to the *CEQR Technical Manual,* shadows cast by a proposed building fall generally to the north, east, and west depending on the day and time. In New York City, the shadow area is between –108 degrees and +108 degrees from true north (Figure D-2). Accordingly, any area lying to the south of a site in the triangular area beyond these angles cannot be shaded by a proposed project. As shown in Figure D-2, the portion of the Shadow Study Area that has the potential to be shaded contains both sunlight-sensitive open space resources and historic resources. As listed in Table D-1, of the eight sunlight-sensitive resource categories, four are listed as open space resources: Joan of Arc Park, Riverside Park, Happy Warrior Playground, and Broadway Malls. Riverside-West End Historic District, Riverside-West End Historic District Extension II, S/NR listed landmarks, and LPC individual landmarks are all historic resources. Therefore, a Tier 3 screening assessment is required to determine whether the incremental shadows resulting from the Proposed Project could affect any of these resources during the representative analysis days.

Table D-1: Sunlight-Sensitive Resources – Tier 2 Shadow Screening Assessment

Sunlight-sensitive Resource	Type of Resource
Joan of Arc Park	Public Open Space
Riverside Park	Public Open Space
Happy Warrior Playground	Public Open Space
Broadway Malls	Public Open Space
Riverside-West End Historic District Extension II	Historic
Riverside-West End Historic District	Historic
LPC Individual Landmarks	Historic
S/NR Listed Landmarks	Historic

FIGURE D-1

266-270 WEST 96 STREET

TIER 1 SCREENING ASSESSMENT

Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

- Directly Affected Area
- Disposition Site
- Study Area
- Individual Landmark Building
- Historic District Building
- Historic District
- S/NR Resources

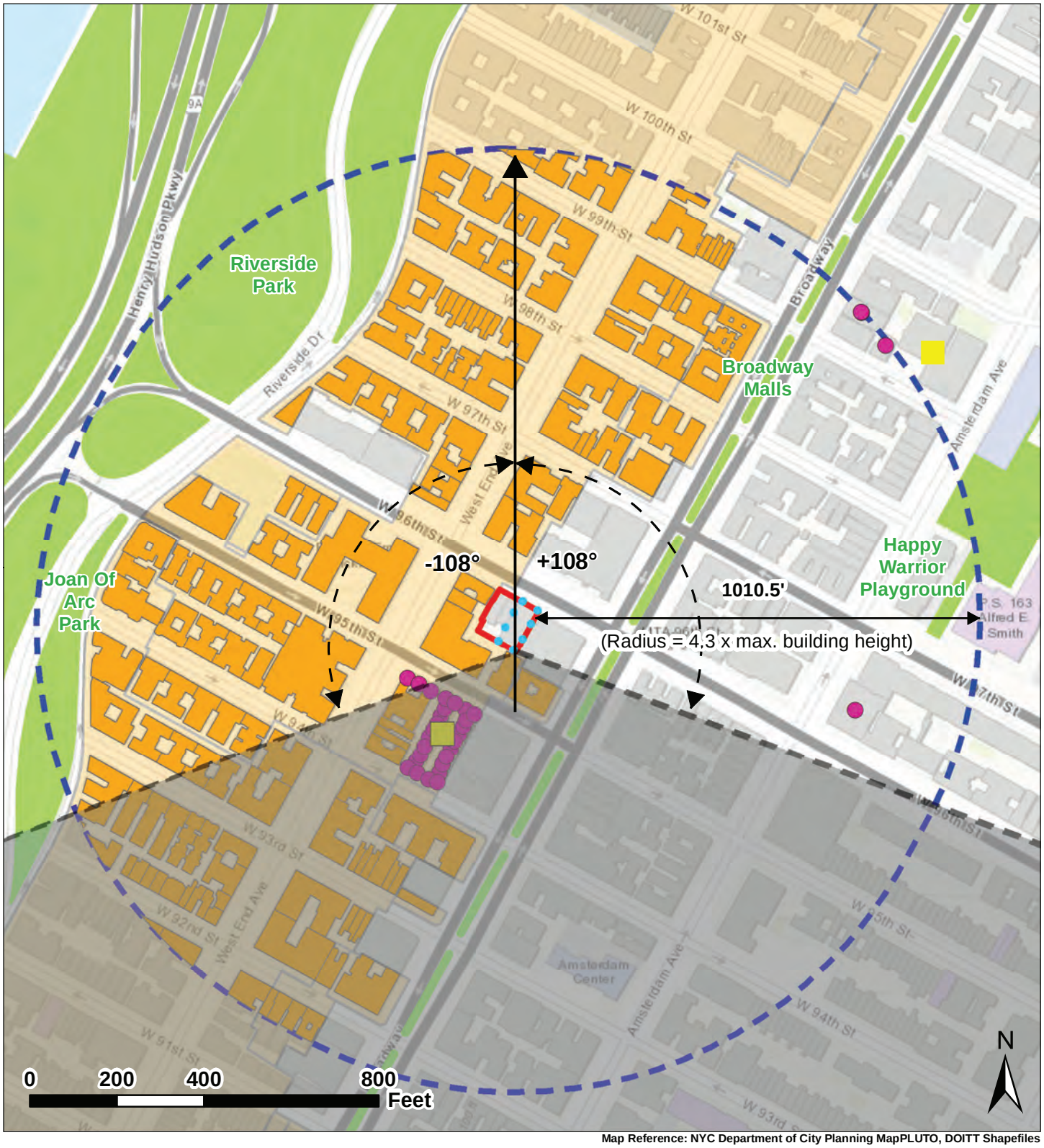
UPPER WEST SIDE, MANHATTAN, NY

LANGAN

FIGURE D-2

266-270 WEST 96 STREET

TIER 2 SCREENING ASSESSMENT



Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

- Directly Affected Area
- Disposition Site
- Study Area
- Individual Landmark Building
- Historic District Building
- Historic District
- S/NR Resources

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Tier 3 Screening Assessment

In accordance with the guidelines in the *CEQR Technical Manual*, a Tier 3 screening assessment was performed for four representative days of the year: March 21, the vernal equinox (which is equivalent to September 21, the autumnal equinox); May 6, the midpoint between the vernal equinox and summer solstice (which is equivalent to August 6, the midpoint between the summer solstice and autumnal equinox); June 21, the summer solstice and longest day of the year, and December 21, the winter solstice and shortest day of the year.[8]

The Tier 3 shadow assessment indicates the incremental differences in the shadows cast between the development in the No-Action and With-Action conditions, and the times when the building in the With-Action Condition would increase shadows falling on the sunlight sensitive resources in the absence of intervening buildings. As the earth rotates around the sun, shadows fall in an ellipse on the ground, opposite the movement of the sun. When the sun rises, shadows fall to the west. As the sun travels across the southern part of the sky throughout the day, shadows move in a clockwise direction until they stretch east as the sun sets in the west. Midday shadows are always shorter than those at other times because the sun is highest in the sky at that time. Because of the tilt of the earth's axis, the angle at which the sun's rays strike the earth varies throughout the year, so that during the summer, the sun is higher in the sky and shadows are shorter than during the winter. Because the sun is low in the sky, winter shadows, although longest, move the most quickly along their paths and do not affect the growing season of outdoor trees and plants. The With-Action Condition represents the worst-case development scenario for environmental assessment and was used for all modeling of shadows.

The Tier 3 screening assessment used the maximum building height of 235 feet to determine the shadows on the four representative days of the year. Shadows in the With-Action Condition were then compared to the shadows from the No-Action Condition to determine the incremental shadow. Incremental shadows resulting from the Proposed Project are shown in dark gray on Figures D-3 through D-6. The sunlight-sensitive resources identified in the Tier 3 screening assessment are listed in Table D-2. The results of the shadow assessment are discussed below.

[8] Pursuant to *CEQR Technical Manual* guidelines, all times reported herein are Eastern Standard Time and do not reflect adjustments for daylight savings time that is in effect from mid-March to early November.

Table D-2: Tier 3 Shadow Screening Assessment Identified Resources

Sunlight-sensitive Resource	Type of Resource
Joan of Arc Park	Public Open Space
Riverside Park	Public Open Space
Happy Warrior Playground	Public Open Space
Broadway Malls	Public Open Space
336 West 95 Street	Riverside-West End Historic District Extension II Building
330 West 95 Street	Riverside-West End Historic District Extension II Building
729 West End Avenue	Riverside-West End Historic District Extension II Building
720 West End Avenue	Riverside-West End Historic District Extension II Building
314 West 94 Street	Riverside-West End Historic District Extension II Building
310 West 94 Street	Riverside-West End Historic District Extension II Building
315 West 94 Street	Riverside-West End Historic District Extension II Building
311 West 94 Street	Riverside-West End Historic District Extension II Building
711 West End Avenue	Riverside-West End Historic District Extension II Building
325 West 93 Street	Riverside-West End Historic District Building
317 West 93 Street	Riverside-West End Historic District Building
309 West 93 Street	Riverside-West End Historic District Building
308 West 94 Street	Riverside-West End Historic District Extension II Building
306 West 94 Street	Riverside-West End Historic District Extension II Building
697 West End Avenue	Riverside-West End Historic District Building
706 West End Avenue	Riverside-West End Historic District Extension II Building
259 West 95 Street (BIN: 1083299)	Riverside-West End Historic District Extension II Building
259 West 95 Street (BIN: 1083298)	Riverside-West End Historic District Extension II Building
743 Amsterdam Avenue	LPC Individual Landmark
Midtown Theater	LPC Individual Landmark
St. Michael's Episcopal Church, Parish House and Rectory	LPC Individual Landmark and S/NR Listed
243 West 98 Street	Riverside-West End Historic District Extension II Building
240 West 98 Street Building 1	Riverside-West End Historic District Extension II Building
240 West 98 Street Building 2	Riverside-West End Historic District Extension II Building

According to the *CEQR Technical Manual*, the uses associated with open space that rely on sunlight include passive recreation, such as sitting or sunning, and active recreation, such as using playfields or paved courts, gardening, or playing in children's wading pools and sprinklers. Vegetation requiring direct sunlight includes tree canopies, flowering plants, and plots in community gardens. Four to six hours a day of sunlight, particularly in the growing season (defined in the *CEQR Technical Manual* as March to October), is a general minimum requirement. Shade created by trees and other natural features is not considered to be shadow of concern for the impact analysis; however, incremental shadow on a tree-shaded environment may create an adverse impact because the incremental shadow is not redundant with tree shade, and the tree canopy may be considered a sunlight-sensitive resource.

Table D-3 summarizes the results of the Tier 3 screening assessment indicating those resources that could experience shadows on the four analysis days. Based on the Tier 3 screening assessment, Joan of Arc Park, Happy Warrior Playground, Midtown Theater, and St. Michael's Episcopal Church, Parish House and Rectory *would not* receive project-generated shadows on any of the four analysis days; therefore, these resources would not require further analysis.

As shown in Table D-3, two open space resources (Riverside Park and the Broadway Malls), four buildings within the Riverside-West End Historic District, 17 buildings within the Riverside-West End Historic District Extension II, and one LPC individual landmark (743 Amsterdam Avenue) could, in the absence of intervening buildings, receive project-generated shadows on one or more analysis days. Two buildings (325 West 93 Street and 697 West End Avenue) within the Riverside-West End Historic District and five buildings (336 West 95 Street, 330 West 95 Street, 729 West End Avenue, 314 West 94 Street, and 310 West 94 Street) within the Riverside-West End Historic District Extension II would be shaded for less than 10 minutes on any given representative day. Additionally, Broadway Malls during the December 21 screening assessment would be shaded for approximately one minute. The *CEQR Technical Manual* states that an incremental shadow is generally not considered significant when its duration is less than 10 minutes at any time of year; however, to be conservative, these resources are included in the Detailed Shadow Analysis.

Table D-3: Tier 3 Shadow Screening Assessment Results

Sunlight-sensitive Resource	Analysis Days			
	March 21	May 6	June 21	December 21
	7:36 AM – 4:29 PM	6:27 AM – 5:18 PM	5:57 AM – 6:01 PM	8:51 AM – 2:53 PM
Joan of Arc Park	Not Shaded	Not Shaded	Not Shaded	Not Shaded
Riverside Park	Not Shaded	Not Shaded	Not Shaded	Shaded
Happy Warrior Playground	Not Shaded	Not Shaded	Not Shaded	Not Shaded
Broadway Malls	Shaded	Shaded	Shaded	Shaded
336 West 95 Street	Shaded	Not Shaded	Not Shaded	Not Shaded
330 West 95 Street	Shaded	Not Shaded	Not Shaded	Not Shaded
729 West End Avenue	Shaded	Not Shaded	Not Shaded	Not Shaded
720 West End Avenue	Shaded	Shaded	Shaded	Not Shaded
314 West 94 Street	Not Shaded	Shaded	Not Shaded	Not Shaded
310 West 94 Street	Not Shaded	Shaded	Not Shaded	Not Shaded
315 West 94 Street	Not Shaded	Shaded	Not Shaded	Not Shaded
311 West 94 Street	Not Shaded	Shaded	Not Shaded	Not Shaded
711 West End Avenue	Not Shaded	Shaded	Shaded	Not Shaded
325 West 93 Street	Not Shaded	Not Shaded	Shaded	Not Shaded
317 West 93 Street	Not Shaded	Not Shaded	Shaded	Not Shaded
309 West 93 Street	Not Shaded	Not Shaded	Shaded	Not Shaded
308 West 94 Street	Not Shaded	Not Shaded	Shaded	Not Shaded
306 West 94 Street	Not Shaded	Not Shaded	Shaded	Not Shaded
697 West End Avenue	Not Shaded	Not Shaded	Shaded	Not Shaded
706 West End Avenue	Not Shaded	Not Shaded	Shaded	Not Shaded
259 West 95 Street (BIN:1083299)	Not Shaded	Not Shaded	Shaded	Not Shaded
259 West 95 Street (BIN:1083298)	Not Shaded	Not Shaded	Shaded	Not Shaded
743 Amsterdam Avenue (East River Savings Bank)	Not Shaded	Not Shaded	Shaded	Not Shaded
Midtown Theater	Not Shaded	Not Shaded	Not Shaded	Not Shaded
St. Michael's Episcopal Church, Parish House and Rectory	Not Shaded	Not Shaded	Not Shaded	Not Shaded
243 West 98 Street	Not Shaded	Not Shaded	Not Shaded	Shaded
240 West 98 Street Building 1	Not Shaded	Not Shaded	Not Shaded	Shaded
240 West 98 Street Building 2	Not Shaded	Not Shaded	Not Shaded	Shaded

All times are Eastern Standard Time (EST); Daylight Savings Time was not accounted for per CEQR Technical Manual guidelines.

March 21
As shown on Figure D-3 and Table D-3, on March 21 the time period for shadows analysis begins at 7:36 AM and continues until 4:29 PM. The incremental shadow generated by the building in the With-Action Condition on the March 21 analysis day would have the potential to reach one open space resource and four buildings within the Riverside-West End Historic District Extension II.

May 6
As shown in Figure D-4 and Table D-3, on May 6 the time period for shadows analysis begins at 6:27 AM and continues until 5:18 PM. The incremental shadow generated by the building in the With-Action Condition on the May 6 analysis day would have the potential to reach one open space resource and six buildings within the Riverside-West End Historic District Extension II.

June 21
As shown in Figure D-5 and Table D-3, on June 21, the time period for shadows analysis begins at 5:57 AM and continues until 6:01 PM. The incremental shadow generated by the building in the With-Action Condition on the June 21 analysis day would have the potential to reach one open space resource, four buildings within the Riverside-West End Historic District, seven buildings within the Riverside-West End Historic District Extension II, and one LPC individual landmark (East River Savings Bank at 743 Amsterdam Avenue).

December 21
As shown in Figure D-6 and Table D-3, on December 21, the time period for shadows analysis begins at 8:51 AM and continues until 2:53 PM. The incremental shadow generated by the building in the With-Action Condition on the December 21 analysis day would have the potential to reach two open space resources and three buildings within the Riverside-West End Historic District Extension II.

