Executive Summary

Introduction

BP 347 Madison Associates, LLC, (BP) and the Metropolitan Transportation Authority (MTA) are seeking from the City Planning Commission (CPC) two Vanderbilt Corridor Subarea special permits, pursuant to Zoning Resolution § 81-633 (Grand Central public realm improvements) and 81-634 (modifications to bulk regulations and mandatory district plan elements), in order to redevelop the property located at 341-347 Madison Avenue (the Project Site).

Located within the Vanderbilt Corridor and Grand Central Core Area of the Special Midtown District's East Midtown Subdistrict~~. The~~, the Project Site is owned by the Metropolitan Transportation Authority (MTA~~,~~), from ~~which~~whom BP is seeking approval of a net lease on the property. These actions (issuance of the special permits and approval of the net lease) together comprise the Proposed Action~~.~~, and MTA and BP are referred to, collectively, as the Applicant.

The Proposed Action~~, which is expected to be completed by 2026,~~ would facilitate the redevelopment of the Project Site with the Proposed Project, a new, approximately 925,630-gross-square-foot (gsf) commercial office building up to 1,050 feet tall (including the bulkhead), with ground floor retail uses~~,~~ and below-grade space (i.e., mechanical and back-of-house space~~), and on-site~~). The project would provide transportation improvements on-site that ~~would~~ create new pedestrian access to, and egress from, the~~ new~~ Long Island Rail Road (LIRR) East Side Access (ESA) concourse (the existing connection from 45th Street to the Grand Central Terminal (GCT) Roosevelt Passageway would remain adjacent to the site at 52 Vanderbilt). ~~The Proposed Action~~It would also provide off-site improvements ~~to~~that would improve passenger circulation at the Grand Central – 42nd Street Subway Station, including improvements to passenger connections to the IRT Flushing Line (#7 Train) platform.

The Proposed ~~Action~~Actions will undergo coordinated review under the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR) regulations and guidelines, with the New York City Department of City Planning (DCP) serving as lead agency on behalf of the CPC~~, and MTA as an involved agency~~.

The following sections provide a summary and description of the Project Site's location; existing conditions in the relevant study areas; the purpose and need for the Proposed Action; the components of the Proposed Action; future conditions with and without the Proposed Action (the "With-Action" and "No-Action" conditions) in 2026 under a reasonable worst-case development scenario (RWCDS); the expected environmental impacts of the Proposed Action and alternatives; and the public review process required for approval of the Proposed Action. The EIS has been prepared in accordance with the appropriate guidance provided in the *2020 New York City Environmental Quality Review Technical Manual (2020 CEQR Technical Manual)* and the **Final Scope of Work** for the Proposed Action.

Project Site and Surrounding Area

The Project Site is a 25,104-sf parcel comprised of Lots 23-25 and 48 on Block 1279 in the East Midtown neighborhood of Manhattan (**Figure 1**), within Community District 5 (with a portion of the proposed off-site public realm improvements extending into Community District 6) (see **Figure 2**). Block 1279 is bounded by Madison Avenue to the west, Vanderbilt Avenue to the east, East 44th Street to the south, and East 45th Street to the north. The Project Site consists of the western portion of Block 1279, fronting on Madison Avenue, and contains three 13- to 20-story buildings that previously served as the headquarters of the MTA and a ventilation structure for MTA's ESA project, which is currently under construction with an anticipated completion in 2022. The ESA will bring LIRR service from the main line in Queens directly into a new concourse below GCT. The buildings that used to contain the MTA headquarters total 351,871 gsf of commercial office and retail space that is now vacant.

In addition to the three MTA buildings and the ventilation structure, Block 1279 contains a commercial building and the Yale Club. All five buildings on the block were constructed between 1916 and 1926 and range in height from 13 to 22 stories. The surrounding land uses are predominantly commercial with large-scale office, retail and hotel uses, and GCT.

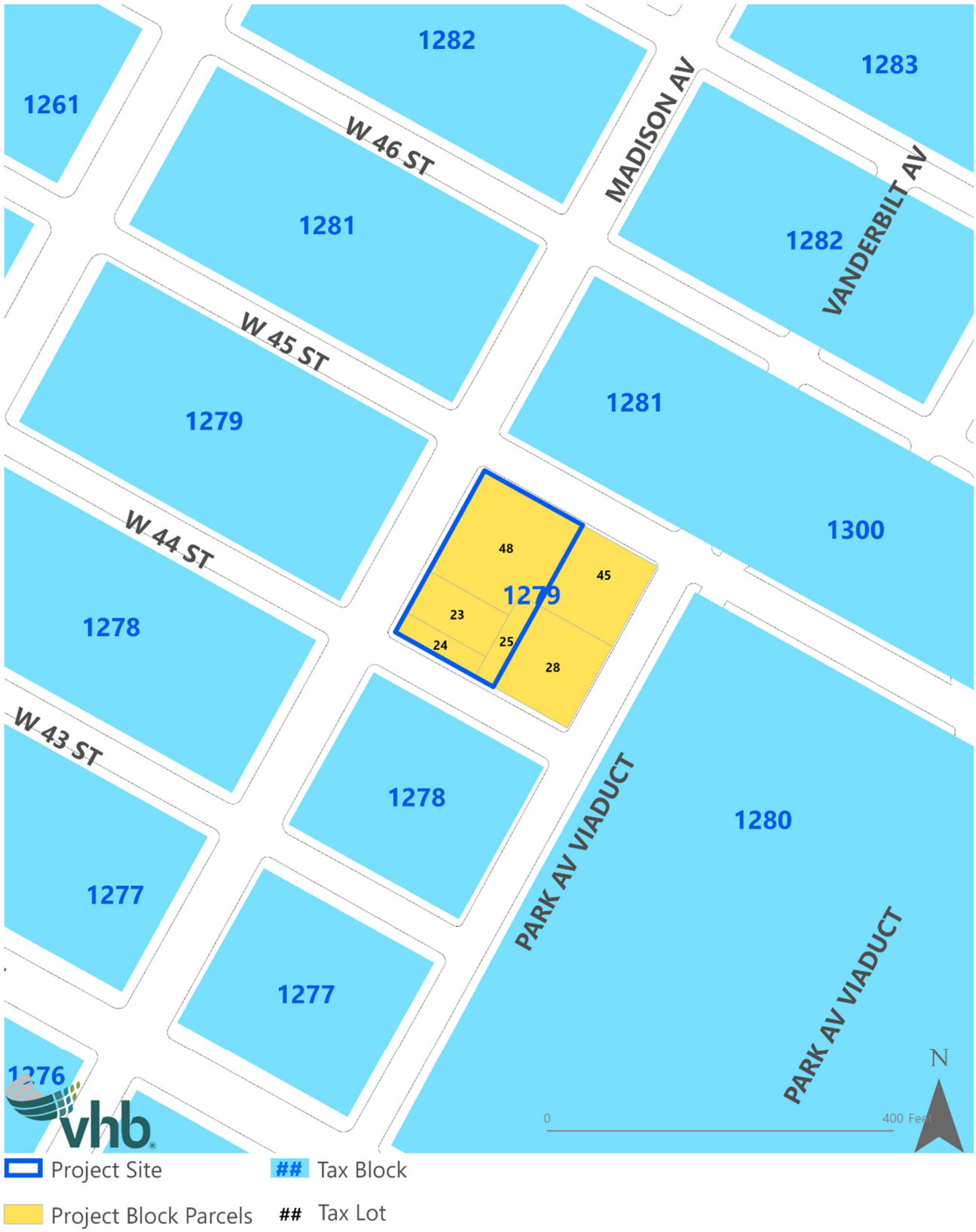
The Project Site is zoned C5-3, a high-density commercial district that is intended for Central Business Districts with large-scale office and retail establishments. The C5-3 zoning allows for a basic maximum floor area ratio (FAR) of 15 for commercial and community facility uses and up to 10 FAR of residential uses.

The Project Site is also located within the Special Midtown District, East Midtown Subdistrict, Grand Central Core Area, and Vanderbilt Corridor. Additionally, the areas immediately surrounding the Vanderbilt Corridor were the subject of a 2017 approved City-sponsored zoning action, analyzed in the *Greater East Midtown Rezoning Final Environmental Impact Statement* (CEQR # 17DCP001M).

The Vanderbilt Corridor spans the blocks from East 42nd Street to the south to East 47th Street to the north, between Madison and Vanderbilt Avenues (Block 1277, 1278, 1279, 1281, and 1282).

Overall, the Vanderbilt Corridor is predominantly developed with commercial uses. Two blocks are fully occupied by large office towers. 335 Madison Avenue, between East 43rd and East 44th Streets (Block 1278, Lot 20), is developed with a 28-story office tower. Originally constructed in the early 20th century as the New York Biltmore Hotel, it was fully renovated with a complete façade reconstruction and interior commercial office conversion in the 1980s. 383 Madison Avenue, at the northern end of the Vanderbilt Corridor between East 46th and East 47th Streets (Block 1282, Lot 21) contains a 47-story office tower completed in the early 2000s.

Figure 1 Tax Map



The remaining properties within the Vanderbilt Corridor contain older commercial buildings. Adjacent to the Project Site are two properties (Block 1279, Lots 28 and 45) fronting on Vanderbilt Avenue ~~that contain~~with buildings that date from the early 20th century: a 20-story office building (52 Vanderbilt Avenue) and the Yale Club, a 22-story building containing clubhouse facilities (dining rooms, banquet halls, athletic facilities, and a library) and guestroom lodgings. The block between East 45th and East 46th Streets (Block 1281, Lot 21) contains the Roosevelt Hotel, a 19-story, 1,015-room hotel building dating from the 1920s.

GCT, located southeast of the Project Site, is one of the City's primary transportation hubs carrying the Metro-North commuter rail system and several subway lines~~.~~, and is itself a major tourist attraction. The blocks surrounding GCT contain some of the largest office towers in the East Midtown area, including the 59-story MetLife Building (formerly the Pan Am Building) located immediately to the north of the Terminal. 42nd Street in particular is a major office tower corridor, with large buildings such as the 47-story W.R. Grace Building, the 53-story Lincoln Building (also known as One Grand Central Place), the 52-story Chanin Building, and the 77-story Chrysler Building. Smaller 12- to 20-story office buildings are generally located in midblock areas. The approximately 60-story One Vanderbilt building at 42nd Street and Vanderbilt Avenue is expected to be completed in 2021.

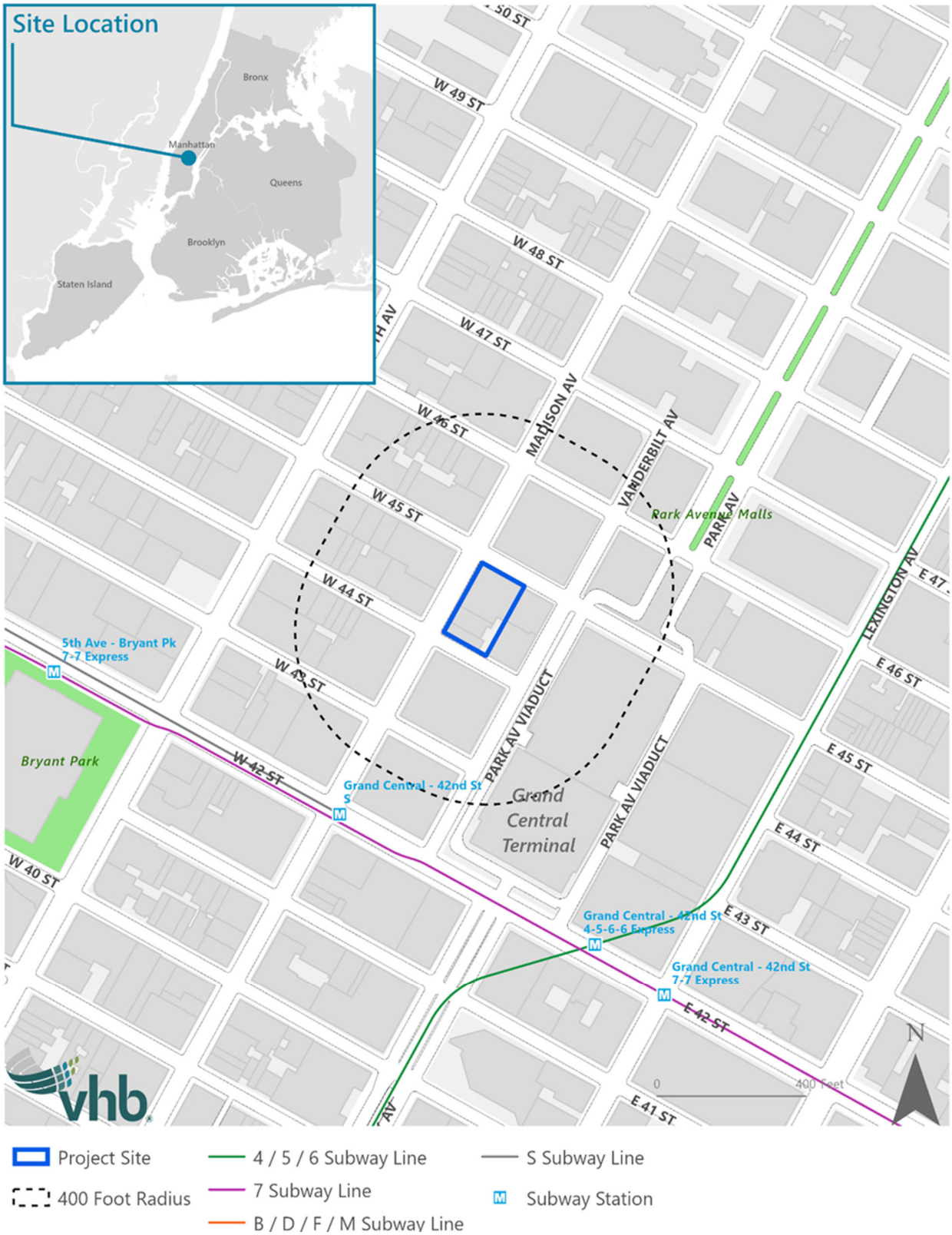
Background

As a result of the 2015 Vanderbilt Corridor rezoning, the FAR of sites within the Vanderbilt Corridor subarea may be increased by up to 15 FAR (for a total of 30 FAR) through the provision of certain public realm improvements (the "Grand Central Public Realm Improvement Bonus"), through transfer of development rights from designated landmarks within the Grand Central Subdistrict, or through a combination of public realm improvements and transfer from landmarks.

The Project Site was the subject of a 2013 Request for Proposals (RFP) to transfer the site to a developer as a private redevelopment opportunity. Boston Properties was conditionally designated as the developer for the site. In 2018, the MTA board approved the demolition of the existing buildings, which was subject to a Negative Declaration under SEQRA.

The *Vanderbilt Corridor FEIS* analyzed two build years, 2021 and 2033, and assumed that, absent the rezoning, both the One Vanderbilt site and the Project Site would be developed by 2021, while the remaining sites on Block 1279 and 1281 would not be redeveloped until 2033. In the *Vanderbilt Corridor FEIS*, Chapter 19, Conceptual Analysis (completed in March 2015), the redevelopment of the Project Site with a new 30 FAR building was analyzed pursuant to CEQR methodology.

Figure 2 Site Location Map



Proposed Action

The Proposed Action includes the following discretionary actions:

Special Permits

The Applicant is seeking two Grand Central Public Realm Improvement Bonus special permits (pursuant to Zoning Resolution § 81-633 and 81-634) available for developments within the Vanderbilt Corridor subarea that provide public realm improvements in the form of pedestrian and mass transit circulation improvements in and around GCT. See **Figure 3** and **Figure 4** for diagrams illustrating waivers.