FIGURE D-3

266 WEST 96TH STREET

TIER 3 MARCH 21 SCREENING ASSESSMENT

Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

Shadow Study Area
Disposition Site
Development Site
Sunlight Sensitive Open Space
Historic District
S/NR Resources
No-Action Condition Shadow
Incremental Shadow
Individual Landmark Building

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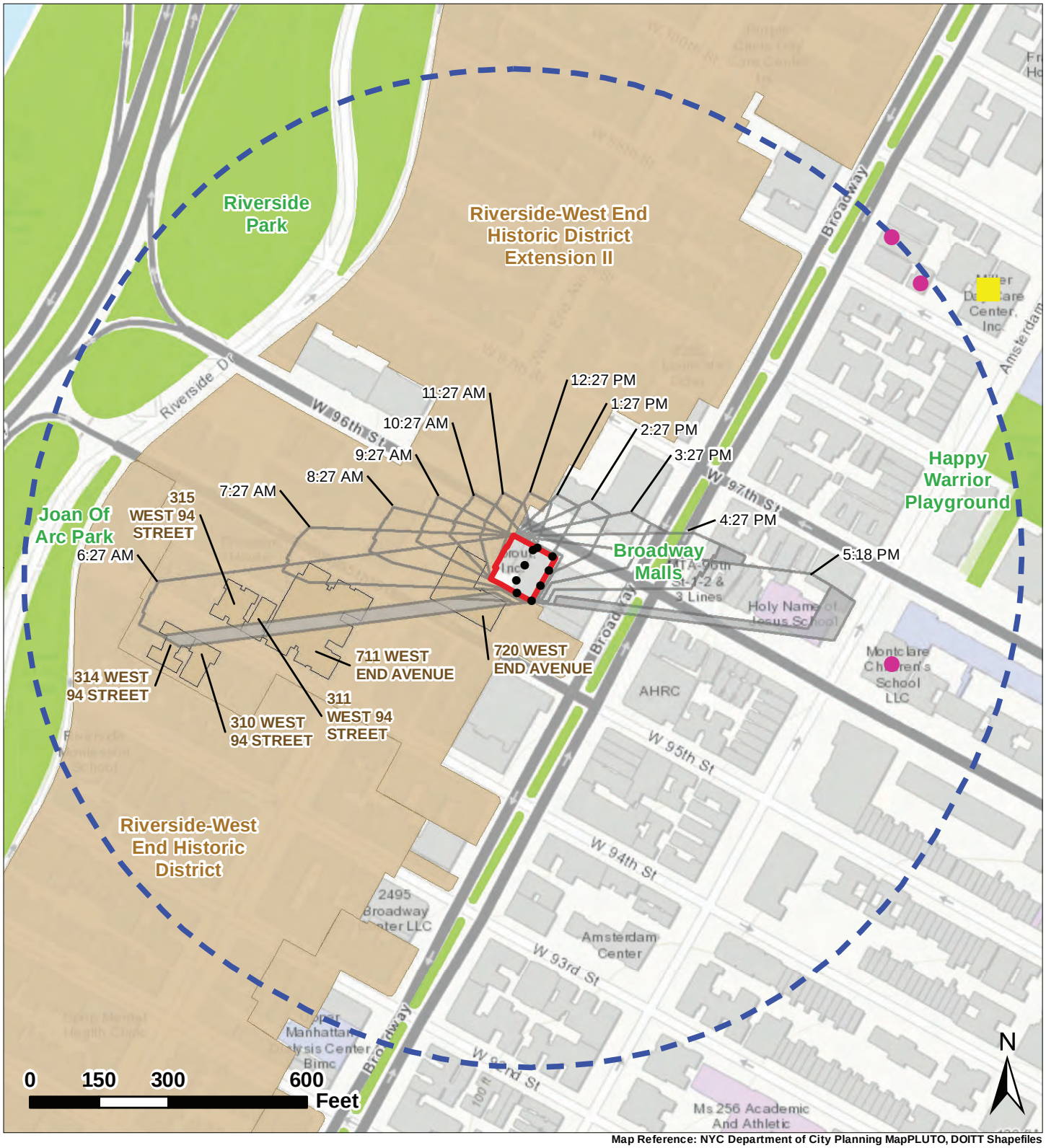
FIGURE D-4

266 WEST 96TH STREET

TIER 3 MAY 6 SCREENING ASSESSMENT



Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

Shadow Study Area
Disposition Site
Development Site
Sunlight Sensitive Open Space
Historic District
S/NR Resources
No-Action Condition Shadow
Incremental Shadow
Individual Landmark Building

UPPER WEST SIDE, MANHATTAN, NY

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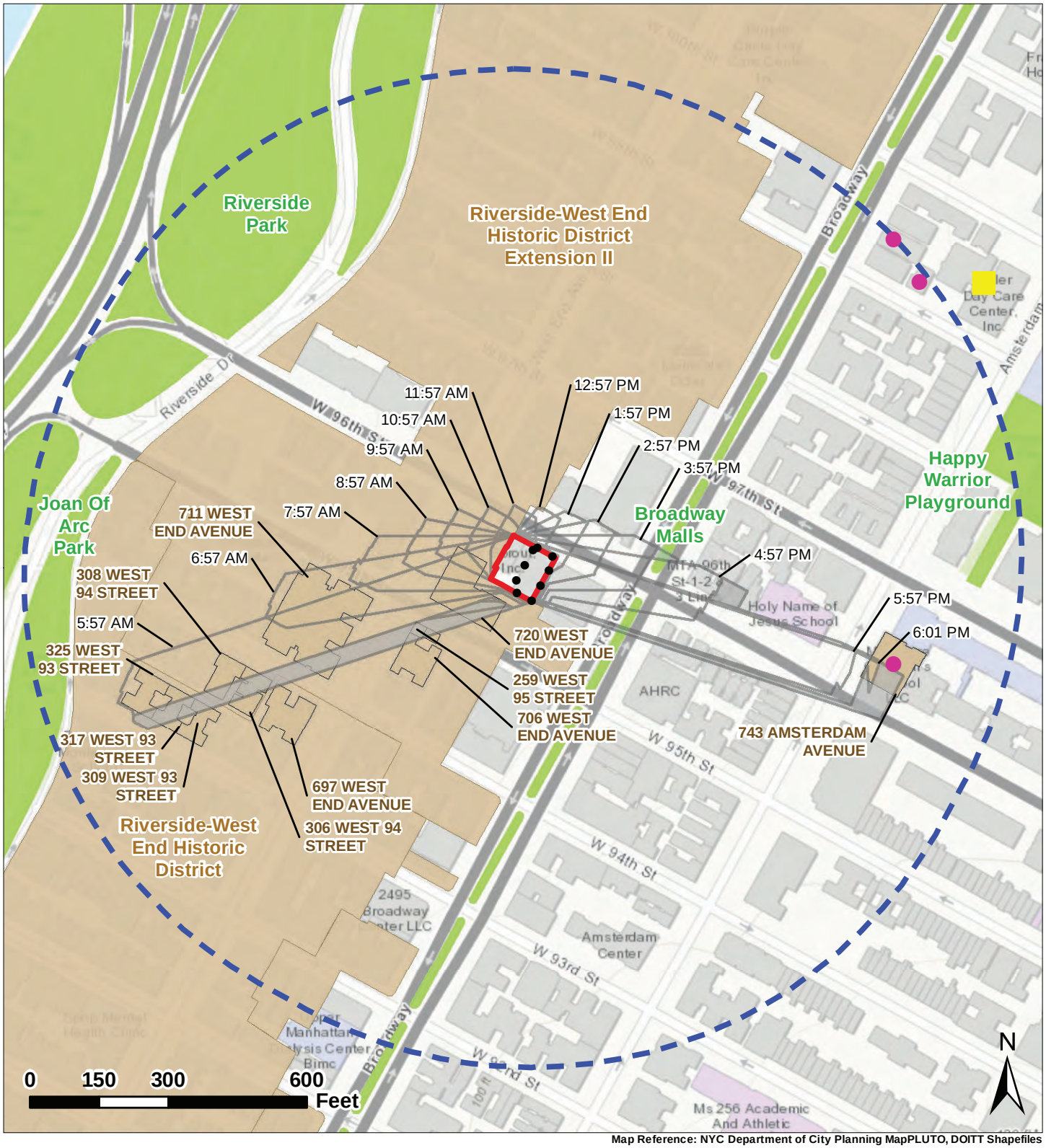
FIGURE D-5

266 WEST 96TH STREET

TIER 3 JUNE 21 SCREENING ASSESSMENT



Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

Shadow Study Area
Disposition Site
Development Site
Sunlight Sensitive Open Space
Historic District
S/NR Resources
No-Action Condition Shadow
Incremental Shadow
Individual Landmark Building

UPPER WEST SIDE, MANHATTAN, NY

LANGAN

FIGURE D-6

266 WEST 96TH STREET TIER 3 DECEMBER 21 SCREENING ASSESSMENT

Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

Shadow Study Area
Disposition Site
Development Site
Sunlight Sensitive Open Space
Historic District
S/NR Resources
No-Action Condition Shadow
Incremental Shadow
Individual Landmark Building

UPPER WEST SIDE, MANHATTAN, NY

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Detailed Shadow Analysis

To evaluate the duration and extent of a shadow that could potentially be cast on a sunlight-sensitive resource as a result of the Proposed Actions, intervening buildings within the Shadow Study Area must be accounted for. Intervening buildings could either intercept the shadow cast by the development in the With-Action Condition, or would cast shadows of their own, with or without the development of the Proposed Project. Accordingly, the breadth of such shadows must be accounted for in the detailed shadow assessment. If shadow modeling indicates the incremental shadow cast as result of the development in the With-Action Condition would fall partially or entirely within the boundary of the shadow cast by an intervening building, that portion of overlapping shadow would not be considered incremental in the detailed shadow assessment.

Pursuant to the *CEQR Technical Manual*, detailed shadow analyses were performed for the 24 sunlight-sensitive resources for the four representative days of the year. These four representative days of the year are: March 21 (equivalent to September 21), the equinoxes; May 6 (equivalent to August 6), the midpoint between the summer solstice and the equinoxes; June 21, the summer solstice and the longest day of the year; and December 21, the winter solstice and shortest day of the year. The CEQR guidelines define the shadow analysis day as 1.5 hours after sunrise to 1.5 hours before sunset. As discussed above, the detailed shadows analysis indicates the incremental shadows between the development in the No-Action and With-Action conditions.

As shown in Table D-4 below, by accounting for intervening existing buildings, incremental shadows would have the potential to reach only seven of the 24 sun-sensitive resources identified in the Tier 3 assessment (Table D-3). Increases in shadow coverage would occur at two resources on three analysis days, at one resource on two analysis days, and at four resources on one analysis day. Figures D-7 through D-15 illustrate incremental shadow coverage for the seven sunlight-sensitive resources on each day.[9]

[9] In accordance with *CEQR Technical Manual* guidelines, all times reported herein are Eastern Standard Time and do not reflect adjustments for daylight savings time that is in effect from mid-March to early November.

Table D-4: Incremental Shadow Duration on Sunlight-Sensitive Resources (With-Action Condition)

Sunlight-sensitive Resource	Shadow Enter-Exit/ Incremental Shadow Duration	Analysis Days			
		March 21	May 6	June 21	December 21
		7:36 AM – 4:29 PM	6:27 AM – 5:18 PM	5:57 AM – 6:01 PM	8:51 AM – 2:53 PM
Broadway Malls	Shadow enter-exit time	3:54 – 4:29 PM	4:47 – 5:18 PM	5:44 – 6:01 PM	-
	Incremental shadow duration	35 minutes	31 minutes	17 minutes	-
330 West 95 Street	Shadow enter-exit time	7:36 – 7:41 AM	-	-	-
	Incremental shadow duration	5 minutes	-	-	-
720 West End Avenue	Shadow enter-exit time	7:36 – 8:03 AM	6:27 – 8:15 AM	5:57 – 8:35 AM	-
	Incremental shadow duration	27 minutes	1 hour and 48 minutes	2 hours and 38 minutes	-
711 West End Avenue	Shadow enter-exit time	-	6:27 – 6:41 AM	5:57 – 6:28 AM	-
	Incremental shadow duration	-	14 minutes	31 minutes	-
306 West 94 Street	Shadow enter-exit time	-	-	5:57 – 6:16 AM	-
	Incremental shadow duration	-	-	19 minutes	-
706 West End Avenue	Shadow enter-exit time	-	-	5:57 – 6:23 AM	-
	Incremental shadow duration	-	-	26 minutes	-
743 Amsterdam Avenue	Shadow enter-exit time	-	-	5:51 – 6:01 PM	-
	Incremental shadow duration	-	-	10 minutes	-
All times are Eastern Standard Time (EST); Daylight Savings Time was not accounted for per CEQR Technical Manual guidelines.					

Broadway Malls

Broadway Malls are the medians of Broadway from Columbus Circle to West 110 Street. The malls include trees (primarily London planetrees), shrubs, ivy, and flowers, as well as decorative paving and benches.[10] The Proposed Actions would result in incremental shadows of varying duration and coverage on all analysis days except December 21. Incremental shadows would cover portions of the malls for approximately 35 minutes (from 3:54 to 4:29 PM) on March 21; 31 minutes (from 4:47 to 5:18 PM) on May 6; and 17 minutes (from 5:44 to 6:01 PM) on June 21.

March 21
As shown in Figure D-7 and Table D-4, on March 21, incremental shadows would cover approximately 0.03 acres of Broadway Malls between West 97 Street and West 96 Street beginning at 3:54 PM. Between 3:54 PM and 4:29 PM, the incremental shadows would proceed southeast. The analysis period would be complete at 4:29 PM, after which time incremental shadows no longer have the potential to be significant according to CEQR guidelines. There would be no incremental shadow coverage prior to 3:54 PM on the March 21 analysis day.

May 6
As shown in Figure D-8 and Table D-4, on May 6, incremental shadows would cover approximately 0.01 acres of Broadway Malls between West 96 Street and West 95 Street beginning at 4:47 PM. Between 4:47 PM and 5:18 PM, the incremental shadows would proceed southeast. The analysis period would be complete at 5:18 PM, after which time incremental shadows no longer have the potential to be significant according to CEQR guidelines. There would be no incremental shadow coverage prior to 4:47 PM on the May 6 analysis day.

[10] NYC Parks, *Broadway Malls* https://www.nycgovparks.org/parks/broadway-malls. Accessed June 7, 2018

June 21
As shown in Figure D-9 and Table D-4, on June 21, incremental shadows would cover less than 0.01 acres of Broadway Malls between West 96 Street and West 95 Street beginning at 5:44 PM. Between 5:44 PM and 6:01 PM, the incremental shadows would proceed southeast. The analysis period would be complete at 6:01 PM, after which time incremental shadows no longer have the potential to be significant according to CEQR guidelines. There would be no incremental shadow coverage prior to 5:44 PM on the June 21 analysis day.

Assessment

While there would be coverage of the mall cast by incremental shadows, the maximum duration would be approximately 35 minutes and would only occur at the ends of the analyses timeframes when shadows move more quickly. Incremental shadows would not be present on the mall for the morning or afternoon hours on these three analysis days and portions of the mall that would experience incremental shadows are not accessible to pedestrians; therefore, incremental shadows would not adversely impact the enjoyment or utilization of the mall. The mall would continue to receive adequate sunlight during the growing season and vegetation would not be affected. In addition, the street is already partially shaded from existing buildings. Therefore, the project-generated shadows are not anticipated to adversely impact the usability of Broadway Malls.

330 West 95 Street

The building at 330 West 95 Street is a seven story residential property located within the Riverside-West End Historic District Extension II (LP-02464) on the block bounded by West 95 Street to the north, West End Avenue to the east, West 94 Street to the south, and Joan of Arc Park to the west. Building architecture includes decorative columns, carved keystones, bowed bays with carved base, and carved plaques on the north façade that fronts on West 95 Street and are deemed architecturally significant in LPC's designation report.

The Proposed Actions would result in new incremental shadow coverage on the March 21 analysis day lasting for approximately five minutes (from 7:36 to 7:41 AM).

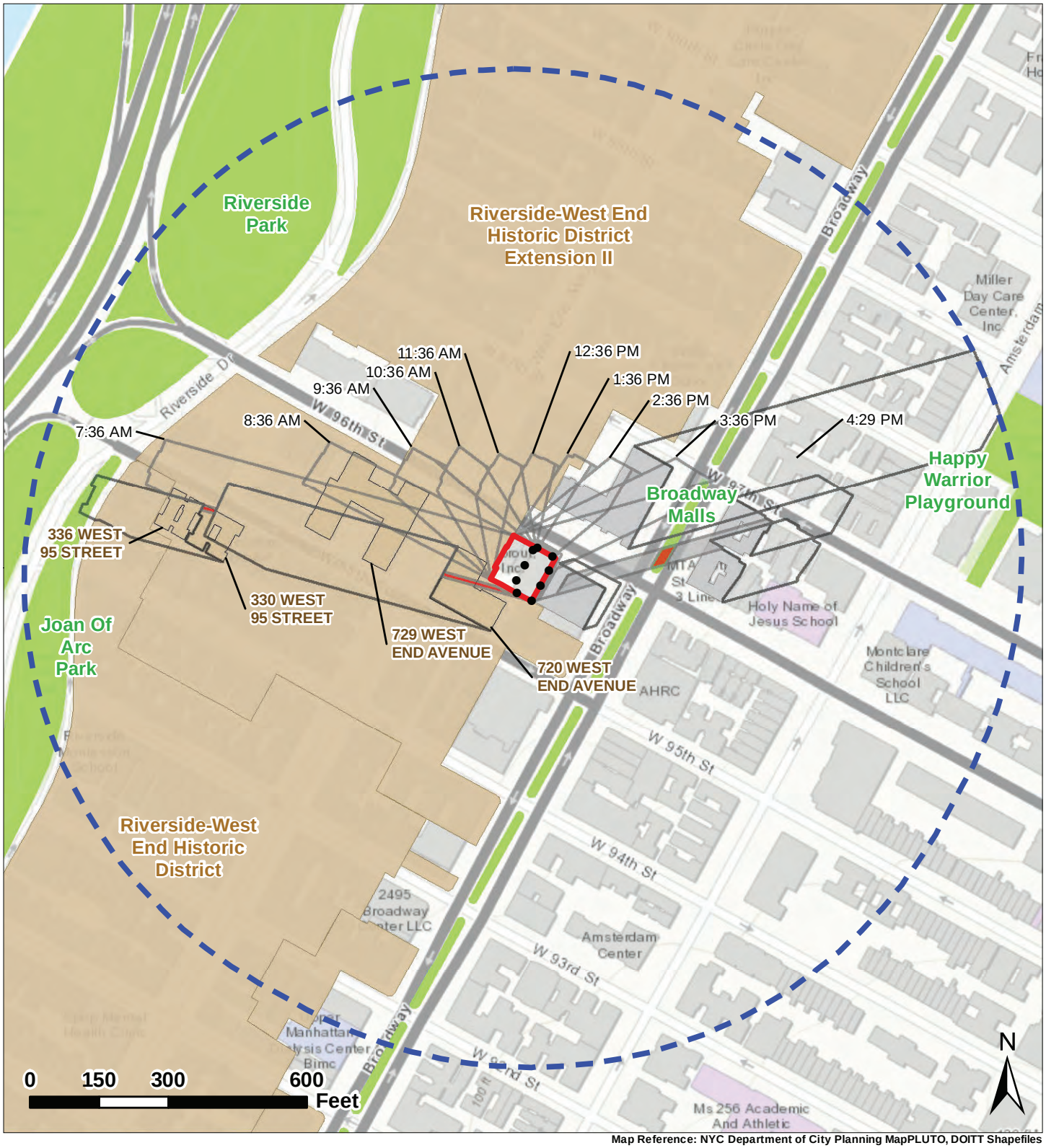
March 21
As shown in Figure D-10 and Table D-4, on March 21, incremental shadow coverage would begin on the lower portion of the northern façade of the building beginning at 7:36 AM. Between 7:36 AM and 7:41 AM, incremental shadows would move west and continue to cover only the lower portion of the northern façade of the building, but would not cover the north-facing windows. The incremental shadows would exit the building at 7:41 AM. There would be no incremental shadow on the northern façade for the remainder of the March 21 analysis day.

Assessment

On the March 21 analysis day, incremental shadows would cover a small portion of the lower façade of the building between 7:36 AM and 7:41 AM for a total of approximately five minutes. Based on the *CEQR Technical Manual* guidelines, an incremental shadow that lasts less than 10 minutes at any time of year is generally not considered significant. Therefore, project-generated incremental shadow coverage is not expected to adversely impact 330 West 95 Street.

266-270 WEST 96 STREET

FIGURE D-7
DETAILED MARCH 21 ASSESSMENT



Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

- Shadow Study Area
- Disposition Site
- Development Site
- Surrounding Building Shadow
- No-Action Condition Shadow
- Incremental Shadow
- Incremental Shadow on Resource
- Sunlight Sensitive Open Space
- Historic District

UPPER WEST SIDE, MANHATTAN, NY

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266-270 WEST 96 STREET

FIGURE D-8
DETAILED MAY 6 ASSESSMENT

Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

- Shadow Study Area
- Disposition Site
- Development Site
- No-Action Condition Shadow
- Incremental Shadow
- Incremental Shadow on Resource
- Sunlight Sensitive Open Space
- Historic District

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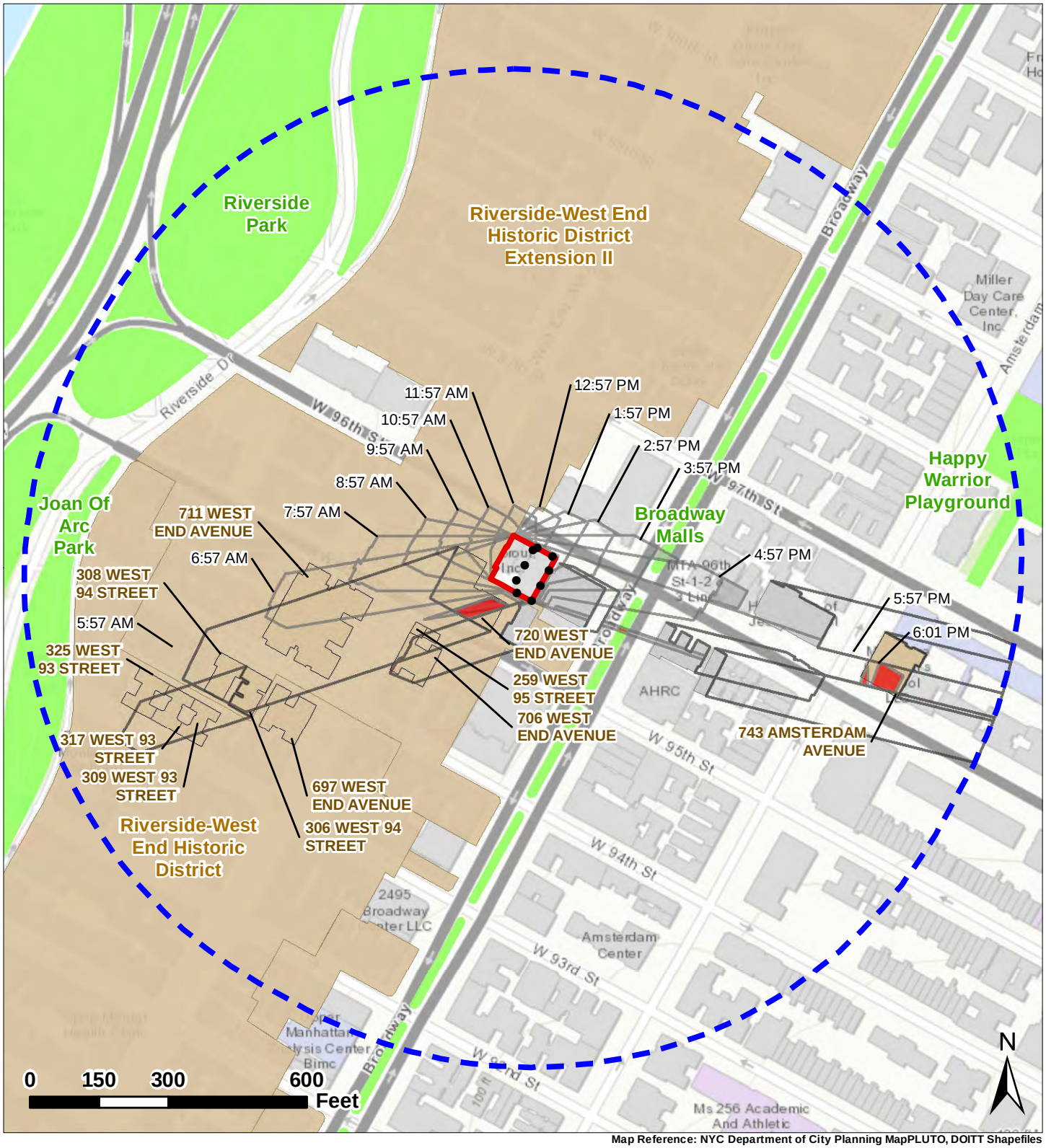
FIGURE D-9

266-270 WEST 96 STREET

DETAILED JUNE 21 ASSESSMENT



Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

- Shadow Study Area
- Disposition Site
- Development Site
- Surrounding Building Shadow
- No-Action Condition Shadow
- Incremental Shadow
- Incremental Shadow on Resource
- Sunlight Sensitive Open Space
- Historic District

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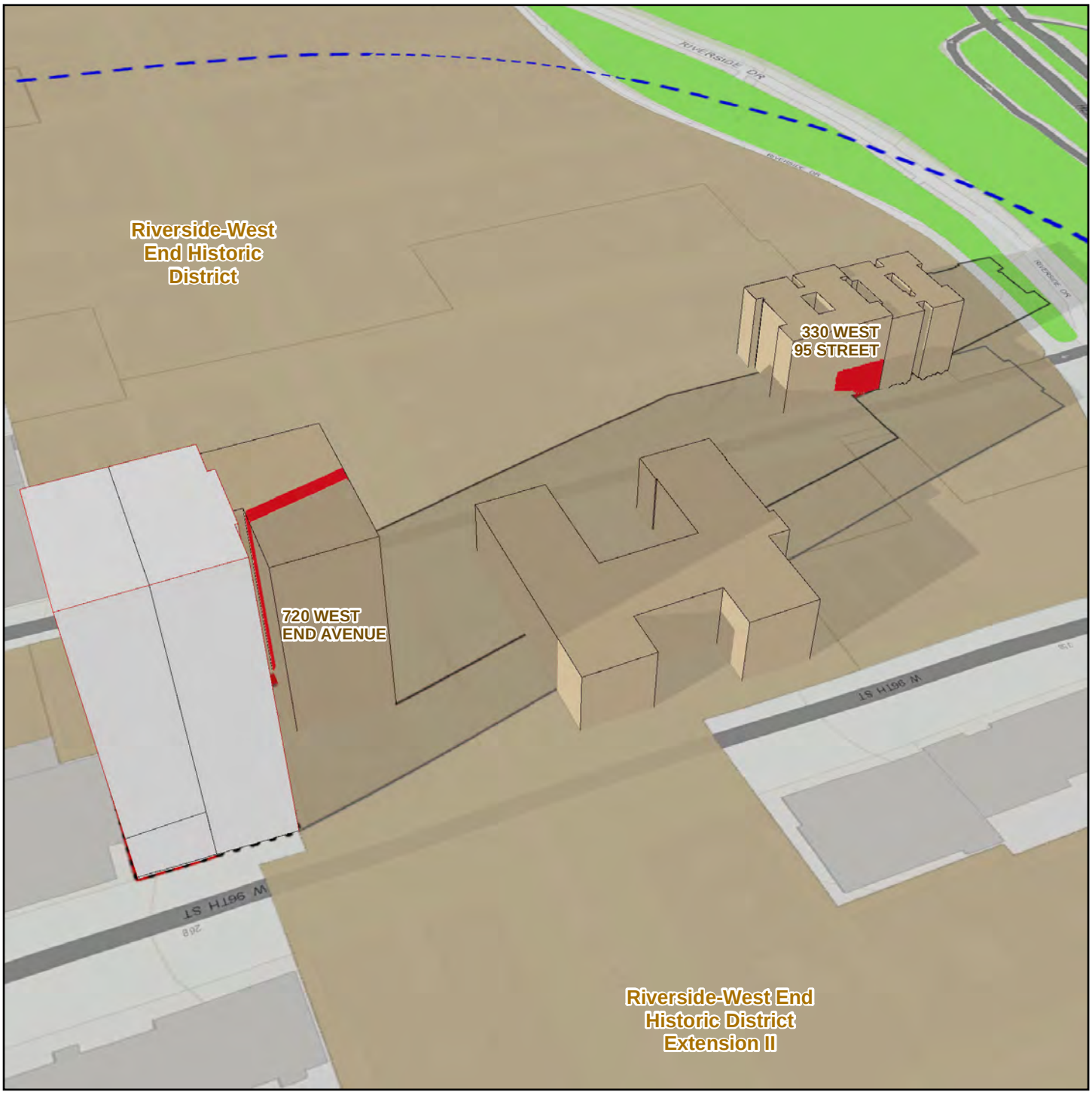
266-270 WEST 96 STREET

FIGURE D-10
DETAILED MARCH 21 ASSESSMENT



Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

- Shadow Study Area
- Disposition Site
- Development Site
- No-Action Condition Shadow
- Historic District
- Sunlight Sensitive Open Space
- Existing Intervening Building Shadow
- Incremental Shadow on Resource

UPPER WEST SIDE, MANHATTAN, NY

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720 West End Avenue

The building at 720 West End Avenue is a 15 story residential property located within the Riverside-West End Historic District Extension II (LP-02464) on the block bounded by West 96 Street to the north, Broadway to the east, West 95 Street to the south, and West End Avenue to the west. Building architecture includes carved lintels above the entrance, fourth story windows with balconettes, fourth, 13, and 14 story windows with full carved surrounds, and a pediment broken by a decorated lintel. The development in the With-Action Condition would result in new incremental shadows of varying duration and coverage on all analysis days except December 21. Incremental shadows would cover a portion of the building for approximately 27 minutes (from 7:36 to 8:03 AM) on March 21; 1 hour and 48 minutes (from 6:27 to 8:15 AM) on May 6; and 2 hours and 38 minutes (from 5:57 to 8:35 AM) on June 21.

March 21
As shown in Figure D-10 and Table D-4, on March 21, incremental shadow would begin to cover the eastern façade and roof of the building beginning at 7:36 AM. Between 7:36 AM and 8:03 AM, incremental shadows would move north and continue to cover a portion of the eastern façade and roof of the building. The incremental shadow would exit the building at 8:03 AM. There would be no incremental shadow coverage for the remainder of the March 21 analysis day.

May 6
As shown in Figure D-11 and Table D-4, on May 6, incremental shadow would begin to cover the northern and eastern façades and roof of the building beginning at 6:27 AM. Between 6:27 AM and 8:15 AM, incremental shadows would move west and continue to cover a portion of the northern and eastern façades and roof of the building. The incremental shadows would exit the building at 8:15 AM. There would be no incremental shadow coverage for the remainder of the May 6 analysis day.

June 21
As shown in Figure D-12 and Table D-4, on June 21, incremental shadow would begin on the northern and eastern façades and roof of the building 5:57 AM. Between 5:57 AM and 8:35 AM, incremental shadows would move west and continue to cover a portion of the northern and eastern façades and roof of the building. The incremental shadow would exit the building at 8:35 AM. There would be no incremental shadow coverage for the remainder of the June 21 analysis day.

Assessment

On all three analysis days, incremental shadows would generally start to cover the building in the morning hours between approximately 5:57 AM and 7:36 AM. Throughout the remaining morning hours, afternoon, and evening, the building would not be covered by the incremental shadow of the proposed building.

The L-shaped building fronts West End Avenue and extends east along West 95 Street. The northern and eastern façades of the rear portion of the building are adjacent to the proposed development site. 720 West End Avenue contains windows for each unit on all exposed façades, including the rear. The rear of the building includes an unadorned façade of yellow and white brick with none of the architectural features located on the primary façade along West End Avenue.

Based on *CEQR Technical Manual* guidelines, the building does not contain any sunlight-sensitive architectural features on the façades or roof. Incremental shadows would only be cast a portion of the northern and eastern windows on the north and east façades of the building in the morning hours at the beginning of the analysis period.

Although incremental shadows would shade the northern and eastern facing window openings of the building on three analysis days, according to *CEQR Technical Manual* guidelines, windows are not considered sunlight-sensitive features. Therefore, project-generated incremental shadow coverage is not anticipated to adversely impact 720 West End Avenue; therefore, no significant adverse impacts from shadows are anticipated.

706 West End Avenue

The building at 706 West End Avenue is a 15 story residential property located within the Riverside-West End Historic District Extension II (LP-02464) on the block bounded by West 95 Street to the north, Broadway to the east, West 94 Street to the south, and West End Avenue to the west. The building architecture includes a carved lintel above the entrance, second, sixth, and 10 story windows with balconettes, and 14, and 15 story windows with full carved surrounds.

The development in the With-Action Condition would result in new incremental shadows on the June 21 analysis day at 706 West End Avenue. Incremental shadows would cover a portion of the building for a duration of approximately 26 minutes (from 5:57 to 6:23 AM) on June 21.

June 21
As shown in Figure D-12 and Table D-4, on June 21, incremental shadow coverage would begin to cover the northern façade and roof of the building beginning at 5:57 AM. Between 5:57 AM and 6:23 AM, incremental shadows would move west and continue to cover a portion of the roof of the building. The incremental shadows would exit the building at 6:23 AM. There would be no incremental shadow coverage for the remainder of the June 21 analysis day.

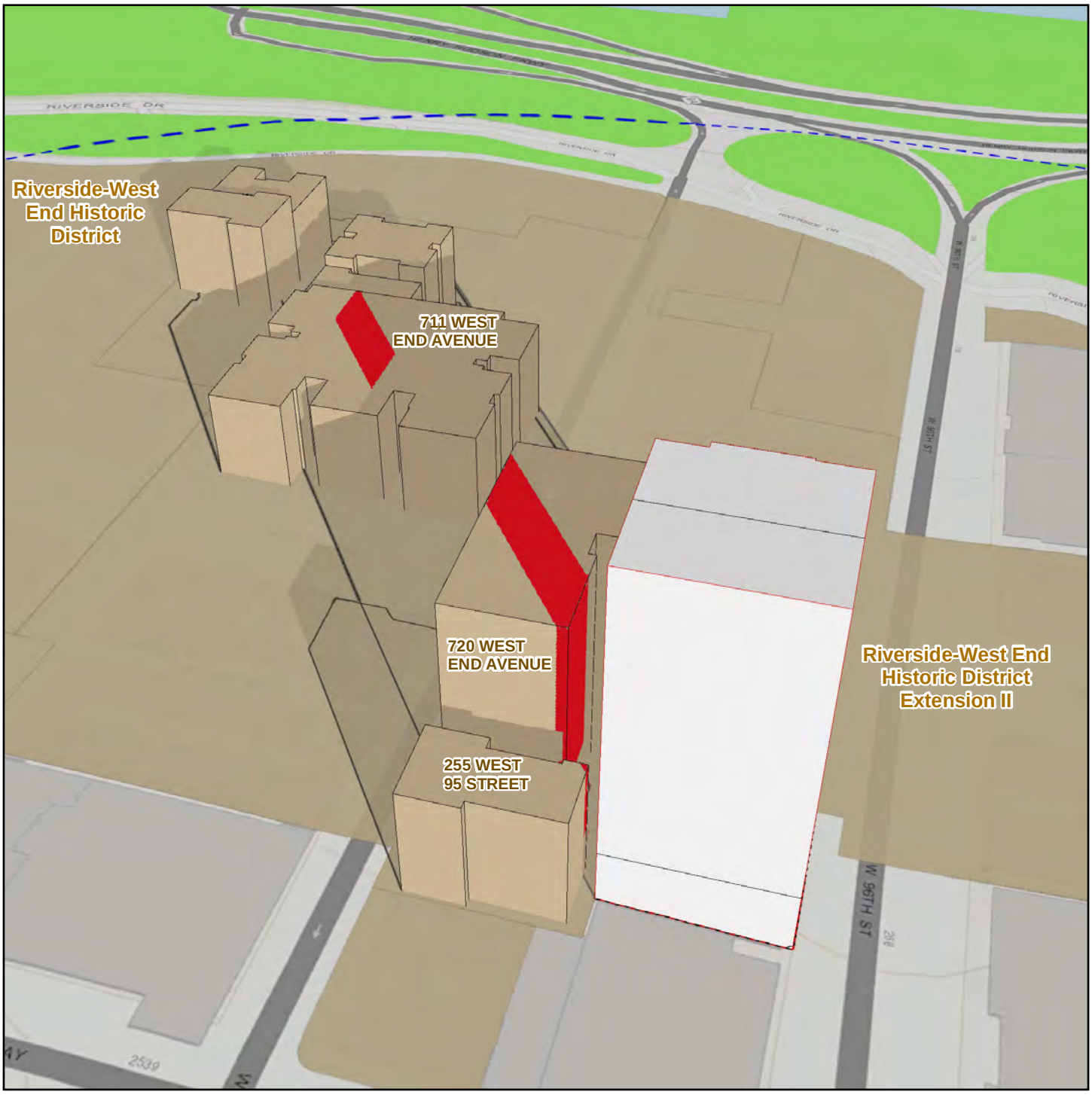
Assessment

On the June 21 analysis day, incremental shadows would start to cover the building in the morning at approximately 5:57 AM and exit the building at 6:23 AM. Throughout the remaining morning hours, afternoon, and evening, the building would not be covered by the incremental shadow of the proposed building.