Specifically, the application requests:

1. A special permit to increase the maximum permitted floor area ratio in connection with Grand Central public realm improvements (Zoning Resolution Section 81-633); and
2. A special permit to modify certain mandatory district plan elements, the street wall height, height and setback regulation, and curb cut regulations (Zoning Resolution Section 81-634), with respect to the following:
   a. Retail Continuity
      - Length of street frontage occupied by lobby space, entrance space, and/or building entrances exceed the lesser of 40 feet or 25% of the total street frontage (ZR Section 81-42)
   b. Street Wall Height and Continuity
      - Street wall height exceeds the maximum permitted street wall height of 150 feet along all frontages (ZR Section 81-671)
      - Below the maximum street wall height of 150 feet, street wall regulations waived along Madison Avenue and East 45th Street at the northwest corner of the Proposed Project (ZR Sections 81-671 and 81-43)
   c. Height and Setback
      - Building does not comply with the Alternative Height and Setback Regulations of ZR Section 81-27 (Daylight Evaluation), as modified by the Special Height and Setback Requirements of Section 81-661 (Height and setback modifications for buildings in the Grand Central Core Area) (ZR Sections 81-27 and 81-661)
   d. Major Building Entrance and Building Lobby Entrance Requirements
      - Major building entrance is not provided on a narrow street frontage. (ZR Section 81-47(b)(2))
      - Building lobby entrance is not provided on a narrow street frontage (ZR Section 81-674(b))
      - Building entrance recess area exceeds the maximum length of 40 feet measured parallel to the street line (ZR Sections 81-674(b) and 37-53(b)(1))
      - Building entrance recess areas have depths of less than 10 feet along Madison Avenue (ZR Sections 81-674(b) and 37-53(b))

e. Curb Cuts and Loading Berth Provisions
   - Loading berth is not arranged to permit head-in and head-out truck movements to and from the zoning lot (ZR Section 81-675(a))
   - The curb cut on East 44th Street exceeds the maximum width of a curb cut, including splays, of 25 feet (ZR Section 81-675(b))

MTA Approval of Net Lease

An additional action needed for the Proposed Project is MTA's approval and execution of a 99-year lease from the MTA to BP (or its designee). In considering this proposed lease, the MTA is acting as an involved agency under CEQR and SEQRA.

Figure 3 Proposed Ground Floor Plan with Zoning Waivers

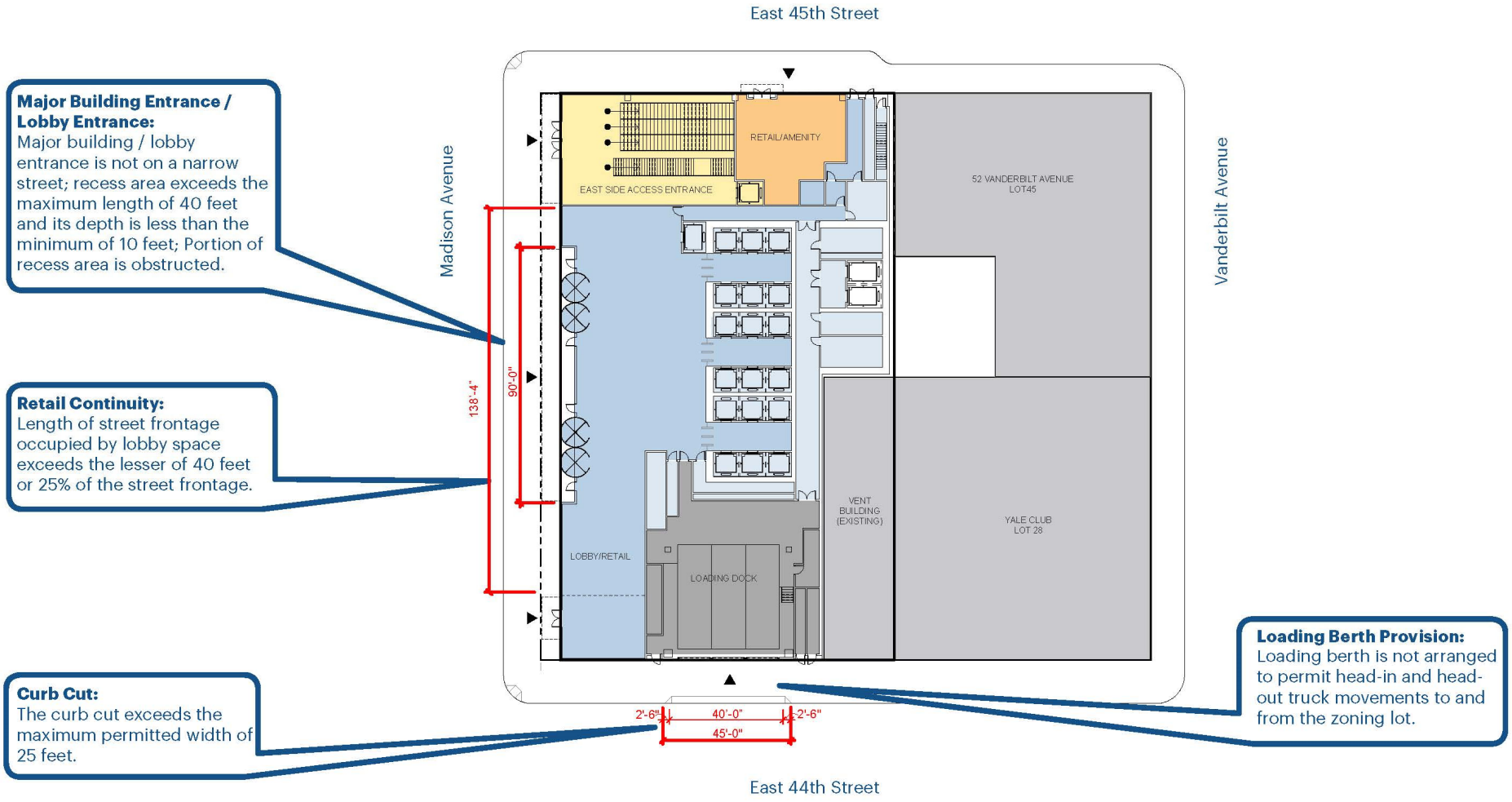
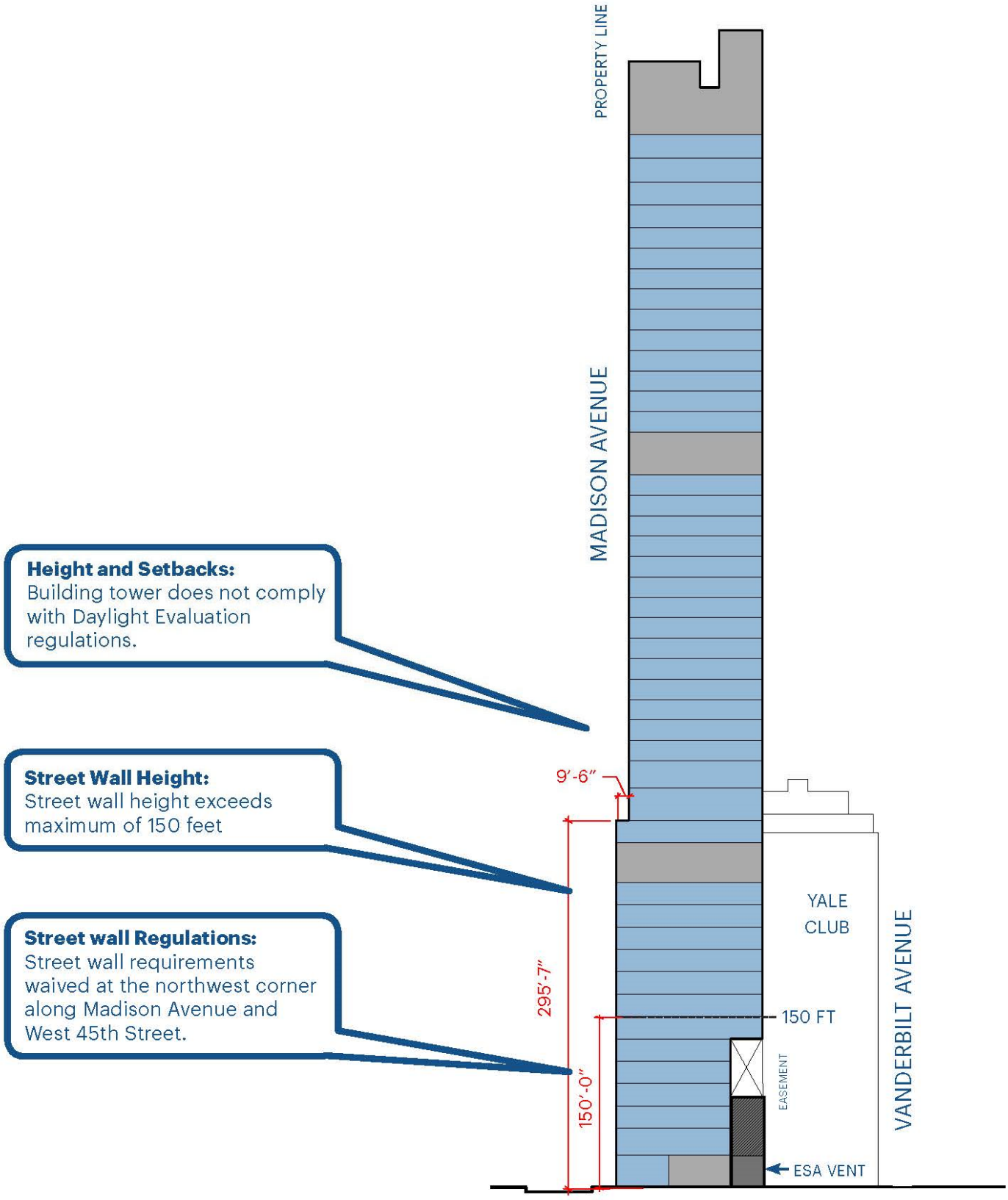