The building fronts West End Avenue with the northern side façade of the building facing the Project Site. The northern façade of the building does not contain the architectural features that are included on the front of the building nor does it contain windows. Based on the *CEQR Technical Manual* guidelines, the building does not contain any sunlight-sensitive architectural features on the northern façade or roof. Therefore, project-generated incremental shadow coverage is not anticipated to adversely impact the building at 706 West End Avenue; therefore, no significant adverse impacts from shadows are anticipated.

266-270 WEST 96 STREET

FIGURE D-11
DETAILED MAY 6 ASSESSMENT



Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

- Shadow Study Area
- Disposition Site
- Development Site
- No-Action Condition Shadow
- Historic District
- Sunlight Sensitive Open Space
- Existing Intervening Building Shadow
- Incremental Shadow on Resource

UPPER WEST SIDE, MANHATTAN, NY

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711 West End Avenue

The building at 711 West End Avenue is a seven story residential property located within the Riverside-West End Historic District Extension II (LP-02464) on the block bounded by West 95 Street to the north, West End Avenue to the east, West 94 Street to the south, and Joan of Arc Park to the west. The building includes a red brick façade with street facing windows in each residential unit.

The development in the With-Action Condition would result in new incremental shadows of varying duration and coverage on the May 6 and June 21 analysis days. Incremental shadows would cover a portion of the building for a duration of approximately 14 minutes (from 6:27 to 6:41 AM) on May 6; and 31 minutes (from 5:57 to 6:28 AM) on June 21.

May 6
As shown in Figure D-11 and Table D-4, on May 6, incremental shadow coverage would begin to cover the roof of the building with no architecturally significant features beginning at 6:27 AM. Between 6:27 AM and 6:41 AM, incremental shadows would move west and continue to cover a portion of the roof of the building. The incremental shadows would exit the building at 6:41 AM. There would be no incremental shadow coverage for the remainder of the May 6 analysis day.

June 21
As shown in Figure D-12 and Table D-4, on June 21, incremental shadow coverage would begin to cover the roof of the building with no architecturally significant features beginning at 5:57 AM. Between 5:57 AM and 6:28 AM, incremental shadows would move west and continue to cover a portion of the roof of the building. The incremental shadows would exit the building at 6:28 AM. There would be no incremental shadow coverage for the remainder of the June 21 analysis day.

Assessment

On May 6 and June 21 analysis days, incremental shadows would start to cover only the roof of the building in the morning between 5:57 AM and 6:27 AM. Shadows would exit the roof of the building at approximately 6:41 AM and 6:28 AM, respectively. No facades of the building would experience any incremental shadow. Throughout the remainder of the analysis days, the building would not experience incremental shadows from the proposed building.

Based on the *CEQR Technical Manual* guidelines, the building *roof* does not contain any sunlight-sensitive architectural features. Therefore, project-generated incremental shadow coverage is not anticipated to adversely impact the building at 711 West End Avenue; therefore, no significant adverse impacts from shadows are anticipated.

306 West 94 Street

The building at 306 West 94 Street is a seven story residential property located within the Riverside-West End Historic District Extension II (LP-02464) on the block bounded by West 94 Street to the north, West End Avenue to the east, West 93 Street to the south, and Joan of Arc Park to the west. The building architecture includes stained-glass windows and sidelights with carved corbels at the street-level entrance, entablature with a carved frieze and panels, double segmental-arched windows with eared surround decorated with cartouches and carved mullions, and a modillioned cornice with fluted frieze.

The development in the With-Action Condition would result in new incremental shadows at 306 West 94 Street only on the June 21 analysis day. Incremental shadows would cover only the upper portion of the building for approximately 19 minutes (from 5:57 to 6:16 AM).

June 21
As shown in Figure D-12 and Table D-4, on June 21, the incremental shadow enters the building beginning at 5:57 AM and until 6:16 AM, the incremental shadow would move west and continue to cover a portion of the northern façade and roof of the building. The incremental shadow would exit the building at 6:16 AM. There would be no incremental shadow coverage for the remainder of the June 21 analysis day.

Assessment

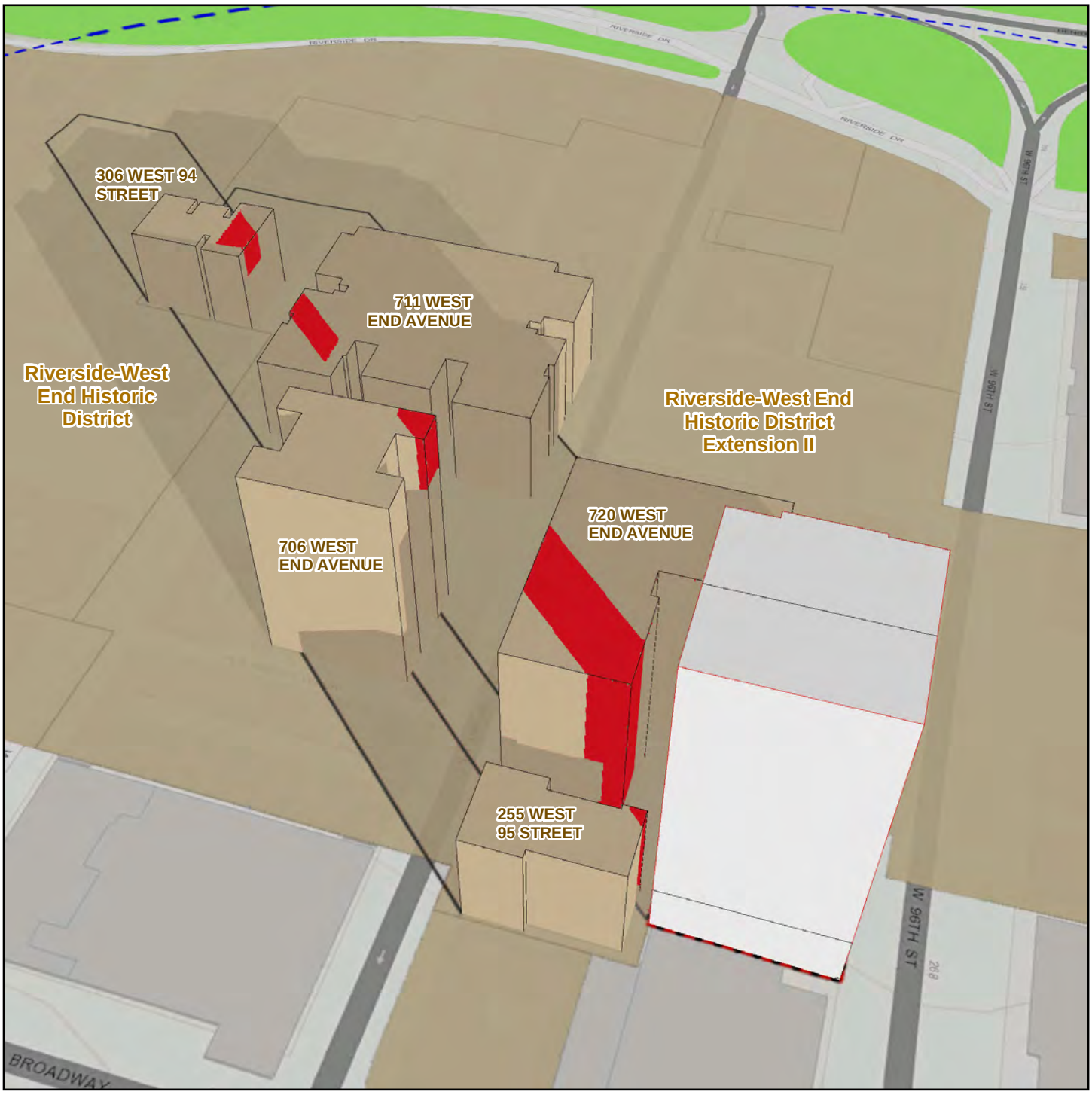
On the June 21 analysis day, incremental shadows would encroach on the upper façade and roof of the building at 5:57 AM and exit at 6:16 AM. Throughout the remaining morning hours, afternoon, and evening, no incremental shadow would reach the building.

The building fronts West 94 Street, facing north toward the Project Area and contains a modillioned cornice with fluted frieze and stained-glass windows at ground level among other potentially sunlight-sensitive architectural features as described above.

Incremental shadows would reach only a portion of the top of the façade of the building due to existing intervening buildings and would not impinge upon the stained glass window at any time during the analysis day. Although incremental shadows would partially shade a portion of the cornice at the top of the building on the June 21 analysis day, the total transit time of the incremental shadow is only 19 minutes. Therefore, project-generated incremental shadow coverage is not anticipated to adversely impact the building at 306 West 94 Street; therefore, no significant adverse impacts from shadows are anticipated.

266-270 WEST 96 STREET

FIGURE D-12
DETAILED JUNE 21 ASSESSMENT



Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

- Shadow Study Area
- Disposition Site
- Development Site
- No-Action Condition Shadow
- Historic District
- Sunlight Sensitive Open Space
- Existing Intervening Building Shadow
- Incremental Shadow on Resource

UPPER WEST SIDE, MANHATTAN, NY

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743 Amsterdam Avenue

The building at 743 Amsterdam Avenue is a three story commercial, LPC-designated property (LP-01980) on the block bounded by West 97 Street to the north, Columbus Avenue to the east, West 96 Street to the south, and Amsterdam Avenue to the west. The building architecture includes double-height windows, decorative columns, and a modillioned cornice. The development in the With-Action Condition would result in new incremental shadows on the building only on the June 21 analysis day. Incremental shadows would cover a portion of the building for approximately 10 minutes (from 5:51 to 6:01 PM).

June 21
As shown in Figure D-13 and Table D-4, on June 21, incremental shadows would cover small portions of the southern and western façades of the building beginning at 5:51 PM. Between 5:51 PM and 6:01 PM, the incremental shadows would proceed southeast, exiting the building at 6:01 PM. There would be no incremental shadow coverage prior to 5:51 PM on the June 21 analysis day.

Assessment

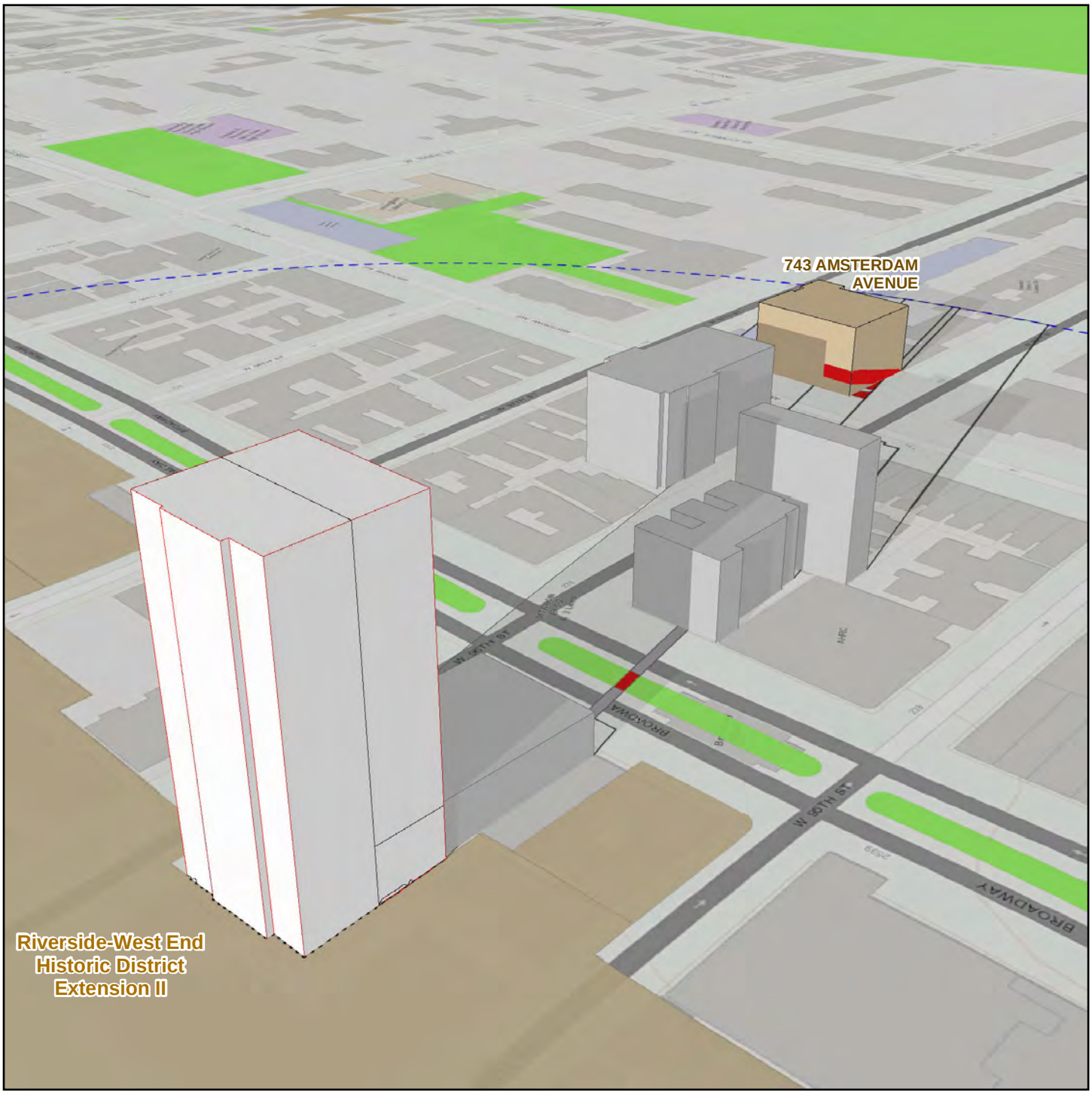
On the June 21 analysis day, incremental shadows would enter the building in the evening at approximately 5:51 PM. Throughout the morning, afternoon, and earlier evening hours, the building would not receive incremental shadow coverage.

The building fronts Amsterdam Avenue with the western and southern façades of the building facing the Project Site. The building contains three southern facing windows and nine western-facing windows. The double-height windows line the exposed façade of the building and are separated by decorative columns. Incremental shadows would cover only portions of two western windows and portions of the southern windows beginning at 5:51 PM on the June 21 analysis day.

Although incremental shadows would shade the two western-facing windows and all the southern-facing window openings of the building on the June 21 analysis day, according to *CEQR Technical Manual* guidelines, windows are not considered sunlight-sensitive features. Therefore, project-generated incremental shadow coverage is not anticipated to adversely impact 743 Amsterdam Avenue; therefore, no significant adverse impacts from shadows are anticipated.

266-270 WEST 96 STREET

FIGURE D-13
DETAILED JUNE 21 ASSESSMENT



Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

- Shadow Study Area
- Disposition Site
- Development Site
- No-Action Condition Shadow
- Historic District
- Sunlight Sensitive Open Space
- Existing Intervening Building Shadow
- Incremental Shadow on Resource

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CONCLUSION

The development in the With-Action Condition would have the potential to generate incremental shadows on sunlight-sensitive resources. The only open space resource assessed is Broadway Malls because incremental shadows would be cast on the Malls. However, due to the short duration of incremental shadow coverage and the existing shading on the mall, the incremental shadows would not result in a significant adverse impact on the usability and enjoyment of the open space resource.

Historic resources that have the potential to be shaded include 330 West 95 Street, 720 West End Avenue, 711 West End Avenue, 306 West 94 Street, 706 West End Avenue, and 743 Amsterdam Avenue. All of the historic resources under consideration would be shaded to some extent by incremental shadows. However, four of these resources (720 West End Avenue, 711 West End Avenue, 706 West End Avenue, and 743 Amsterdam Avenue) would not experience any incremental shadow on sunlight-sensitive architectural features. Rather, incremental shadows would be anticipated to fall on roofs or other non-sensitive portions of those buildings. With respect to the other two historic resources (330 West 95 Street and 306 West 94 Street), the duration of incremental shadows on sunlight-sensitive architectural features is anticipated to be too short to result in significant adverse effects.

Based on the detailed assessment, the development in the With-Action Condition would not be anticipated to result in any significant adverse impacts resulting from project-generated incremental shadows. However, the Church of the Holy Name of Jesus that was identified in LPC's correspondence dated February 5, 2019 will be included in the shadow assessment in an EIS to evaluate incremental project-generated shadows on this recently identified resource.

ATTACHMENT E: HISTORIC AND CULTURAL RESOURCES

INTRODUCTION

The *CEQR Technical Manual* identifies architectural resources as historically important buildings, structures, objects, sites, and districts. These include buildings and properties designated as a New York City Landmark (NYCL) by the New York City Landmarks Preservation Commission (LPC); properties listed on the State/National Register of Historic Places (S/NR) or contained within a district listed on or formally determined eligible for S/NR listing; properties recommended by the New York State Board for Historic Preservation for listing on the S/NR; National Historic Landmarks (NHL) designated by the U.S. Secretary of the Interior; and properties not identified by one of the programs listed above, but that meet their eligibility requirements. A historic district is a geographically defined area that possesses a significant concentration of associated buildings, structures, urban landscape features, or archaeological sites, united historically or aesthetically by plan and design or physical development and historical and/or architectural relationships.

In Title 36 of the Code of Federal Regulations Part 60 (36 CFR Part 60), the U.S. Secretary of the Interior has established criteria for listing on the S/NR that consider whether the districts, sites, buildings, structures, or objects represent a significant part of the history, architecture, archaeology, engineering, and culture of an area and possess integrity of location, design, setting, materials, workmanship, feeling, and association. In order to be listed on the S/NR, the resource must meet one of the following criteria: (i) be associated with events that have made a significant contribution to the broad patterns of our history; (ii) be associated with the lives of persons significant in our history; (iii) embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or (iv) have yielded, or may be likely to yield, information important in prehistory or history.[11]

Archaeological resources are defined in the *CEQR Technical Manual* as physical remains, usually subsurface, such as burials, foundations, artifacts, wells, and privies of the prehistoric, Native American, and historic periods.

According to the *CEQR Technical Manual*, an assessment of potential effects on architectural resources is typically required if a proposed project would result in the following:

- New construction, demolition, or significant physical alteration to any building, structure, or object;
- A change of scale, visual prominence, or visual context of a historic resource. The *CEQR Technical Manual* describes visual prominence as generally the way in which a historic resource is viewed. Visual context includes the character of the surrounding built or natural environment;

[11] 36 CFR Part 60.4, Criteria for Evaluation

- Additions to or significant removal, grading, or replanting of significant historic landscape features;
- Screening or elimination of publicly accessible views; or
- Introduction of significant new shadows or significant lengthening of the duration of existing shadows on an historic landscape or on an historic structure whose significant features depend on sunlight.

METHODOLOGY

Based on *CEQR Technical Manual* guidelines, the first step in evaluating if a proposed project may affect historic resources is to consider what area the project might affect and then identify historic resources, whether officially recognized or eligible for such recognition, within that area. Accordingly, to assess the potential effects of the Proposed Actions on historic resources, an inventory of historic resources within a 400-foot radius of the Directly Affected Area (Study Area) was compiled using the State Historic Preservation Office's (SHPO) Cultural Resource Information System (CRIS) database and LPC's Discover NYC Landmarks online map. The inventory was supported through consultation with LPC in the form of an environmental review request for comment on the architectural and archaeological significance of the Proposed Project and potential historic resources in the Study Area. All correspondence with LPC is included in Appendix C, "Agency Correspondence."

The following assessment addresses potential effects on historic architectural and archaeological resources.

EXISTING CONDITIONS

Directly Affected Area

The project site contains a former Interborough Rapid Transit (IRT) substation that LPC has indicated appears eligible for LPC exterior designation and S/NR listing.

Former Substation No. 14 at 266 West 96th Street on the Disposition Site is a decommissioned electrical substation that was built as part of Contract 1 of the IRT subway system, the City's first subway that opened in 1904. As part of Contract 1, one powerhouse was constructed at Eleventh Avenue and West 59th Street, with eight additional substations built along the subway line. The IRT subway line runs from South Ferry through Manhattan and into the Bronx. The substation was designed by Paul C. Hunt, an IRT architect.

Of the eight substations, six (6) are extant and two (2) have been demolished:

Table E-1: IRT Contract 1 Substations

Substation	Address	Status
11	29-33 City Hall Place	Replaced and relocated by 1917 to current location at 122 Park Row
12	108-110 East 19th Street	Extant
13	225-227 West 53rd Street	Extant
14	264-266 West 96th Street	Extant/On project site
15	606-608 West 143rd Street	Extant
16	73-77 West 132nd Street	Demolished circa 2009
17	129 Hillside Avenue	Extant
18	1043 Simpson Street, Bronx	Extant

Former Substation No. 14 is a four-story building clad on its front-facing façade in limestone and with limestone and terra cotta Beaux Arts ornamentation. It is designed with two large arched openings at street level with double height copper framed windows. Above the windows are cartouches bordered by foliage, and the building is capped by a heavy and ornate bracketed and modillioned cornice. This substation constitutes one of six substations that are of the same design and appearance—four stories with limestone facades and detailed Beaux Arts ornament (Nos. 12-15, No. 16 which has been demolished, and No. 18). As part of the NYC Landmarks Preservation Commission (LPC)'s CEQR review of the proposed project, LPC issued comments dated July 30, 2018 indicating that the substation at 266 West 96th Street appears eligible for New York City Landmark exterior (NYCL) designation and State/National Register of Historic Places (S/NR) listing.

Study Area

As listed in Table E-2 and shown in Figure E-1, the Study Area contains 21 historic resources that are designated as NYCLs by LPC, and/or listed on the S/NR. These historic resources include two historic districts (Riverside-West End Historic District and the Riverside-West End Historic District Extension II) as well as individually landmarked buildings.

On the west and south, the Directly Affected Area is directly adjacent to the LPC-designated Riverside-West End Historic District Extension II which includes four historic resources adjacent to the Directly Affected Area: 255 West 95th Street, 720 West End Avenue, 732 West End Avenue, 734 West End Avenue, and 736 West End Avenue.

Table E-2: Historic Resources within the Study Area

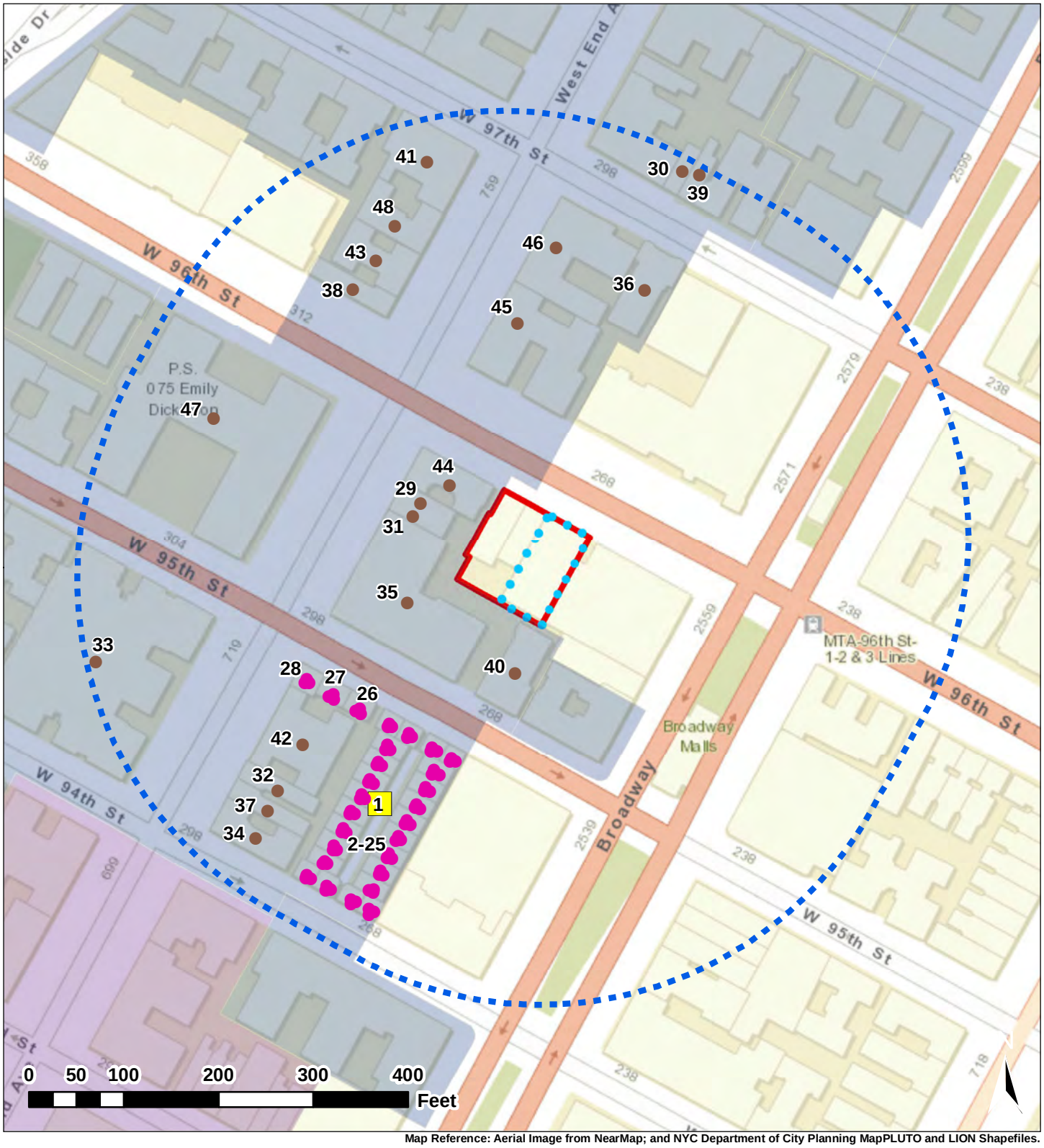
No.	Historic Resource	Location (New York, NY)	BIN Number	Designation
1	Pomander Walk District	259 West 95 Street	-	S/NR Listed (90NR00836)
2	Pomander Walk	259 West 95 Street	1080415 1080414 1080413 1080423 1080412 1080422 1080424 1080421 1080425 1080420 1080426 1080419 1080427 1080418 1080428 1080417 1080429 1080416 1080430 1080406 1080405 1080431 1085744 1085745 1083297 1083298 1083299	Designated as part of NYC Individual Landmark (LP-1279)
3	732- 734 West End Avenue	732-734 West End Avenue	1033716	Designated as part of NYC Historic District (LP-2464)
4	259 West 97 Street	259 West 97 Street	1056388	Designated as part of NYC Historic District (LP-2464)
5	704 West End Avenue	704 West End Avenue	1033675	Designated as part of NYC Historic District (LP-2464)
6	711 West End Avenue	711 West End Avenue	1034181	Designated as part of NYC Historic District (LP-2464)
7	700 West End Avenue	700 West End Avenue	1033673	Designated as part of NYC Historic District (LP-2464)
8	720 West End Avenue	720 West End Avenue	1033691	Designated as part of NYC Historic District (LP-2464)
9	256 West 97 Street	256 West 97 Street	1056065	Designated as part of NYC Historic District (LP-2464)
10	702 West End Avenue	702 West End Avenue	1033674	Designated as part of NYC Historic District (LP-2464)
11	739 West End Avenue	739 West End Avenue	1057057	Designated as part of NYC Historic District (LP-2464)
12	257 West 97 Street	257 West 97 Street	1056373	Designated as part of NYC Historic District (LP-2464)
13	255 West 95 Street	255 West 95 Street	1033692	Designated as part of NYC Historic District (LP-2464)
14	755 West End Avenue	755 West End Avenue	1057060	Designated as part of NYC Historic District (LP-2464)
15	706 West End Avenue	706 West End Avenue	1033688	Designated as part of NYC Historic District (LP-2464)
16	741 West End Avenue	741 West End Avenue	1057058	Designated as part of NYC Historic District (LP-2464)

No.	Historic Resource	Location (New York, NY)	BIN Number	Designation
17	736 West End Avenue	736 West End Avenue	1033712	Designated as part of NYC Historic District (LP-2464)
18	740 West End Avenue	740 West End Avenue	1056059	Designated as part of NYC Historic District (LP-2464)
19	752 West End Avenue	752 West End Avenue	1056066	Designated as part of NYC Historic District (LP-2464)
20	729 West End Avenue	729 West End Avenue	1034190	Designated as part of NYC Historic District (LP-2464)
21	747 West End Avenue	747 West End Avenue	1057059	Designated as part of NYC Historic District (LP-2464)
22	IRT Substation 14	264 – 266 West 96 Street	1033709	Appears to be eligible for LPC designation and S/NR listing

Source: SHPO's Cultural Resource Information System (CRIS) (https://cris.parks.ny.gov; Accessed on July 03, 2018)
LPC's Discover NYC Landmarks Online Map
(http://nyclpc.maps.arcgis.com/apps/webappviewer/index.html?id=93a88691cace4067828b1eede432022b; Accessed on July 03, 2018)
Resource 22: LPC letter dated July 30, 2018

FIGURE E-1

266-270 WEST 96 STREET HISTORIC AND CULTURAL RESOURCES



Map Reference: Aerial Image from NearMap; and NYC Department of City Planning MapPLUTO and LION Shapefiles.

- Directly Affected Area
- Disposition Site
- Study Area (400-foot radius)
- Riverside-West End Historic District
- Riverside-West End Historic District Extension II
- Individual Landmark Building
- S/NR Resources
- Historic District Building

UPPER WEST SIDE, MANHATTAN, NY

LANGAN

ASSESSMENT

The following section assesses the Proposed Actions potential to result in significant adverse impacts on architectural and archeological resources.

Architectural Resources

Direct Effects

According to the *CEQR Technical Manual*, direct effects on architectural resources occur when a project results in new construction, demolition, or significant physical alteration to any landmarked or landmark eligible historic building, structure, or object.

In a letter dated 30 July 2018, the LPC determined that the existing structure on Lot 57 – IRT Substation No. 14 – "appears LPC and S/NR eligible." In the With-Action Condition, the Disposition Site and Privately Owned Sites would be demolished and replaced with a 23-story (235 feet) building containing residential and community facility uses. In a letter dated 5 February 2019, the LPC determined that the demolition of the existing structure on Lot 57 – IRT Substation No. 14 – "appears to constitute a significant adverse impact as per the CEQR Technical Manual." Accordingly, it is necessary to analyze the potential impacts of the Proposed Actions on historic architectural resources, and an assessment of historic architectural resources will be provided in the Environmental Impact Statement (EIS).

Indirect Effects

According to the *CEQR Technical Manual*, a project may result in adverse indirect effects on historic resources when it affects the visual context and if the change is likely to alter or eliminate the significant characteristics of the resource that make it an important resource. Indirect effects include introduction of incompatible visual elements to a resource's setting, project-generated shadows, or other effects on historic resources in the study area once construction is completed.

In the No-Action Condition, the Privately Owned Sites (Lots 59 and 60) would be redeveloped with a 22-story (235-foot) residential building. No development would occur on the Disposition Site; therefore, Lot 57 would continue to be occupied by the existing 4-story (50 feet) building.

In the With-Action Condition, the existing buildings on Lots 57, 59, and 60 would be demolished and the site would be redeveloped with a 23-story (235 feet) building containing residential and community facility uses. The development in the With-Action Condition would comply with the as-of-right building street wall, building height, and setback requirements of the existing R10A district and would not result in any incremental building height increase on Lots 59 and 60. However, because no new development would occur on the Lot 57 in the No-Action Condition, there would be an incremental building height increase of approximately 185 feet on Lot 57.

To ensure protection of adjacent historic resources, all construction activities in the Directly Affected Area would follow the guidelines and procedures of the DOB's TPPN#10/88 to avoid any damage to any historic structures within 90 feet. In addition, an LPC-approved Construction Protection Plan (CPP) would be developed to ensure the protection of adjacent historic structures during construction, including: 255 West 95th Street, 720 West End Avenue, 732 West End Avenue, and 736

West End Avenue—all of which are individual LPC designated historic resources within the Riverside-West End Historic District Extension II.

As described in "Attachment D: Shadows," a detailed analysis was conducted for potential project-generated shadow effects. The results of the detailed analysis determined that the Proposed Actions would not result in any potentially adverse shadow impacts on either open space resources or architectural resources.

Based on this information, the Proposed Actions would not result in any potentially significant indirect impacts on architectural resources. However, in a letter dated 5 February 2019, the LPC determined that there is an additional sunlight-sensitive architectural resource (the Church of the Holy Name of Jesus, 718 Amsterdam Avenue), which appears to be S/NR eligible, in the Shadow Study Area. Accordingly, an assessment of the indirect shadow effects of the Proposed Actions on this resource will be provided in the EIS.