Figure 4 Proposed Massing Diagram with Waivers



Proposed Project and With-Action Condition

As mentioned above, the Proposed Action would permit the redevelopment of the Project Site with the Proposed Project, a new, commercial office and retail building up to 1,050 feet tall. The building would have a total floor area of 925,630 gsf (753,120 zsf). As noted in **Table 1**, the building would contain primarily commercial office space, with retail, a circulation area to access the ESA terminal located below the Project Site, and below-grade space (i.e. mechanical and back-of-house space) (see **Figure 3** and **Figure 4**). For analysis purposes, the Proposed Project represents the future With-Action development scenario (the With-Action condition). The permitted zoning floor area for the Project Site is 30 FAR, utilizing the Grand Central Public Realm Improvement Bonus. The design of the Proposed Project's building would achieve a sidewalk width of 15 feet along 45th Street and 20 feet on Madison Avenue.

On- and Off-Site Transit Improvements

As part of its application, the ~~applicant~~Applicant has proposed the creation of new pedestrian access to, and egress from, the LIRR ESA concourse (the existing connection from 45th Street to the GCT Roosevelt Passageway would remain adjacent to the site at 52 Vanderbilt). The proposed project also includes circulation improvements at the Grand Central – 42nd Street Subway Station, including improvements to passenger connections to the IRT Flushing Line (#7 Train) platform. Specific improvements Include:

- **On-site transit infrastructure to provide access from the LIRR ESA Terminal.** This improvement includes the creation of three new 40-inch-wide escalators, a new 6-foot-wide stair, a new ADA accessible elevator and a new 25-foot-high entrance area at the northwest corner of the Project Site (see **Figure 5**).
- **Off-site improvements to be provided by the MTA in the vicinity of the Flushing Line (#7 Train).** This would include the widening of two platform stairs at the east end of the platform, the widening of two stairs that connect the uptown Lexington Line platform to a passageway to the Flushing Line platform, and the extension of an existing transfer passageway and a new stair between the passageway extension and the Flushing Line platform (See **Figure 6**).

The Proposed Actions will undergo coordinated review under SEQRA and CEQR regulations and guidelines, with the DCP serving as lead agency on behalf of the CPC.

Figure 5 Proposed ESA Improvements

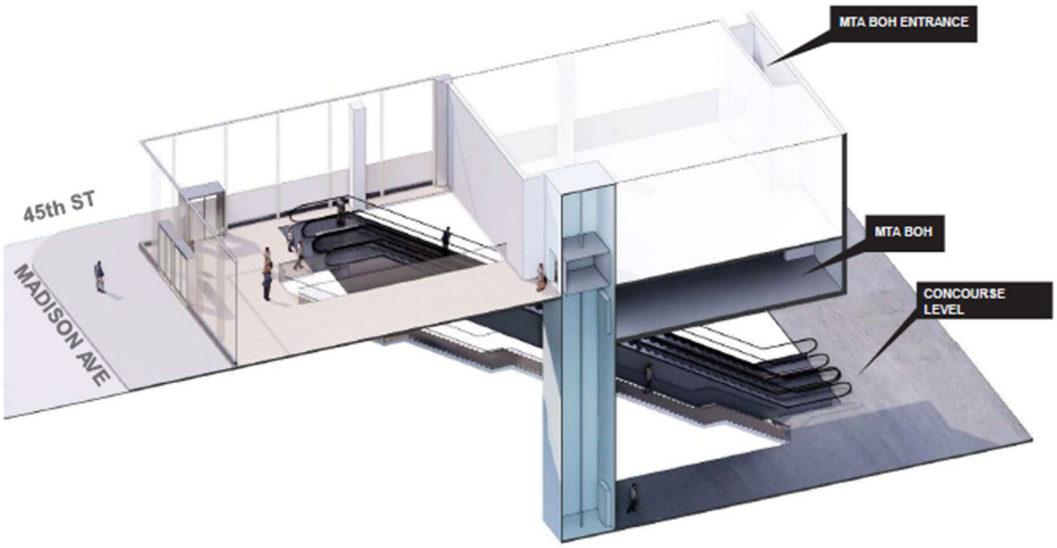
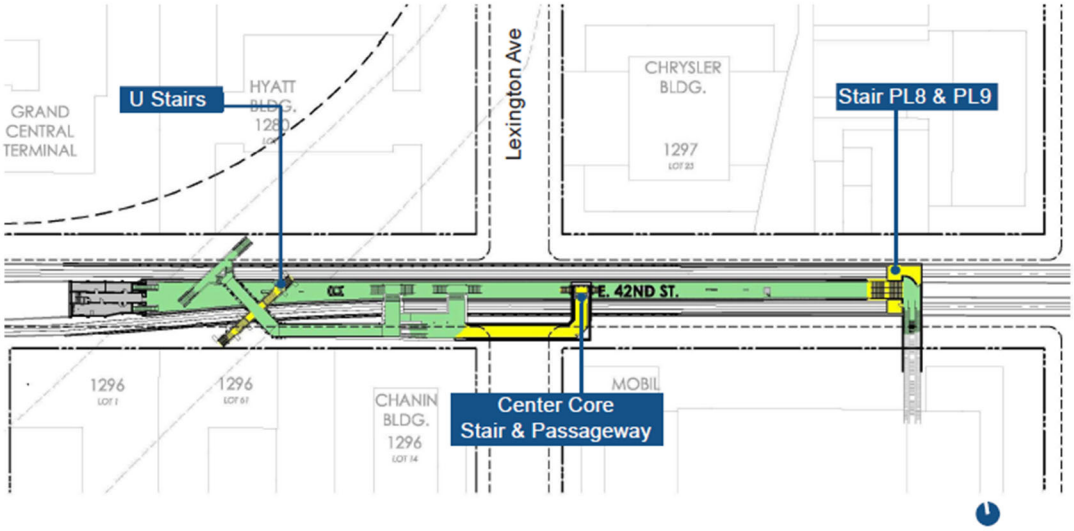


Figure 6 Proposed Flushing Line Improvements



Project Purpose and Need

The Proposed Action would permit an increase in the maximum floor area ratio, and modifications to certain bulk regulations and mandatory district plan elements, in order to facilitate the development of a first-class office and retail building on the site of the former MTA Headquarters on Madison Avenue. It would further the City's economic development goals for the Vanderbilt Corridor within the Special Midtown District, a transit-accessible area, and the principal commercial business district in Manhattan. The Proposed Action

would provide for commercial development in an area that is well-served by mass transit and create an opportunity for significant revenue generation for the MTA.

The Proposed Project would provide transportation improvements at the GCT complex, including (i) the creation of new pedestrian access to, and egress from, the LIRR ESA concourse; and (ii) off-site improvements to passenger connections to the Flushing Line platform of the Grand Central – 42nd Street Subway Station. Overall, these improvements would serve to relieve pedestrian congestion and circulation constraints at the GCT complex.

These transportation, planning, and economic development goals would be realized in connection with the development of a first-class office and retail building. The Proposed Action would permit modifications to the maximum street wall heights and height and setback regulations, thus allowing for a distinctive tower design while accommodating larger, optimally sized floor plates. The Proposed Action would also include modifications to mandatory district plan elements to facilitate better site planning and enhanced pedestrian circulation within the district. As a result, the Proposed Action would result in an improved distribution of bulk that is harmonious with the mandatory district plan element strategy and the height and setback goals of the Special Midtown District.

Analysis Framework and Reasonable Worst-Case Development Scenario

The *2020 CEQR Technical Manual* ~~serves~~will serve as guidance on the methodologies and impact criteria for evaluating the potential environmental effects of the ~~Proposed Project~~proposed development that would result from the Proposed Action. As the Proposed Project would be complete and operational in 2026, the environmental setting for analysis is not the current environment, but the future environment. To the extent that the Proposed Action allows for a range of possible scenarios that are considered reasonable and likely, the scenario with the most severe environmental impacts will be chosen for CEQR analysis. This is considered to be the reasonable worst-case development scenario (RWCDS~~,~~), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The CEQR assessment examines the incremental differences between the RWCDS of the future without the Proposed Action in place (No-Action condition) and the future with the Proposed Action in place and the associated operation of the Proposed Project (With-Action condition).