Archaeological Resources

According to the New York City Zoning and Land Use (ZoLa) and the SHPO CRIS database, the Directly Affected Area is not within an Archeological Sensitive Area. In its determination letter dated 30 July 2018, LPC further confirmed that the Directly Affected Area is not within an Archaeological Sensitive Area. Additionally, all lots within the Directly Affected Area have been previously disturbed to an unknown depth and subsequently improved.

Based on this information, the Proposed Actions would not result in any potentially significant adverse impacts to archaeological resources; therefore, no further analysis is necessary.

CONCLUSION

The Proposed Actions would facilitate the development of the Proposed Project, which would involve the demolition of IRT Substation No. 14 on Lot 57. According to the LPC (Appendix C), because IRT Substation No. 14 appears to be eligible for both LPC designation and S/NR listing, the demolition of the structure appears to constitute a significant adverse impact. Based on this information, the Proposed Actions would have the potential to result in a significant adverse impact to historic architectural resources; therefore, further analysis is warranted in an EIS.

ATTACHMENT F: HAZARDOUS MATERIALS

INTRODUCTION

The *CEQR Technical Manual* defines hazardous materials as substances that pose a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semivolatile organic compounds (VOCs, including petroleum constituents and chlorinated solvents, and SVOCs), methane, polychlorinated biphenyls (PCBs), and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic).

The potential for significant impacts from hazardous materials occurs when elevated levels of hazardous materials exist on a site and an action would increase pathways to their exposure to humans and the environment, or an action would introduce new activities or processes using hazardous materials. Potential routes of exposure to hazardous materials can include: direct contact, *e.g.,* contact between contaminated soil and skin (dermal contact); breathing of VOCs or chemicals associated with suspended soil particles (inhalation); and/or swallowing soil or water (ingestion). Public health may also be threatened when soil vapors migrate through the subsurface and/or along preferential pathways (*e.g.,* building foundations, utility conduits, or duct work) and accumulate beneath a concrete slab or inside a basement, resulting in an explosive, oxygen-deficient, or hazardous atmosphere.[12]

METHODOLOGY

In accordance with *CEQR Technical Manual* guidelines, the first step in evaluating the presence of potentially hazardous materials on the site is to conduct a Phase I Environmental Site Assessment (ESA). Typically, a Phase I ESA is conducted to provide a qualitative evaluation of environmental conditions within a particular area.

In February 2018, a Phase I ESA Report was prepared for the Directly Affected Area (Block 1243, Lots 57, 59, and 60) to disclose and identify recognized hazardous substances or petroleum products that indicate an existing release, a past release, or a material threat of a release into structures on the Directly Affected Area or into the ground, groundwater, or surface water of the property. The findings of the Phase I ESA are summarized below.

PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA)

A Phase I ESA was conducted on the Directly Affected Area in December 2017 by Langan Engineering, Environmental, Surveying, Landscape Architecture, and Geology D.P.C. ("Langan") and was published in February 2018. The Phase I ESA was prepared in accordance with the ASTM Practice E1527-13 (Standard Practice for ESA: Phase I ESA Process) and the U.S. Environmental Protection Agency (USEPA) All Appropriate Inquiry (AAI) Rule.

[12] *CEQR Technical Manual* (2014).

The objective of the Phase I ESA report was to identify the presence or likely presence, use, or release of hazardous substances or petroleum products, defined in ASTM E1527-13 as a Recognized Environmental Condition (REC), on the Directly Affected Area.The Phase I ESA reports are included in Appendix E, "Hazardous Materials."

PHASE I ESA FINDINGS

The following RECs were identified in the February 2018 Phase I ESA Report:

REC 1: Historical Site Operations

Historical operations on the Directly Affected Area included a power substation (1912-2005) on Lot 57 and a dry cleaning facility (1950-1968) on Lot 60. Undocumented spills or releases of solvents, chemicals, and/or other hazardous substances associated with these uses may have adversely affected soil, groundwater, and/or soil vapor on the Directly Affected Area.

REC 2: Historical and Current Use of Adjoining Properties

Historical use of the adjoining properties include a dry cleaner (2000) and a medical laboratory (1938-1968) to the north of the Directly Affected Area, and a dry cleaner (1985- present) with a Resource Conservation and Recovery Act (RCRA) generator listing (1998) to the south of the Directly Affected Area. These uses may have resulted in inadvertent releases of solvents, chemicals, and/or other hazardous substances that may have affected soil vapor or groundwater on the Directly Affected Area.

Based on the findings described above, a Phase II ESA was recommended.

SUBSURFACE INVESTIGATION

Langan conducted a subsurface investigation (May 15 – May 25, 2018) to evaluate possible impacts to soil, groundwater, and soil vapor in the Directly Affected Area, and to evaluate the site's eligibility for acceptance in to the New York State Department of Environmental Conservation's (NYSDEC) Brownfield Cleanup Program. The investigation consisted of a geophysical survey, a soil investigation, and a soil vapor investigation. Groundwater was not observed in any of the soil borings; therefore, monitoring well installation and groundwater sampling was not conducted during the investigation.

<u>Ground Penetrating Radar (GPR) Survey</u>

A geophysical survey was performed to identify Underground Storage Tanks (USTs) and other subsurface structures beneath the basement and ground floor slabs. The survey included Ground Penetrating Radar (GPR) and Electromagnetic (EM) detectors. The geophysical survey did not identify anomalies consistent with the presence of USTs. Utility lines were identified entering the buildings from the northern boundary of the Directly Affected Area.

Soil Investigation

Eight soil borings (SB-01 through SB-08) were advanced in the Directly Affected Area. Soil borings were advanced until refusal using a Geoprobe 420M® drill rig. Refusal depths ranged from 3 (SB-04) to 12 (SB-02) feet below grade surface (bgs). Soil samples were inspected for visual and olfactory evidence of impacts and screened for organic vapors with a photoionization detector (PID). A total of 15 grab soil samples, including one duplicate sample, were collected for laboratory analyses. Samples were generally collected from the upper two feet and from the two-foot interval above the refusal depth at each boring. A third sample was collected from the interval exhibiting the highest PID readings and/or visual and olfactory indications of impacts, if encountered.

The site is underlain by fill material predominantly consisting of brown, fine- to medium-grained sand with varying amounts of silt, gravel, clay, asphalt, concrete, brick, and glass. The fill was observed to depths ranging from 3 to 8 feet bgs. Medium-dense fine-grained silty sand with varying amounts of gravel and clay was observed below the fill layer. Medium-dense fine-grained sand with varying amounts of gravel, silt, clay, and decomposed bedrock was observed below the fill layer in four of the eight boring locations.

All soil samples were analyzed at a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP)-certified laboratory. Samples were analyzed for VOCs, SVOCs, metals, pesticides, and PCBs. SVOCs were detected at concentrations above the Title 6 of the New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use (UU) and/or Restricted-Residential Use (RRU) Soil Cleanup Objectives (SCOs) in soil samples collected from across the Directly Affected Area. One VOC (acetone) and one pesticide (4-4'-DDT) were detected at concentrations above the Part 375 UU SCO in soil samples collected from the western portion of the Directly Affected Area. Acetone is a common lab contaminant and is not considered to be indicative of the subsurface conditions. Four metals (copper, lead, mercury, and zinc) were detected at concentrations above the Part 375 UU SCO in soil samples collected from across the site footprint. PCBs were not detected above the UU SCOs.

Soil Vapor Investigation

Six sub-slab soil vapor points (SV01 through SV06) were installed on May 16 and May 25, 2018. Sub-slab soil vapor points were installed at a depth of approximately three to six inches below the existing building slab. One ambient air sample (AA01) and four sub-slab (SV03 through SV06) soil vapor samples were collected on May 16, 2018, and two sub-slab (SV01 and SV02) soil vapor samples were collected on May 25, 2018. Each soil vapor point was purged using a MultiRAE five-gas meter at an approximate rate of 0.2 liters per minute (L/min) to evacuate a minimum of three tubing/vapor point volumes prior to sample collection. The ambient air and soil vapor samples were collected into laboratory-supplied, batch-certified, 2.7 or 6-liter Summa® canisters that were calibrated for a 2-hour sampling period.

Soil vapor and ambient air samples were analyzed for VOCs via USEPA Method TO 15. Petroleum-related VOCs and chlorinated VOCs (CVOCs) were detected in soil vapor samples collected site-wide at concentrations above those detected in the ambient air sample.[13] There are no standards or guidance values in New York State for VOCs in soil vapor. Four of the seven VOCs that can be evaluated using the Decision Matrices NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006) were either not detected or detected at a concentration that requires no further action. The results for cis-1,2-dichloroethene, PCE, and TCE in soil vapor samples indicate a range of suggested action from "no further action" to "mitigation" per the Soil Vapor/ Indoor Air Matrices.

Hazardous Materials Assessment

Based on the age of the buildings, the presence of hazardous building materials (i.e., asbestos containing materials, lead-based paint, polychlorinated biphenyl-containing light ballasts) is likely. A hazardous materials assessment is recommended to assess the presence of these materials. If identified, hazardous materials must be abated in accordance with local, state and federal regulations prior to demolition or any renovation.

CONCLUSION

The February 2018 Phase I ESA report identified two (2) RECs: (i) historical site operations and (ii) historic and current use of adjoining properties. The subsurface investigation performed between May 15 and 25, 2018 concluded soil on the Directly Affected Area contains SVOCs, pesticides, and metals at concentrations exceeding UU and/or RRU SCOs. Additionally, the soil vapor investigation performed as part of the subsurface investigation indicated soil vapor on the Directly Affected Area contains petroleum and chlorinated VOCs above ambient air concentrations.

Based on this information, all three lots (Lots 57, 59, and 60) comprising the Directly Affected Area have the potential to need environmental remediation. As a result, prior to any development or disturbance, the Directly Affected Area would be required to undergo subsequent appropriate assessment or action through terms embedded within the (E) Designation. In addition, if the Directly Affected Area is accepted into the Brownfield Cleanup Program (BCP) and entered into a Brownfield Cleanup Agreement (BCA), it would be subject to additional regulatory oversight by the NYSDEC.

An (E) designation is anticipated to be placed on **Block 1243 Lots 57, 59, and 60** in conjunction with the Proposed Actions to ensure there is no potential for significant adverse impacts related to hazardous materials. The (E) designation program is administered by the New York City Mayor's Office of Environmental Remediation (OER). The (E) designation mapped on **Block 1243 Lots 57, 59, and 60** in conjunction with the Proposed Actions indicates the presence of an environmental requirement which must be satisfied at OER prior to issuance of any building permits from the Department of Buildings.

[13] See Appendix D: Hazardous Materials, "Subsurface Investigation Report," Table 2: Soil Vapor Sample Analytical Results Summary.

The hazardous materials text for the (E) designation to be placed on **Block 1243 Lots 57, 59, and 60** is as follows:

Task 1 – Sampling Protocol

Prior to construction, the Applicant submits to OER, for review and approval, a Phase II Investigation protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.

No sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum-based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2 – Remediation and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

With the proposed (E) Designation in place, the Proposed Actions would not result in any potentially significant adverse impacts related to hazardous materials; therefore, no further analysis is necessary.

ATTACHMENT G: TRANSPORTATION

INTRODUCTION

The objective of a transportation analysis is to determine whether a proposed action may have a potentially significant adverse impact on traffic operations and mobility; public transportation facilities and services; pedestrian elements and flow; safety of roadway users (including pedestrians, bicyclists, and drivers); and on- and off-street parking or goods movement. The *2014 CEQR Technical Manual* identifies minimum development densities that potentially require a transportation analysis. Development at less than the development densities shown in Table 16-1 of the *CEQR Technical Manual* generally results in fewer than 50 peak-hour vehicle trips, 200 peak-hour transit riders, or 200 peak-hour pedestrian trips, where significant adverse impacts are considered unlikely. For developments in Zone 1 (which includes all areas in Manhattan south of 110th Street and Downtown Brooklyn), the development thresholds under *2014 CEQR Technical Manual* guidelines include 240 new dwelling units and 25,000 gsf of community facility. Though the development facilitated by the Proposed Actions would not exceed the individual thresholds, because it is a mixed-use project, the *CEQR Technical Manual* guidelines state that a Transportation Screening Assessment should be conducted for each land use or a weighted average should be used to determine whether the total site-generated trips exceed the threshold for analysis.

METHODOLOGY

For transportation analysis purposes, the incremental difference in trip generation between the No-Action and With-Action conditions provides the basis for assessing transportation conditions in the Study Area. As shown in Table G-1, the development in the With-Action Condition would result in a net increase of approximately 76 dwelling units (approximately 65,085 gsf of residential area) and a net increase of approximately 10,854 gsf of community facility area. Given that the Directly Affected Area is in the Manhattan Core, no off-street accessory parking is proposed.

Table G-1: Incremental Difference between the No-Action and With-Action Conditions

Program Units	Community Facility gsf	Residential DU
No-Action Condition	0	95
With-Action Condition	10,854	171
Increment	**10,854**	**76**

Although the Proposed Actions would result in an incremental density for each individual land use type that is below the level requiring a transportation analysis in Zone 1 according to Table 16-1 of the *CEQR Technical Manual*, a Weighted Average Screening Analysis was performed to ascertain whether the combination of land uses would yield a different result.

WEIGHTED AVERAGE SCREENING ANALYSIS

The applicable minimum development density for the location of the Proposed Actions in Zone 1 is 240 new residential units and 25,000 additional square feet of community facility space, per Table 16-1 of the *CEQR Technical Manual*. As shown in Table G-2, the weighted average development density does not exceed the threshold of 100 percent. Therefore, Level 1 and Level 2 Screening Assessments are not required; hence, the Proposed Actions are not anticipated to result in any potentially significant adverse transportation impacts.

Table G-2: Weighted Average Screening Analysis

Development Type	Incremental Program	Zone 1 Threshold	Weighted Average
Residential	76 DU	240 DU	32%
Community Facility	10,854 gsf	25,000 gsf	43%
Total			**75%**

CONCLUSION

Based on the Weighted Average Screening Analysis above, the Proposed Actions would not exceed the development densities shown in Table 16-1 of the *CEQR Technical Manual*; therefore, Level 1 and Level 2 Screening Assessments are not required and no further analysis is necessary. Hence, the Proposed Actions are not anticipated to result in any potentially significant adverse impacts to traffic operations and mobility, public transportation facilities and services; pedestrian elements and flow; safety of roadway users (pedestrians, bicyclists, and vehicles); and on- and off-street parking or goods movement.

FIGURE G-1

TRANSIT MAP

266-270 WEST 96 STREET

Map Reference: NYC Department of City Planning MapPLUTO, DOITT Shapefiles

Directly Affected Area

Disposition Site

Subway Station

NYCT Subway Lines

1, 2, and 3 Subway Lines

A and C Subway Lines

B and D Subway Lines

NYCT Bus Routes

M104

M106

M11

M96

M7

M5

M10

UPPER WEST SIDE, MANHATTAN, NY

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ATTACHMENT H: AIR QUALITY

INTRODUCTION

According to the guidelines provided in the *CEQR Technical Manual*, an air quality analysis is conducted in order to assess the effect of a proposed action on ambient air quality (*i.e.,* the quality of the surrounding air), or effects on a proposed project because of ambient air quality. Air quality can be affected by mobile sources (pollutants produced by motor vehicles), and by stationary sources (pollutants produced by fixed facilities). According to the *CEQR Technical Manual*, an air quality assessment should be conducted for actions that have the potential to result in either significant adverse mobile source or stationary source air quality impacts.

The Directly Affected Area is located at 266-270 West 96 Street in the Upper West Side neighborhood of Manhattan, Community District 7. The Directly Affected Area comprises three tax lots (Lots 57, 59, and 60) on Block 1243, and is bounded by West 96 Street to the north, a two-story commercial building to the east, a six-story multi-family residential building and a 15-story multi-family residential building to the south, and a 13-story multi-family residential building and a 16-story multi-family residential building to the west. The Proposed Actions consist of (i) the disposition of Lot 57, without the restrictions established in a prior disposition approval; and (ii) the approval of funding through the New York City Department of Housing Preservation and Development (HPD) Mixed-Middle Income (M2) program. The Proposed Actions would facilitate the construction of a 23-story (235 feet), approximately 150,890-gsf building containing residential and community facility uses. The Proposed Project includes (i) approximately 140,036 gsf of residential use (171 dwelling units); and (ii) approximately 10,854 gsf of community facility use. The Proposed Project includes 80 micro-units and 91 traditional dwelling units; 68[14] (approximately 40 percent) of the 171 dwelling units would be designated as permanently affordable.[15]

This attachment evaluates the potential for significant adverse air quality impacts that may result from stationary sources generated by the Proposed Actions and the potential adverse impacts from surrounding existing sources.

METHODOLOGY

Mobile Source Analysis

Traffic data for intersections for the study area were used for the screening of the Proposed Actions. This includes the incremental peak hour traffic volumes of autos and trucks. For a conservative analysis, trucks were considered as heavy-duty diesel vehicles. Auto traffic volumes were considered to include all vehicular movements except for heavy-duty diesel vehicles. As concluded in the Attachment G: Transportation, the level of project-generated vehicular trips is below the CEQR Level 1 trip generation threshold (50 peak-hour vehicle trip-ends).