For the purpose of the environmental analyses, the No-Action condition represents the future absent the Proposed Action and serves as the baseline by which the ~~future with the~~ proposed project (or With-Action condition) is compared to determine the potential for significant environmental impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

The Proposed Action would facilitate development on the Project Site as well as off-site transit improvements at Grand Central – 42nd Street Subway Station. The amount and size of development on the Project Site would be governed by the regulations of East Midtown Subdistrict, as amended, as well as the controls of the Special Permits granted for the new building. Accordingly, the difference between the No-Action and With-Action conditions, for purposes of ~~the~~this EIS, consists of the increment between development on the Project Site without the Proposed Action and with the Proposed Action.

Future No-Action Condition

Absent the Proposed Project, in the future No-Action condition, the RWCDS assumes that after the current buildings are demolished, a 15 FAR, 477,599 gsf ~~(376,560 zsf)~~ commercial office and retail building would be constructed. The building would contain 6,144 gsf of ground floor retail space, 411,540 gsf of commercial office space above, and 56,848 sf of below-grade and mechanical space. It would also include an easement for possible future ESA circulation, to be built by the MTA. The building would be 472 feet high and 30 stories and feature a tower on a 114-foot-tall podium. The tower would have one set back at 194 feet. The ventilation structure on Lot 25 would remain under existing conditions (see **Figure 7** and **Figure 8**).

Figure 7 No-Action Massing

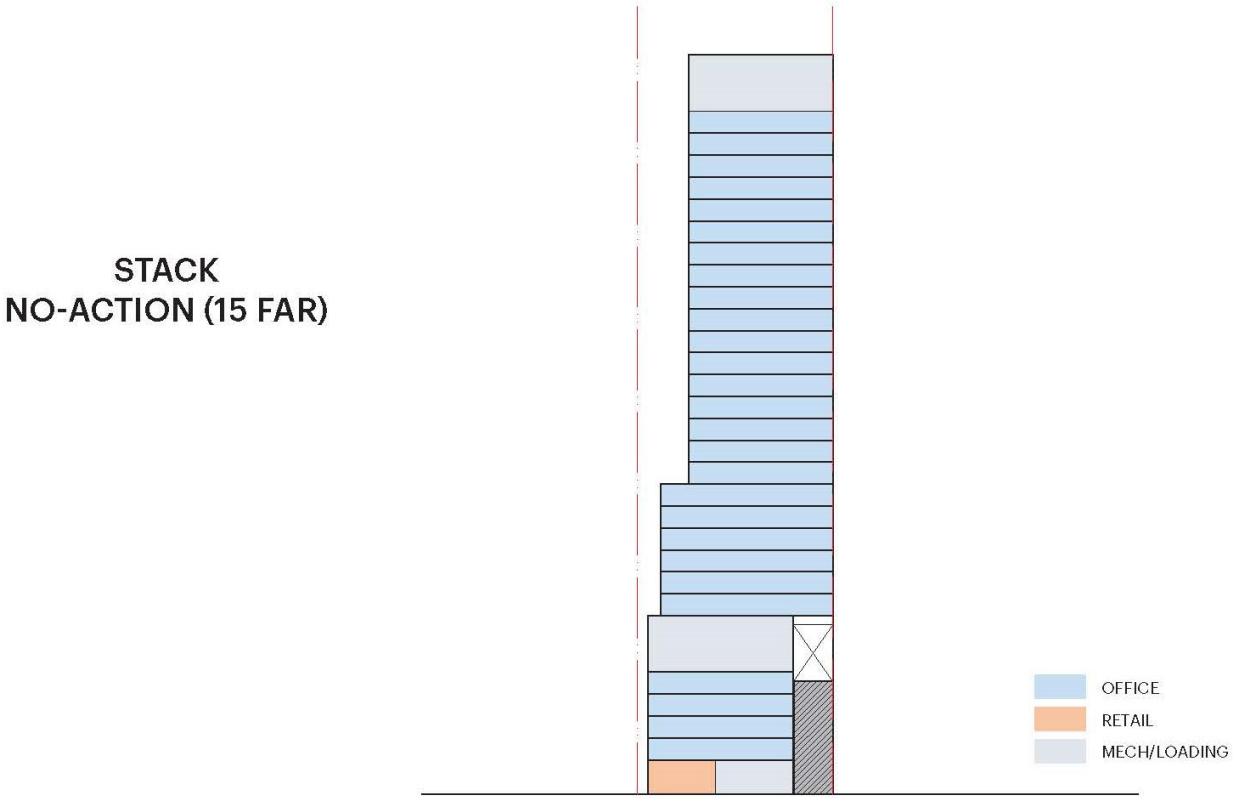


Figure 8 No-Action Ground Floor Plan

Future With-Action Condition

As detailed above, the future With-Action condition assumes that the Proposed Project would consist of a 30 FAR commercial office and retail building with a total of 925,630 gsf (753,120 zsf). The building would be approximately 55 stories tall and reach up to 1,050 feet (see **Figure 4**). ~~The building would be a tower on a podium, with the podium reaching approximately 321 feet.~~ The proposed increment for analysis is described below in **Table 1**.

Table 1 Reasonable Worst-Case Development Scenario

		No-Action		With-Action		Increment	
Use	**Existing**	**GSF**	**Employees**	**GSF**	**Employees**	**GSF**	**Employees**
Office	0	411,540	1,646	832,613	3,330	421,073	1,684
Retail	0	6,144	18	5,357	16	-787	(2)
Circulation Space	0	N/A[1]	-	2,372	-	2,372	-
Mechanical	0	56,848	-	85,288	-	28,440	-
Total GSF	**0**	**474,532**	**1,664**	**925,630**	**3,346**	**451,098**	**1,682**

Note: Employee assumptions based on 1 employee per 250 sf of office space, 1 employee per 333.33 sf of retail space

[1] Under the No-Action condition, an easement of approximately 3,067 feet would be reserved on the ground floor for an ESA entrance to be built after the build year of 2026.

The building would be a tower on a podium. In response to comments during the public review process (and following the public hearing on the DEIS), it is proposed that the maximum height of the podium or the street wall of the building would be reduced to approximately 295 feet (from approximately 321 feet).

Increment for Analysis

In total, the With-Action condition would result in a net increase of 451,098 gsf over the No-Action scenario, with approximately 421,073 gsf dedicated to commercial office space, a reduction of 787 gsf in local retail space, an increase in transit circulation space by 2,372 gsf, and an increase in the overall mechanical space by 28,440 gsf (see **Table 1**). Future development will be controlled by the requested discretionary actions. Therefore, the Proposed Project would be limited to the development described above, and the summary in **Table 1** represents the RWCDS.

Analysis Year (Build Year)

The build year for the Proposed Project is 2026.[1]

Principal Conclusions of Environmental Analyses

Land Use, Zoning, and Public Policy

~~Overall, the analysis conducted found~~A land use, zoning and public policy assessment was conducted based on the guidelines set for in the *CEQR Technical Manual*, and it concluded that the Proposed Action would not result in significant adverse impacts on land use, zoning, or public policy.

Land Use and Zoning

The Proposed Action would not directly displace any land use, nor would it introduce new land uses that would be incompatible with surrounding land uses, zoning, or public policies. Compared to the No-Action condition, the Proposed Action would result in an increase in commercial space. The Proposed Action would be consistent with the existing zoning framework for the Vanderbilt Corridor and the Grand Central Core Area and would not adversely affect surrounding land uses, nor would the Proposed Action generate land uses that would be incompatible with land uses, zoning, or public policy within the 400-foot study area.

With the Proposed Action, the Proposed Project would make use of the zoning mechanisms introduced in 2017. The Proposed Action would increase the density of the Proposed

[1] Due to economic conditions, the start of construction could be delayed. In this instance, completion of the proposed building and the Flushing line improvements both could be completed at a later date, but construction of the East Side Access entrance would still occur on the timeline presented in the FEIS and would be completed by 2026. It is expected that if there are construction delays for the proposed building due to conditions in the Midtown office market, that the No-Action projects in the surrounding area will also be affected by conditions in the Midtown office market and would similarly delay the start of construction. Therefore, there would be no notable changes to the study area conditions assessed for the construction period and there would be no material changes to the conclusions of the FEIS analyses.