[14] The affordable units would consist of 35 micro-units and 33 traditional units.
[15] The affordable dwelling units would be affordable for households earning up to 50 percent, 70 percent, and 130 percent of the area median-income (AMI).

As described in the *CEQR Technical Manual*, projects that would generate peak hour auto traffic (or divert existing peak hour traffic) of 170 or more auto trips would require further analyses of mobile sources.[16] Accordingly, based on the net incremental auto and truck traffic identified (i.e. *less* than 50 peak-hour vehicle trips), a mobile source air quality assessment is not warranted.

Stationary Source Analysis

The stationary source screening assessment is based on guidelines in the *CEQR Technical Manual*. The first step is to determine the appropriate Study Area. Study areas for the analysis of stationary source impacts depend on the magnitude of the pollutant emission rates from the new source(s), the relative harmfulness of the compounds emitted, the characteristics of the systems that would discharge such pollutants (*e.g*., stack heights, stack exhaust velocities), and the surrounding topography relative to these sources (*e.g.,* tall residential buildings near shorter stacks). Pursuant to guidance provided in section 322.1 of the *CEQR Technical Manual*, Figure 17-7 from the Air Quality Appendix of the *CEQR Technical Manual* was referenced for the initial stationary source screening assessment, which is appropriate for a Proposed Project that is a single building. Figure 17-7 was selected because the Proposed Project is almost exclusively residential and, based on coordination with the applicant, has been designed to utilize natural gas as the fuel source for all on-site heat and hot-water systems.

ASSESSMENT

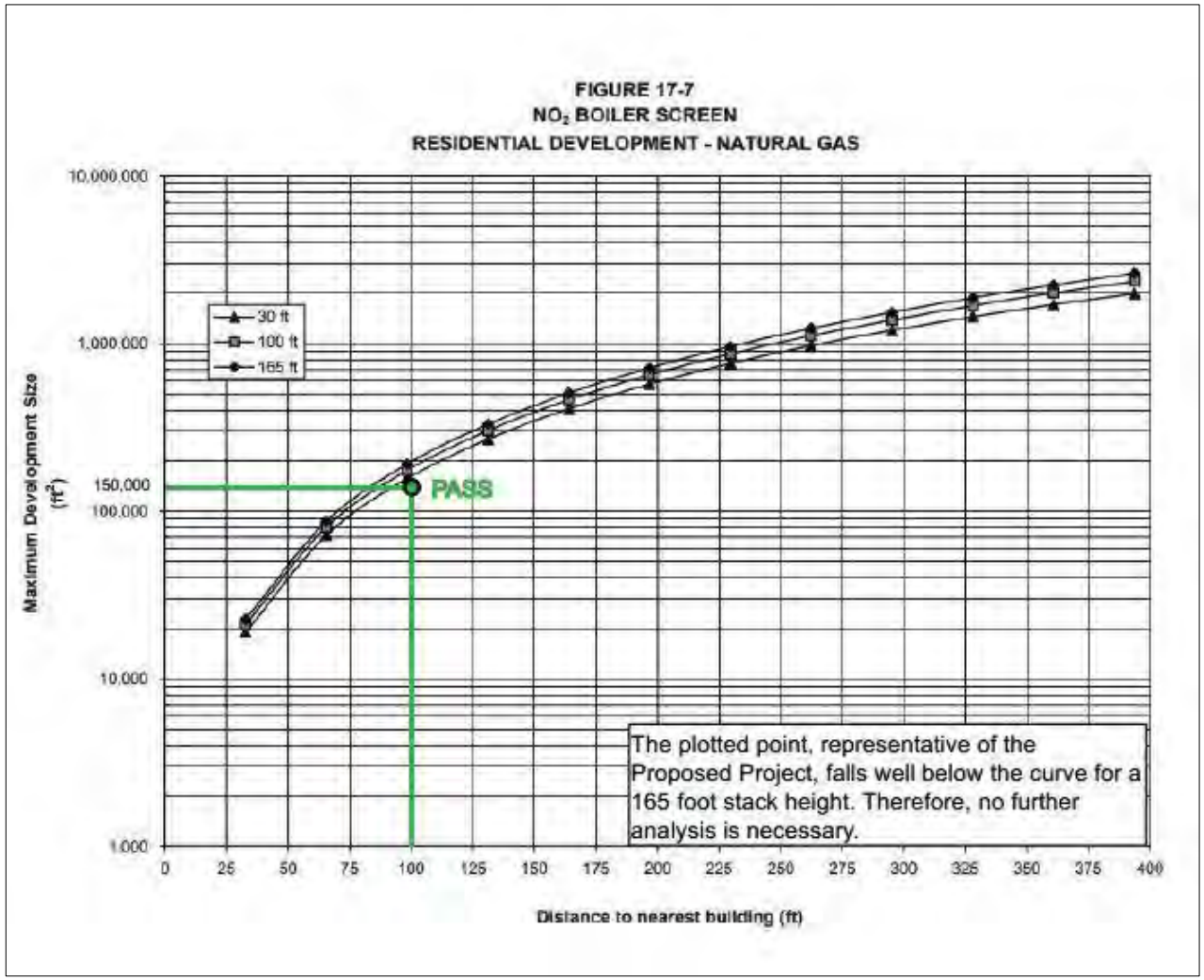
A stationary source screening assessment was conducted to evaluate potential effects from the Proposed Projects' heat and hot water systems and heating, ventilating, and air conditioning (HVAC) systems. A survey was conducted to determine if any industrial or large/major emission sources exist within 400 feet, or 1,000 feet, of the Directly Affected Area, respectively.

The nearest building of similar or greater height compared to the development in the With-Action Condition is approximately 100 feet away from the Directly Affected Area. The Proposed Project would have a minimum stack height of approximately 238 feet; therefore, the stack height curve of 165 feet would be utilized for the screening assessment. The development in the With-Action Condition is anticipated to be an approximately 150,890-gsf building; therefore, following the steps defined in Chapter 17, section 322.1 of the *CEQR Technical Manual*, the plotted point on Figure 17-7 would fall below the stack height curve of 165 feet.

Based on this information, no potential significant adverse impacts due to boiler stack emissions are anticipated; therefore no further analysis is required.

[16] The Directly Affected Area is not located in Downtown Brooklyn, Long Island City, or in Manhattan between 30th Street and 61st Street; therefore, the 170 auto trip threshold is utilized.

Image H-1: HVAC Screening for Natural Gas Operation



Industrial Manufacturing Source Analysis (Air Toxics)

A land use survey conducted on June 15, 2018 determined there are no existing industrial facilities within 400 feet of the Directly Affected Area (Appendix B). Through this survey, it was confirmed that there are no industrial and/or manufacturing uses within 400 feet of the Directly Affected Area.

As part of this survey, a review of the New York City DEP Clean Air Tracking System (CATS) database indicated that 30 permits have been issued across 21 properties within 400 feet of the Directly Affected Area, none of which are for industrial or manufacturing uses. The locations of the identified properties are shown in Table H-2 below.

Table H-2: DEP CATS Issued Active Permits

Block	Lot	Address	Existing Land Use	Permit Type
1887	10	303 West 96 Street	Transportation and Utility	Gas Station
1887	16	741 West End Avenue	Multi-Family Elevator	Boiler
1887	19	749 West End Avenue	Multi-Family Elevator	Boiler
1887	22	755 West End Avenue	Multi-Family Elevator	Boiler
1253	65	735 West End Avenue	Public Facilities & Institutions	Boiler
1869	1	760 West End Avenue	Multi-Family Elevator	Boiler
1869	6	251 West 97th Street	Multi-Family Elevator	Boiler
1869	6	251 West 97th Street	Multi-Family Elevator	Boiler
1868	1	740 West End Avenue	Multi-Family Elevator	Boiler
1868	1	740 West End Avenue	Multi-Family Elevator	Boiler
1868	1	740 West End Avenue	Multi-Family Elevator	Boiler
1868	20	231 West 96 Street	Mixed Residential & Commercial	Boiler
1868	44	230 West 97 Street	Mixed Residential & Commercial	Boiler
1243	1	720 West End Avenue	Public Facilities & Institutions	Boiler
1243	1	720 West End Avenue	Public Facilities & Institutions	Gas Station
1243	8	255 West 95 Street	Multi-Family Elevator	Boiler
1243	10	251 West 95 Street	Multi-Family Elevator	Engine/ Generator
1243	10	251 West 95 Street	Multi-Family Elevator	Boiler
1243	10	251 West 95 Street	Multi-Family Elevator	Boiler
1243	61	736 West End Avenue	Multi-Family Elevator	Boiler
1243	42	214 West 96 Street	Mixed Residential & Commercial	Boiler
1242	2	702 West End Avenue	Multi-Family Walk-Up	Boiler
1242	3	704 West End Avenue	Multi-Family Walk-Up	Boiler
1242	9	260 West 95 Street	Multi-Family Walk-Up	Boiler
1242	10	2521 Broadway	Multi-Family Walk-Up	Boiler
1242	10	2521 Broadway	Multi-Family Walk-Up	Boiler
1242	39	2528 Broadway	Commercial & Office	Boiler
1242	39	2528 Broadway	Commercial & Office	Boiler
1242	42	230 West 95 Street	Mixed Residential & Commercial	Boiler
1242	42	230 West 95 Street	Mixed Residential & Commercial	Boiler

Source:
DEP CATS: https://a826-web01.nyc.gov/dep.boilerinformationext/ (Date Accessed: 7/11/18)

Large or Major Sources

A search for existing large and/or major sources of emissions (i.e., sources having a Title V or State Facility Air Permit) within 1,000 feet of the Directly Affected Area was performed using registration lists maintained by NYSDEC and EPA. No large or major sources were identified with Title V or State permits. Therefore, no significant air quality impacts are expected from existing large or major sources, and further analysis is not warranted.

CONCLUSION

The development facilitated by the Proposed Actions are not anticipated to generate sufficient traffic to require a mobile source air quality analysis. The development facilitated by the Proposed Actions would utilize natural gas as the fuel source for all on-site heat and hot-water systems. As a result, using Figure 17-7 from the Air Quality Appendix of the *CEQR Technical Manual*, no adverse stationary source air quality impacts on existing buildings are anticipated.

Based on this information, the development facilitated by the Proposed Actions is not anticipated to result in any adverse air quality impacts; therefore, no further analysis is warranted.

ATTACHMENT I: NOISE

INTRODUCTION

According to the CEQR Technical Manual, the purpose of a noise assessment is to determine both (i) a proposed project's potential effects on sensitive noise receptors, including the effects on the level of noise inside residential, commercial, and institutional facilities (if applicable), and at open spaces; and (ii) the effects of ambient noise levels on new sensitive uses introduced by a proposed project. If significant adverse impacts are identified, CEQR requires such impacts to be mitigated or avoided to the greatest extent practicable.

As described in Attachment G, "Transportation," the Proposed Actions would not generate sufficient traffic to have the potential to cause a significant noise impact (i.e., it would not result in a doubling of noise passenger car equivalents [PCEs] which would be necessary to cause a 3 dB increase in noise levels). Therefore, no mobile source assessment was necessary.

The noise analysis was conducted to determine the level of building attenuation necessary to ensure that interior noise levels within the Proposed Project would satisfy applicable interior noise criteria.

Noise Standards and Criteria

The CEQR Technical Manual provides attenuation requirements for buildings based on exterior noise levels (see Table I-1, "Required Attenuation Values to Achieve Acceptable Interior Noise Levels"). Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA or lower for residential uses and 50 dBA or lower for commercial uses and are determined based on exterior L10(1) noise levels.

Table I-1: Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				**Clearly Unacceptable**
Noise Level with Proposed Actions	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation[A]	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	$36 + (L_{10} - 80)$[B] dB(A)

Source: *New York City Department of Environmental Protection (DEP).*

Notes:

[A] *The above composite window-wall attenuation values are for residential dwellings. Retail uses would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.*

[B] *Required attenuation values increase by 1 dB(A) increments for L_{10} values greater than 80 dB(A).*

METHODOLOGY

According to CEQR guidelines, an initial screening assessment considers whether a proposed project would (i) generate any mobile or stationary sources of noise; and/or (ii) be in an area with existing high ambient noise levels. Based on the *CEQR Technical Manual*, an initial noise assessment on vehicular traffic noise is necessary if a proposed project would (i) generate or reroute traffic or (ii) introduce a new receptor near a heavily trafficked thoroughfare. In order for a detailed analysis on train noise to be warranted the proposed project must (i) be located within 1,500 feet of existing rail activity and have a direct line of sight to that rail facility or (ii) add rail activity to existing or new rail lines within 1,500 feet and have a direct line of site to a receptor. Because the Development Site does not meet any of these criteria, no screening assessment is needed. However, a noise assessment was performed to ensure that interior noise levels within the Proposed Project would satisfy applicable interior noise criteria.

A summary of the measurement locations and descriptions are provided.

- 20 minute street level "spot" measurements along West 96th Street at the approximate location of the proposed northern façade. Measurements were recorded from 7:53AM to 8:13AM, 1:04PM to 1:24PM, and 5:19PM to 5:39PM on Wednesday, November 14, 2018.

Measurement Location

For each of the measurements, the recording device was situated approximately five (5) feet above grade/rooftop using a tripod. All measurements were conducted using an NTi XL2 sound level meter and microphone in compliance to ANSI S1.4-1938 (R2006) type-1, with the microphone calibration checkd before and after each measurement session, also in accordance to ANSI S1.4. Reporting of each measurement utilizes A-weight decibels referencing 20 micro-Pascals. Measured quantities included overall LEQ, Lmax, L05, L10, L50, L90, and 1/3-octave band levels. A windscreen was used during all sound measurements except for calibration.

Each measurement was taken in front of the project site, approximately five feet away from the existing building façade. The measurement location was also selected to be far enough away from the bus shelter to minimize the impact of noise buildup due to reflections in the measurements.

FIGURE I-1

266-270 WEST 96 STREET

NOISE MONITORING LOCATION MAP

Map Reference: Aerial Image from NearMap; and NYC Department of City Planning MapPLUTO and LION Shapefiles.

Directly Affected Area

Disposition Site

20 Minute Monitoring Location

UPPER WEST SIDE, MANHATTAN, NY

LANGAN

EXISTING NOISE LEVELS

Table I-2 - Existing Noise Levels

Site	Measurement Location	Day	Time	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
A	Mid-block in front of project site	Weekday	AM	73.6	85.7	75.5	67.4	63.4
			MD	72.1	80.0	70.0	66.2	63.0
			PM	69.1	79.8	70.6	65	61.7

Notes:
In addition to typical road noise at 96th Street, there is a bus stop directly in front of the Directly Affected Area. We noted approximately 5-8 busses which stopped to pick up passengers during each measurement period. In addition approximately, 3-5 busses shut off and turned on during each measurement period. These numbers include hydraulic release and pedestrian alert sounds from these busses. We note that during the AM time period the majority of busses lowered to pick up passengers twice, resulting in a greater number of impulsive noise events although the number of busses remained relatively constant.

ASSESSMENT

Attenuation Requirements

The required attenuation levels are based on the maximum L_{10} values measured across the three measurement periods. Based on Table I-2 above, the CEQR required window-wall attenuation for residential dwellings is 31 dB(A). The attenuation requirement for non-residential portions of the façade is five dB(A) less, resulting in a required attenuation of 26 dB(A).

The non-residential portion of the Proposed Project would be exclusively located on the ground floor. These recommended noise attenuation values are designed to achieve interior noise levels of approximately 45 dBA or lower for residential use and 50 dBA for commercial and public uses.

To preclude the potential for significant adverse impacts related to noise, an (E) designation would be placed on **Block 1243, Lots 57, 59, and 60** in conjunction with the Proposed Actions. The (E) designation program is administered by the New York City Mayor's Office of Environmental Remediation (OER). The proposed (E) designation on **Block 1243, Lots 57, 59, and 60** indicates the presence of an environmental requirement which must be satisfied at OER prior to issuance of any building permits from the Department of Buildings. The (E) designation number is E-528. The noise text for the (E) designation [E-528] for **Block 1243, Lots 57, 59, and 60** is as follows:

Block 1243 Lots 57, 59, and 60

In order to ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed window condition with minimum attenuation of 31 dB(A) window/wall attenuation in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

Mechanical Systems

The design of and specification for building mechanical systems, such as heating, ventilation, and air conditioning (HVAC), would meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code and the New York City Department of Buildings Mechanical Code) to ensure that the equipment does not result in any significant increase in ambient noise levels.

CONCLUSION

Based on the analyses presented above, the Proposed Actions would not result in any predicted exceedances of *CEQR Technical Manual*-suggested incremental thresholds at noise receptor locations. Additionally, with the proposed (E) designation in place, no potential for significant adverse impacts related to noise are expected, and no further analysis is warranted.

ATTACHMENT J: CONSTRUCTION

INTRODUCTION

According to the *CEQR Technical Manual,* construction activities, although temporary, may sometimes result in significant impacts. Construction duration, which is a critical measure to determine a project's potential for adverse impacts during construction, is categorized as short-term (less than 24 months) and long-term (24 months or more). For construction activities not related to in-ground disturbance, short-term construction generally does not warrant a detailed construction analysis. However, consideration of several factors, including the location and setting of the project in relation to other uses and the intensity of construction activities, may indicate that a project's construction activities, even if short-term, warrant analysis in additional areas such as traffic, hazardous materials, historic and cultural resources, noise, and air quality.