Development through special permits available to sites within the Vanderbilt Corridor subarea. In addition to the special permit, waivers are requested to modify certain district plan elements in order to allow for an improved site plan on a site with unique characteristics. The requested discretionary actions would not conflict with the current zoning and would reinforce the goals of the existing zoning for the area.

Public Policy

The Proposed Action would facilitate commercial development in a central business district well served by mass transit. Additionally, the Proposed Development would result in transit and pedestrian improvements. The proposed retail and commercial office space would be comparable to existing and planned developments in the surrounding Midtown neighborhood and would, as discussed in greater detail below, directly support relevant city policies.

Open Space

The open space assessment conducted for the Proposed Action found it would not result in significant adverse open space impacts. Based on detailed analysis of indirect effects on open space, the open space ratios in the With-Action condition would remain largely the same as in the No-Action condition (i.e., less than one percent reduction) and, as the result, the Proposed Action would not result in a significant adverse indirect impact on open space. Furthermore, the Proposed Project would not result in the physical loss or direct displacement of publicly accessible open space or shadows that would temporarily or permanently affect the usefulness of a public open space (see **Chapter 4, Shadows**), and thus no direct effects analysis is warranted.

Indirect Effects

The Proposed Action would increase utilization of study area resources due to the introduction of a substantial new non-residential (worker) population. Since the Proposed Action would introduce additional workers to the area, which would place demands on passive open space resources, the indirect effects analysis focuses on passive open space resources. In both the future with and without the Proposed Action, the total and passive open space ratio in the non-residential study area is well below the City's open space planning goals.

According to the *CEQR Technical Manual*, projects that reduce the open space ratio by more than five percent may result in a significant adverse impact. For areas that are currently underserved, a smaller reduction may be considered significant. Based on maps in the Open Space Appendix of the *CEQR Technical Manual*, the open space study area is neither well served nor underserved by open space resources. Although the study area's existing conditions are characterized by a low open space ratio (i.e., below the citywide average of 0.15 acres of passive open space per 1,000 non-residential users), CEQR guidelines recognize that the goals for open space ratios are not feasible for areas such as Midtown Manhattan, where there are few public open spaces and limited space to provide new public open spaces, and therefore do not constitute an impact threshold. However, the indirect effects analysis demonstrated that the Proposed Action would decrease passive open space ratios by 0.97 percent for the non-residential population and 0.95 percent for the combined residential and non-residential population. In accordance with the *CEQR Technical Manual*,

the reductions in the open space ratios resulting from the Proposed Action would not constitute a significant adverse impact.

Shadows

A detailed shadows analysis conducted for the Proposed Project determined that in the With-Action condition, project-generated shadows would reach 15 sunlight sensitive resources. The incremental shadows resulting from the Proposed Project would be limited in extent and duration and would typically only occur in one or two analysis days. The short duration of new incremental shadows that would fall on most affected resources would not substantially reduce the quantity of direct sunlight and would not significantly alter the utilization of the resources or the variety of vegetation supported within. The Proposed Action would not result in significant adverse shadows impacts, and no publicly accessible open spaces or historic resources would experience significant adverse shadow impacts as a result of the Proposed Action.

Historic Resources

An assessment was conducted and determined that the Proposed Action would not result in significant adverse impacts on historic or cultural resources, as summarized below.

Archaeological Resources

The study area for archaeological resources is the Project Site, which is the area that would be disturbed by project construction. In an Environmental Review letter dated July 2, 2020, the New York City Landmarks Preservation Commission (LPC) determined that the 343 Madison Avenue Project Site does not possess archaeological sensitivity (see **Appendix A**, **Historic and Cultural Resources**). SHPO concurred with this finding in an email dated December 31, 2020 (see also **Appendix A**). Therefore, no further analysis of archaeological resources was warranted.

Architectural Resources

In 2018, the MTA board approved the demolition of the existing buildings, which was subject to a Negative Declaration under SEQRA. LPC and SHPO determined that the existing buildings are neither New York City Landmarks (NYCL), nor eligible or listed State/National Registers of Historic Places (S/NR) properties (see **Appendix A**). The initial phase of demolition is currently underway and includes a construction protection plan (CPP) to avoid inadvertent construction-period damage to the contiguous Yale Club at 50 Vanderbilt Avenue, an NYCL and S/NR-eligible building, and the S/NR-eligible Vanderbilt Concourse Building at 52 Vanderbilt Avenue. To carry out the Proposed Project, a similar CPP would be developed and implemented by BP 347 Madison Associates, LLC for both buildings in consultation with LPC, SHPO, and the MTA. The CPP would take into account guidance provided in the *CEQR Technical Manual* to outline steps to complete a pre-construction field inspection of adjacent historic resources and establish thresholds for vibrations and methods of monitoring vibrations during construction. Specifically, the CPP will set forth measures for protection and avoidance of structural and architectural damage from construction activities, monitoring of construction activities, and repair in the event of any damage. CPPs would also be prepared and implemented in consultation with LPC, SHPO, and the MTA for the

Roosevelt Hotel at 45 East 45th Street, a NYCL-eligible and S/NR-eligible structure, and the Brooks Brothers Store at 346 Madison Avenue, a S/NR-eligible structure, to avoid inadvertent damage from construction.

It is not expected that the proposed 343 Madison development would result in any contextual impacts on architectural resources, including GCT, as it would not adversely change the scale, visual prominence, or visual context of any building, structure, object, or landscape feature; nor would it screen or eliminate publicly accessible views of any architectural resources that would not be screened or eliminated in the No-Action condition. Additionally, the shadows analysis presented in **Chapter 5, Shadows**, concluded that no publicly accessible open spaces or historic resources would experience significant adverse shadow impacts as a result of the Proposed Action.

Urban Design and Visual Resources

An urban design and visual resources assessment was conducted, and it concluded that the Proposed Action would not result in significant adverse impacts with respect to urban design and visual resources.

Urban Design

The Proposed Action would facilitate the construction of a new building that would change visual conditions—and thus, the pedestrian experience—within the study area, as compared to the No-Action condition. However, the analysis of the Proposed Project found it would not have significant adverse impacts to the urban design of the area. The Proposed Project would be a high-rise commercial tower up to approximately 1,050 feet and 55 stories tall, consistent with the typical built form in East Midtown. The building would be constructed to the lot lines along East 44th Street and East 45th Street and set back from the Madison Avenue lot line (7 feet), resulting in a wider, 20-foot sidewalk to allow for improved pedestrian circulation. The Proposed Project massing would incorporate an additional setback at a height of 321 feet,[2] creating a base height that is similar to or taller than the overall height of several neighboring buildings, including the building directly south of the Project Site at 333 Madison Avenue.

The Proposed Action also would not alter the arrangement, appearance, or functionality of the Project Site or study area such that the alteration would negatively affect a pedestrian's experience of the area. The ground floor of the Proposed Project would provide an active streetfront appropriate for a highly-trafficked location within East Midtown—including entrances to the office lobby as well as the ground-floor retail spaces on both Madison Avenue and East 45th Street. The Proposed Project would also facilitate significant improvements in the pedestrian experience within and around the Project Site—including the proposed seven-foot sidewalk widening and a generous building entrance recess area along Madison Avenue, as well as above- and below-grade improvements to the pedestrian and mass transit circulation network, comprising an at-grade entrance to the LIRR ESA terminal at the intersection of Madison Avenue and East 45th Street. In addition, the north sidewalk along East 45th Street adjacent to the Project Site would be extended along the

[2] Since publication of the DEIS, it is proposed that the maximum height of the street wall would be reduced to approximately 295 feet. The analysis conservatively assumed the higher street wall height of 321 feet.

frontage of the site by approximately five feet to provide for a 15-foot-wide sidewalk. The Proposed Project would be built on an existing block, and would not entail any changes to topography, street hierarchy, block shapes, or natural features.

Though the With-Action condition would result in an increase in density on the Project Site compared to the No-Action condition, in either condition, the Project Site would be redeveloped as a high-rise commercial building typical of East Midtown and consistent with the zoning framework for the Vanderbilt Corridor Subarea. Although the Proposed Project would be taller than the No-Action development, the proposed height is consistent with other existing and recently completed buildings in the area. Additionally, the Proposed Action would facilitate many on-site benefits, including greater access to local and regional mass transit and an improvement to the pedestrian experience around the Project Site. The Proposed Project is expected to complement and enhance the urban design of the area, replacing an underutilized site with a new active development.

Visual Resources

The Proposed Project is not anticipated to have significant adverse impacts to visual resources within the study area. The design of the Proposed Project would not significantly alter the character of the surrounding area compared with the No-Action condition, and is appropriate for its location in East Midtown, which is characterized by mid- and high-rise commercial buildings.

The Proposed Action facilitates a building form that would maintain existing views to the MetLife Building when facing east along East 44th Street and would not affect views to any of the other visual resources within the study area. The Proposed Project would be constructed within the existing street grid and present as a tall building lining an avenue that has a predominant character of commercial mid- and high-rise buildings.

The overall height associated with the Proposed Project would sit within the context of other tall towers of the East Midtown Manhattan Skyline, including the One Vanderbilt, the Chrysler Building, and the MetLife Building. Therefore, the impacts associated with the Proposed Project are anticipated to be similar to those of other newly constructed tall towers in the context of a densely developed skyline.

Hazardous Materials

The Proposed Action would not result in significant adverse impacts related to hazardous materials with the placement of an (E) Designation ~~on the lots comprising the Project Site.~~(E-584) on a portion of the Project Site (Block 1279, Lots 23, 24, and 48). An (E) Designation would not be applied to Block 1279, Lot 25 since this lot would not be redeveloped as part of the Proposed Action.

Subsurface contamination may be present at the Project Site based upon the results of a Phase I Environmental Site Assessment (ESA). To address any concerns relating to hazardous materials on the Project Site, a subsurface investigation (Phase II ESA) would be warranted to identify potential subsurface contamination relating to the Recognized Environmental Conditions (RECs) identified in the Phase I ESA. A Phase II ESA would characterize the Project Site for contaminants relating to soil, groundwater and soil vapor conditions. Subsurface contaminants would subsequently be dealt with through the development and implementation of a Remedial Action Plan (RAP) and Construction Health and Safety Plan

(CHASP), which would be prepared to mitigate potential risk and exposure relating to the presence of hazardous materials in the subsurface. However, given the presence of the existing building, accessibility constraints of the existing basement areas, limited basement height clearance and building slab space available in the on-site buildings, as well as utility and adjacent rail infrastructure, it is not practical to perform a subsurface investigation within the on-site buildings in their current condition. As such, the Proposed Action would include an (E) Designation for hazardous materials (E-584), which would be applied to Manhattan Block 1279, Lots 23, 24 and 48.

The implementation of the preventative and remedial measures required under the (E) Designation would avoid the potential for significant adverse hazardous materials impacts due to the Proposed Action. Environmental designations, or (E) Designations, are established on the zoning map by the New York City Department of City Planning (DCP) and the New York City Council as a part of a zoning change/action and are satisfied prior to issuance of a building permit by the New York City Department of Buildings (DOB).

Applying an (E) Designation to the Project Site provides a mechanism for regulatory oversight for the subsurface investigation and potential future remedial action as a pre-construction requirement (in this case, post-demolition) that would reduce or eliminate the potential for future risk or exposure as it relates to hazardous materials to the maximum extent practicable. Compliance in association with the hazardous materials (E) Designation on the Project Site would be conducted under the administration of OER. It should be noted that the existing ventilation building on Lot 25 currently under construction would remain in-place with no soil disturbance required. As the ventilation building would not be redeveloped under the Proposed Action, an (E) Designation for hazardous materials would not be applied to Lot 25.

In addition to applying an (E) Designation to the Project Site, regulatory requirements pertaining to any identified petroleum storage tanks and/or spills, requirements for disturbance and handling of suspect lead-based paint (LBP), asbestos-containing materials (ACM) and polychlorinated biphenyl (PCB)-containing building materials would be followed. As such, implementation of the Proposed Action would not result in significant adverse impacts related to hazardous materials.

Water and Sewer Infrastructure

The Proposed Actions would not result in a significant adverse impact on the City's water and sewer infrastructure. Based on the methodology set forth in the *CEQR Technical Manual*, although the Proposed Actions would create new demand for water and treatment of sewage, the incremental increases would be within the capacity of the City's systems, and the impacts would not be considered significant or adverse.

Water Supply

New York City consumes approximately 1.3 billion gallons of water per day from a reservoir system with a total storage capacity of approximately 550 billion gallons. The total water usage as a result of the Proposed Project is calculated to equal approximately 0.23 mgd, which is an increment of approximately 0.11 mgd (or 100 percent), compared to the No-Action Condition projected demand of approximately 0.11 mgd. This incremental demand would represent 0.00002 percent of the City's overall water supply. As the total water usage

as a result of the Proposed Project would result in less than 1 mgd, the Proposed Project would not have a significant adverse impact on the City's water supply or system water pressure.

Sanitary Sewage

Sanitary sewage generated by the Proposed Project would discharge to the Newtown Creek wastewater treatment plant (WWTP), which has a State Pollutant Discharge Elimination System (SPDES)-permitted dry weather flow capacity of 310 mgd. The average monthly flow to Newtown Creek WWTP over a 12-month period is 204 mgd. The Proposed Project has the potential to result in a total generation of 0.085 mgd of sanitary sewage discharge, an increment of 0.042 mgd (or 98 percent) over the No-Action total sewage generation, which is estimated at 0.043 mgd. This incremental increase in sanitary flow would represent approximately 0.01 percent of the Newtown Creek WWTP's SPDES-permitted capacity. As the projected increase in sanitary sewage would not cause the Newtown Creek WWTP to exceed its operational capacity or SPDES-permitted capacity, the Proposed Actions would not result in significant adverse impacts to sanitary sewage conveyance and treatment. In addition, per the New York City Plumbing Code (Local Law 33 of 2007), while not accounted for in the quantitative analysis, low-flow fixtures would be required to be implemented and would help to reduce sanitary flows as a result of the Proposed Project.

The Applicant would be required to file a site connection proposal for approval from the New York City Department of Environmental Protection (DEP) to tie into the City's sewer system. In order to obtain a sewer connection permit from DEP, the Applicant would be required to demonstrate that the existing system could handle the increased flows due to the Proposed Project. Any analysis and improvements, if required, would be undertaken prior to construction of the Proposed Project and would be coordinated with DEP for review and approval.

Stormwater Drainage and Management

The Project Area is served by a combined sewer system, collecting both dry-weather wastewater and stormwater. The Proposed Project would not result in an increase in impervious surfaces as compared to the No-Action condition and therefore is not expected to generate additional stormwater runoff. However, as the Proposed Project would result in increased sanitary sewage flows, the total volume to the combined sewer system would be increased. As noted previously, the incremental increase in sanitary flow is well within the capacity of the existing system and would not result in significant adverse impacts to the City's sewer infrastructure. Additionally, due to DEP's current stormwater management requirements, stormwater runoff from new developments is expected to measurably decrease as compared to Existing Conditions. Based on the analysis pursuant to the *CEQR Technical Manual*, with stormwater Best Management Practices (BMPs) implemented on the Project Site by the Applicant to reduce runoff, it is concluded that the Proposed Project would not result in significant adverse impacts on stormwater conveyance and treatment infrastructure.

Transportation

A detailed transportation analysis was conducted and determined that the Proposed Action would result in significant adverse impacts related to traffic (two intersections), transit (one station element), and pedestrians (four pedestrian elements) as detailed below. The Proposed Action would not adversely impact vehicular and pedestrian safety or parking conditions.

Traffic

Vehicle traffic assignments were performed and indicated that no intersections would receive 50 or more vehicle trips during any of the peak hours analyzed. According to the *2020 CEQR Technical Manual* screening criteria, detailed traffic analysis would not be needed since 50 vehicles per hour is the threshold beneath which traffic conditions are not deemed significantly impacted. However, in consultation with the Department of City Planning (DCP) and the New York City Department of Transportation (~~NYCDOT~~NYC DOT), the four intersections at the corners of the Project Site block—Madison Avenue with East 44th and East 45th Streets, and Vanderbilt Avenue with East 44th and East 45th Streets—were included for analysis. Although traffic volume increases were modest and below the CEQR threshold per intersection, traffic impacts were identified at Madison Avenue and East 44th Street for all three peak hours and at Madison Avenue and East 45th Street for the PM peak hour. The identification and evaluation of traffic capacity improvements needed to mitigate these impacts are presented **Chapter 16, Mitigation**.

Parking

The Proposed Project would result in a parking demand increase for 104 spaces during the midday period as compared to the No-Action conditions. Overall, the Proposed Project parking demand would be sufficiently accommodated by the off-street parking within a quarter mile (five-minute walk) of the Proposed Project.