As discussed in Attachment A, "Project Description," the Proposed Actions would facilitate the construction of a 23-story (235 feet), approximately 158,090-gsf building containing residential and community facility uses. The Proposed Project includes (i) approximately 140,036 gsf of residential use (171 dwelling units) and (ii) approximately 10,854 gsf of community facility use. The Proposed Project includes 80 micro-units and 91 traditional dwelling units; 68 (approximately 40 percent) of the 171 dwelling units would be designated as permanently affordable. The Salvation Army currently owns and occupies Block 1243, Lot 59 and, pursuant to an agreement with the Project Sponsor, would have the right to a portion of the community facility floor area that would be developed as part of the Proposed Project.

Development of the Proposed Project would occur in a single phase, upon the granting of building permits. The Proposed Project is anticipated to be complete and operational by 2022. It is anticipated that construction activities would last approximately 22 months.

REGULATORY AGENCIES AND OVERSIGHT

Regardless of the length of the construction period, New York City has defined a number of regulations that must be adhered to. In addition to the regulatory requirements, applicants must coordinate with New York City, New York State, and occasionally federal agencies to ensure that construction is facilitated appropriately.

New York City Air Pollution Control Code

All projects, whether or not subject to the requirements of CEQR, are required to comply with the New York City Air Pollution Control Code, which regulates fugitive dust under Section 1402.2-9.11, "Preventing Particulate Matter from Becoming Air-Borne; Spraying of Asbestos Prohibited; Spraying of Insulating Material and Demolition Regulated" (Title 24 of the Administrative Code of the City of New York, Chapter 1, Subchapter 6, Section 24-146).

New York City Asbestos Control Program

The regulations of the New York City Asbestos Control Program include specific procedures that must be followed for the control of asbestos during construction. In instances where demolition of an existing building could result in release of asbestos, the qualitative analysis should document a commitment to the adherence of these measures and requirements during construction.

Required Permits from DOT's Office of Construction Mitigation and Coordination

Before receiving construction permits from the DOT (such as street opening, sidewalk construction, construction activity, or canopy permits), traffic, bicycle detour, and pedestrian access plans must be approved by the Office of Construction Mitigation and Coordination (OCMC). Pedestrian access plans should identify the extent to which any sidewalks and/or crosswalks would be closed or narrowed to allow for construction-related activity and describe how pedestrian access to adjacent land uses and uses through the area/intersections would be maintained.

New York City Noise Control Code

The New York City Noise Control Code, as amended by Local Law 113 of 2005, defines "unreasonable and prohibited noise standards and decibel levels" for the City of New York. The New York City Noise Control Code, Section 24-219, contains rules that prescribe "noise mitigation strategies, methods, procedures, and technology that shall be used at construction sites" when certain construction devices or activities occur. Additionally, the New York City Noise Control Code requires construction activities to occur between 7 AM and 6 PM Monday through Friday. Construction activities occurring outside the permitted days/hours would require prior authorization.

New York City Procedure for the Avoidance of Damage to Historic Structures

Regulations for the protection of historic structures are found in "Technical Policy and Procedure Notice (TPPN) #10/88, Procedures for the Avoidance of Damage to Historic Structures Resulting from Adjacent Construction When Subject to Controlled Inspection by Section 27-724 and for Any Existing Structure Designated by the Commissioner," issued by the New York City Department of Buildings (DOB).

ASSESSMENT

According to *CEQR Technical Manual* guidelines, a preliminary construction assessment evaluates the potential effects of construction activities facilitated by the Proposed Actions with regard to transportation, air quality, noise, historic and cultural resources, and hazardous materials. The cumulative construction period for the Proposed Project is less than 24 months; therefore, pursuant to *CEQR Technical Manual* guidelines, the effects of such short-term construction generally do not require a detailed assessment.[17] However, a preliminary assessment of construction effects on

[17] The Proposed Actions would result in the temporary closure (less than 24 months) of the existing community facility uses on Lots 59 and 60 during construction. The Proposed Project includes approximately 10,854 gsf of new community facility use. One of the two existing community facility uses (The Salvation Army) will occupy a portion of this floor area (6,500 gsf). The other community facility use currently occupying the site (the Roy Wilkins Center, which is affiliated with the NAACP but separately chartered) has chosen to close its facility, sell its property, and donate the proceeds to the New York Community Trust.

transportation has been prepared. Additionally, because the Proposed Project is adjacent to the Riverside-West End Historic District Extension II, a preliminary assessment of historic and cultural resources as they relate to construction has been prepared.

Historic and Cultural Resources

As described in Attachment E: Historic and Cultural Resources, the Directly Affected Area is not within the adjacent Riverside-West End Historic District Extension II. However, the IRT substation on Lot 57 appears eligible for New York City Landmark exterior (NYCL) designation and State/National Register of Historic Places (S/NR) listing.

To ensure protection of adjacent historic resources, all construction activities in the Directly Affected Area would follow the guidelines and procedures of the DOB's TPPN#10/88 to avoid any damage to any historic structures within 90 feet. In addition, an LPC-approved Construction Protection Plan (CPP) would be developed to ensure the protection of adjacent historic structures during construction, including: 255 West 95th Street, 720 West End Avenue, 732 West End Avenue, and 736 West End Avenue—all of which are individual LPC designated historic resources within the Riverside-West End Historic District Extension II (See Attachment E: Historic and Cultural Resources).

Based on this information, the Proposed Actions are not anticipated to result in any potentially significant adverse impacts to historic and cultural resources resulting from construction activities; therefore, no further assessment is necessary.

Transportation

Construction activities would generate trips by workers traveling to and from construction sites as well as trips by the delivery of construction related materials and equipment. The New York City Noise Control Code requires construction activities to occur between 7 AM and 6 PM Monday through Friday; therefore, worker trips would be concentrated in off-peak hours and would not generate 50 or more vehicle trips (presented in Passenger Car Equivalents (PCEs)) during peak travel periods.[18] In addition, any closures to pedestrian sidewalk or partial lane closures would occur for less than two years and would be reviewed by the New York City Department of Transportation (DOT).

Because the construction period would not exceed 24 months, and because the total construction activity-related vehicle trips are less than 50 PCEs, the construction-generated traffic is not anticipated to result in any significant adverse impacts related to traffic conditions during the peak construction phase, and no further assessment is necessary.

[18] As disclosed in Attachment G: Transportation, based on the Level 1 Trip Generation screening assessment, the With-Action Condition would not result in 50 or more incremental peak-hour vehicle trips; therefore, a detailed Level 2 analysis of transportation was not warranted.

PART III: APPENDICES

APPENDIX A: PHOTOGRAPHS

(Directly Affected Area and Study Area Photographs taken on June 15, 2018)

Photograph 1: At the intersection of Broadway and West 94 Street, looking northeast

Photograph 2: At the intersection of Broadway and West 94 Street, looking north to the Directly Affected Area

Photograph 3: At the intersection of Broadway and West 94 Street, looking northeast

Photograph 4: At the intersection of Broadway and West 95 Street, looking northwest to the Directly Affected Area

Photograph 5: At the intersection of Broadway and West 96 Street, looking east to Church of the Holy Name of Jesus

Photograph 6: At the intersection of Broadway and West 96 Street, looking west to the Directly Affected Area

Photograph 7: At the intersection of Broadway and West 97 Street, looking southwest to the Directly Affected Area

Photograph 8: At the intersection of West End and West 94 Street, looking east to Pomander Walk

Photograph 9: At the intersection of West End and West 95 Street, looking southeast to Pomander Walk

Photograph 10: Street view at the intersection of West End and West 96 Street, looking southeast

Photograph 11: Building view at the intersection West End and West 96 Street, looking east

Photograph 12: At the intersection of West End and West 94 Street, looking northeast to the Directly Affected Area

Photograph 13: At the intersection of West End and West 96 Street, looking northwest

Photograph 14: At the intersection of West End and West 96 Street, looking southeast to the Directly Affected Area

Photograph 15: At the intersection of West End and West 97 Street, looking south to the Directly Affected Area

Photograph 16: On West 94 Street between West End and Broadway, looking northeast to Directly Affected Area and Pomander Walk

APPENDIX B: LAND USE INVENTORY

266-270 West 96 Street – Land Use Survey (Performed 6/15/2018)				
Block	**Lot**	**Address**	**Use**	**Notes**
BLOCK 1887				
1887	10	303 West 96 Street	Transportation and Utility	Empire State Parking/Mobile
1887	15	739 West End Avenue	Mixed Residential and Commercial	√
1887	16	741 West End Avenue	Multi-Family Elevator	√
1887	19	747 West End Avenue	Multi-Family Elevator	√
1887	22	755 West End Avenue	Multi-Family Elevator	√
1887	26	306 West 97 Street	Multi-Family Elevator	√
BLOCK 1253				
1253	65	729 West End Avenue	Public Facilities & Institutions	√ PS 75
1253	21	711 West End Avenue	Multi-Family Elevator	√
BLOCK 1869				
1869	1	760 West End Avenue	Multi-Family Elevator	√
1869	104	259 West 97 Street	Multi-Family Walk-Up	√
1869	5	257 West 97 Street	One & Two Family Buildings	Multi-family walk-up
1869	6	251 West 97 Street	Multi-Family Elevator	√
1869	54	240 West 98 Street	Mixed Residential & Commercial	No commercial
1869	13	2581 Broadway	Commercial & Office	Restaurant & commercial, Tower West Cleaners
BLOCK 1868				
1868	1	740 West End Avenue	Multi-Family Elevator	√
1868	13	241 West 96 Street	Mixed Residential & Commercial	√
1868	59	256 West 97 Street	Commercial & Office	Residential
1868	61	752 West End Avenue	Mixed Residential & Commercial	√
1868	24	209 West 96 Street	Mixed Residential &	√

			Commercial	
Block	**Lot**	**Address**	**Use**	**Notes**
1868	20	2560 Broadway	Mixed Residential & Commercial	√
1868	44	2568 Broadway	Mixed Residential & Commercial	√
BLOCK 1243				
1243	1	720 West End Avenue	Public Facilities & Institutions	The Williams/Residential *
1243	8	255 West 95 Street	Multi-Family Elevator	√
1243	10	2541 Broadway	Multi-Family Elevator	Mixed residential & commercial, Symphony laundry cleaner
1243	13	2549 Broadway	Commercial & Office	√ just a McDonald's
1243	55	2551 Broadway	Commercial & Office	√ vacant and asbestos removal & rodent bait
1243	57	266 West 96 Street	Transportation & Utility	√
1243	59	268 West 96 Street	Commercial & Office	√
1243	60	270 West 96 Street	Commercial & Office	√
1243	61	736 West End Avenue	Multi-Family Elevator	√
1243	63	732 West End Avenue	Multi-Family Elevator	√
1243	24	215 West 95 Street	Mixed Residential & Commercial	√
1243	42	2552 Broadway	Mixed Residential & Commercial	√
1243	139	210 West 96 Street	Mixed Residential & Commercial	√
BLOCK 1242				
1242	1	700 West End Avenue	Multi-Family Elevator	√
1242	2	702 West End Avenue	Multi-Family Walk-Up	√
1242	3	704 West End Avenue	Multi-Family Walk-Up	√
1242	62	706 West End Avenue	Multi-Family Elevator	√
1242	9	259 West 95 Street	Multi-Family Walk-Up	√

1242	55	2537 Broadway	Commercial & Office	Ground floor commercial & office, upper floor residential
Block	**Lot**	**Address**	**Use**	**Notes**
1242	10	2521 Broadway	Multi-Family Elevator	Ground floor NYSC, upper floors residential
1242	39	2528 Broadway	Commercial & Office	√ Maxene Cleaners & Hotel Newton
1242	40	2532 Broadway	Mixed Residential & Commercial	√
1242	41	2534 Broadway	Mixed Residential & Commercial	√
1242	42	2536 Broadway	Mixed Residential & Commercial	√ Wash & Fold Dry Clean

APPENDIX C: AGENCY CORRESPONDENCE

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: DEPARTMENT OF CITY PLANNING / LA-CEQR-M
Project: W. 96 STREET PROJECT
Date received: 7/17/2018

Comments: as indicated below. Properties that are individually LPC designated or in LPC historic districts require permits from the LPC Preservation department. Properties that are S/NR listed or S/NR eligible require consultation with SHPO if there are State or Federal permits or funding required as part of the action.

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 268 WEST 96 STREET, BBL: 1012430059
2) ADDRESS: 270 WEST 96 STREET, BBL: 1012430060

Property with Architectural significance and no Archaeological significance :

1) ADDRESS: 266 WEST 96 STREET, BBL: 1012430057, LPC FINDINGS: ELIGIBLE NYC LANDMARK EXTERIOR, STATE/NATIONAL REGISTER FINDINGS: ELIGIBLE FOR NATIONAL REGISTER LIST

Comments: The LPC is in receipt of a request for identification of potential historic resources for the above cited project. 266 West 96 Street, the former West 96 Street IRT Station, appears LPC and S/NR eligible.

Gina Santucci 7/30/2018

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 33518_FSO_GS_07262018.doc

NYC 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: DEPARTMENT OF CITY PLANNING / 18HPD103M
Project: W. 96 STREET PROJECT
Date received: 11/16/2018

The LPC is in receipt of the updated EAS dated 11/19/18.

The demolition of the LPC and S/NR eligible former IRT Powerhouse on the project site appears to constitute a significant adverse impact as per the CEQR Technical Manual: 2014, Chapter 9, "Historic and Cultural Resources", section 420, "Determining Impact Significance".

Regarding Attachment D, "Shadows", LPC has determined that there is a sun sensitive resource in the expanded radius: Church of the Holy Name of Jesus, 718 Amsterdam Avenue at the northwest corner of Amsterdam Avenue, which appears S/NR eligible. This property needs to be added to the shadows analysis for the project and possible impacts disclosed.

Gina Santucci 2/5/19

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 33518_FSO_final_2_GS_02052019.doc

APPENDIX D: HISTORIC AND CULTURAL RESOURCES

Table 1: 266-270 West 96th Street – Historic and Cultural Resources

Historic Resource	Address	BBL	BIN Number	Designation
Pomander Walk District	259 West 95 Street	1012420009		S/NR Listed (90NR00836)
Pomander Walk	259 West 95 Street	1012420009	1080415	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080414	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080413	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080423	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080412	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080422	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080424	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080421	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080425	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080420	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080426	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080419	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080427	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080418	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080428	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080417	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080429	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080416	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080430	Designated as part of NYC Individual Landmark (LP-1279)

Historic Resource	Address	BBL	BIN Number	Designation
Pomander Walk	259 West 95 Street	1012420009	1080406	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080405	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1080431	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1085744	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1085745	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1083297	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1083298	Designated as part of NYC Individual Landmark (LP-1279)
Pomander Walk	259 West 95 Street	1012420009	1083299	Designated as part of NYC Individual Landmark (LP-1279)
734 West End Avenue	734 West End Avenue	1012437502	1033716	Designated as part of NYC Historic District (LP-2464)
259 West 97 Street	259 West 97 Street	1018690104	1056388	Designated as part of NYC Historic District (LP-2464)
732 West End Avenue	732 West End Avenue	1012437502	1033716	Designated as part of NYC Historic District (LP-2464)
704 West End Avenue	704 West End Avenue	1012420003	1033675	Designated as part of NYC Historic District (LP-2464)
711 West End Avenue	711 West End Avenue	1012530021	1034181	Designated as part of NYC Historic District (LP-2464)
700 West End Avenue	700 West End Avenue	1012420001	1033673	Designated as part of NYC Historic District (LP-2464)
720 West End Avenue	720 West End Avenue	1012430001	1033691	Designated as part of NYC Historic District (LP-2464)
256 West 97 Street	256 West 97 Street	1018680059	1056065	Designated as part of NYC Historic District (LP-2464)
702 West End Avenue	702 West End Avenue	1012420002	1033674	Designated as part of NYC Historic District (LP-2464)
739 West End Avenue	739 West End Avenue	1018870015	1057057	Designated as part of NYC Historic District (LP-2464)
257 West 97 Street	257 West 97 Street	1018690005	1056373	Designated as part of NYC Historic District (LP-2464)
255 West 95 Street	255 West 95 Street	1012430008	1033692	Designated as part of NYC Historic District (LP-2464)

Historic Resource	Address	BBL	BIN Number	Designation
755 West End Avenue	755 West End Avenue	1018870022	1057060	Designated as part of NYC Historic District (LP-2464)
706 West End Avenue	706 West End Avenue	1012420062	1033688	Designated as part of NYC Historic District (LP-2464)
741 West End Avenue	741 West End Avenue	1018870016	1057058	Designated as part of NYC Historic District (LP-2464)
736 West End Avenue	736 West End Avenue	1012430061	1033712	Designated as part of NYC Historic District (LP-2464)
740 West End Avenue	740 West End Avenue	1018680001	1056059	Designated as part of NYC Historic District (LP-2464)
752 West End Avenue	752 West End Avenue	1018687502	1056066	Designated as part of NYC Historic District (LP-2464)
729 West End Avenue	729 West End Avenue	1012530065	1034190	Designated as part of NYC Historic District (LP-2464)
747 West End Avenue	747 West End Avenue	1018870019	1057059	Designated as part of NYC Historic District (LP-2464)

APPENDIX E: HAZARDOUS MATERIALS
(Phase I Environmental Site Assessment)