Transit

As part of the Proposed Project, a new entrance to GCT and LIRR's ESA connection ~~would~~will be provided at the northwest corner of the site. In addition, the Proposed Project would include improvements to enhance passenger circulation conditions at the 42nd Street – Grand Central subway station. These changes include:

- On the Flushing platform, the existing stair PL9 ~~would~~will be widened to a total width of 15 feet.
- On the Flushing platform, two new platform stairs ~~would~~will be added along with an extended transfer passageway at the center core.
- Stairs U2/U4 and U6/U8, which descend below the northbound Lexington platform to the Flushing passageway, ~~would~~will be widened from 6 feet to 7 feet 3 inches.

An analysis was conducted for the 42nd Street – Grand Central subway station elements (stairways, escalators, fare control areas, and passageways) during the AM and PM commuter peak hours. The analysis concluded that significant transit impacts would not be expected during the AM peak hour, and one station element, the ES208 escalator (at the west end of the Flushing platform), would be impacted during the PM peak hour.

An assessment of the incremental subway riders for each subway line by direction was also conducted. According to the *2020 CEQR Technical Manual*, subway line-haul impacts are not expected if the increase in subway ridership is less than five riders per subway car. Since the projected peak ridership increase would be below this threshold, a detailed subway line-haul analysis was not needed, and subway line-haul impacts are not expected.

Pedestrians

Pedestrian analyses were performed for ten pedestrian elements (four sidewalks, two crosswalks, and four corners) during the AM, midday, and PM peak hours. The Proposed Project would include widening of the sidewalk along the Madison Avenue and East 45th Street frontages. Of the ten pedestrian elements analyzed, the Proposed Project would result in significant adverse impacts along Madison Avenue at two crosswalks and two corners during the AM and midday peak hours, and two crosswalks during the PM peak hour. Mitigation measures that could be implemented to mitigate the potential significant adverse pedestrian impacts are discussed in **Chapter 16, Mitigation**.

Vehicular and Pedestrian Safety

Crash data were obtained for four study area intersections from ~~the New York City Department of Transportation (NYCDOT)~~NYC DOT for the most recent three-year period for which such data are available. None of the intersections analyzed are considered to be high-crash locations per the *CEQR Technical Manual* criteria.

Air Quality

An air quality analysis was conducted based on the methodology set forth in the *CEQR Technical Manual,* and it concluded that the Proposed Action would not result in significant adverse air quality impacts. The air quality analysis, as summarized below, found that the Proposed Action would not cause significant air quality adverse impacts on the surrounding sensitive receptors nor would nearby emission sources significantly impact the Proposed Project. An (E) designation (E-584) for air quality would be placed on the Project Site (Block 1279, Lots 23, 24, 25, and 48) to ensure that the Proposed Project would not result in significant adverse air quality impacts.

The number of incremental trips generated by the Proposed Project would be lower than the screening thresholds for carbon monoxide (CO) and particulate matter (PM) (both $PM_{2.5}$ and PM_{10}) identified in the *CEQR Technical Manual*. Therefore, traffic emissions from the Proposed Project would not result in a significant adverse impact on air quality.

The detailed analysis demonstrated that the Proposed Project must utilize only natural gas in any fossil fuel-fired heating and hot water system, with a maximum boiler capacity of 32 MMBtu/hr, be fitted with low NOx burners (50 ppm) and ensure that the exhaust stack(s) are located at the highest tier and at least 1053 feet above grade to avoid any potential significant adverse air quality impact. These commitments would be memorialized in an (E) designation for the Proposed Project (E-584). With these commitments, the Proposed Project would not result in significant adverse air quality impacts.

The identified light industrial sources would not emit any carcinogenic air toxic pollutants. The analysis of non-carcinogenic non-criteria pollutants resulted in concentrations below

guideline levels and demonstrated the hazard index below the threshold. Hence, no adverse air quality impacts on the Proposed Project are expected from the nearby industrial sources.

Analysis of the potential impacts from an existing large source on the Proposed Project showed that emissions from this facility would result in concentrations below the appropriate ambient air quality thresholds. Therefore, there would be no significant adverse air quality impacts on the Proposed Project from the large source.

Greenhouse Gas Emissions

The Proposed Action would be consistent with the applicable City GHG emissions reduction and climate change goals, and there would be no significant adverse GHG emission or climate change impacts as a result of the Proposed Action.

Following the methodology provided in the *CEQR Technical Manual*, it is estimated that the Proposed Action would result in approximately 3,829 metric tons of carbon dioxide equivalent (CO_2e) emissions from its annual operations and 429 metric tons a year of CO_2e emissions from mobile sources annually; accordingly, the Proposed Action would result in an annual total of approximately 4,258 metric tons of CO_2e emissions. This represents less than 0.01 percent of the City's overall 2017 GHG emissions of 50.7 million metric tons, an insignificant contribution.

The Proposed Project would comply with the 2020 Energy Conservation Construction Code of New York State and 2020 New York City Energy Conservation Code, which govern performance requirements of heating, ventilation, and air conditioning systems, as well as the exterior building envelope of new buildings. As a result, the Proposed Project would generate emissions below the City's Climate Mobilization Act (Local Law 97) requirements and would contribute towards the NYC GHG reduction goals. The Proposed Project would be located next to GCT, avoiding demand for vehicular travel. In addition, this transit-oriented development would incorporate measures to encourage the use of public transportation, would include an additional entrance to the LIRR East Side Access concourse, measures to improve passenger circulation at Grand Central – 42nd Street Subway Station and would advance New York City's GHG reduction goals by virtue of their nature and location.

Noise

A noise assessment was conducted to determine whether the Proposed Action would significantly increase sound levels from mobile and stationary sources at existing noise receptors, and if new noise receptors that would be introduced would be in an acceptable ambient sound level environment as defined in applicable provisions of the City's noise code. The assessment concluded that the Proposed Action would not result in significant adverse noise impacts. An (E) designation (E-584) for noise would be placed on the Project Site (Block 1279, Lots 23, 24, 25, and 48) specifying the appropriate amount of window/wall attenuation and an alternate means of ventilation.

Existing Noise Receptors

Based on the travel demand assessment undertaken as part of the **Transportation** analysis, the Proposed Action is expected to generate more than 50 incremental vehicular trips in one or more peak hours but would not generate 50 or more vehicles at an intersection during

the peak hours analyzed. In coordination with DCP and ~~the NYCDOT~~NYC DOT, the four intersections at the corners of the Project Site block—Madison Avenue with East 44th and East 45th Streets, and Vanderbilt Avenue with East 44th and East 45th Streets—were included for a traffic analysis including traffic volumes for the 2026 No-Action and 2026 With-Action condition. These volumes were used to evaluate the No-Action and With-Action traffic noise conditions for new receptors in 2026, when the predominant source of ambient noise at the Project Site would be from existing and future traffic. Stationary sources, such as building mechanical equipment and a ventilation building immediately to the east of the Project Site on Block 1279 Lot 25, are substantially quieter than noise generated by traffic.

Future 2026 No-Action and 2026 With-Action noise conditions were determined by proportional traffic modeling around the Project Site. Mobile source noise levels would change by 1.8 dBA or less due to traffic generated by the Proposed Action. Therefore, there would be no potential for significant adverse noise impacts due to mobile sources.

The MTA ventilation building immediately to the east of the Project Site (Block 1279 Lot 25) is currently under construction for the ESA project. The ventilation building is currently being designed and constructed to meet applicable noise codes. The Proposed Action has the potential to cause noise from the roof of the ventilation building to reflect off the bottom of the overhang and propagate out the front façade on East 44th Street. As a result, it is conservatively estimated that stationary source noise levels at that location may increase up to 1 or 2 dBA. However, since the increase in noise would be less than 3 dBA, reflection of the vent building noise would not have the potential to result in a significant adverse noise impact due to stationary sources.

The design and specifications for the Proposed Project's mechanical equipment would incorporate sufficient noise reduction devices that would enable the proposed project to comply with applicable noise regulations and standards, including the standards contained in the revised New York City noise control code.

Including mobile sources and stationary sources introduced with the Proposed Action, the With-Action noise conditions would not increase by more than 3 dBA compared to the No-Action noise conditions and there would be no significant adverse noise impact to existing receptors.

New Noise Receptors

Noise monitoring was conducted to determine the existing sound levels at the Project Site in 2016. Based on the 2016 sound levels and the 2019 traffic conditions, existing noise conditions were determined to be consistent with the 2016 measurement results. Similarly, the future 2026 No-Action and With-Action noise conditions were then determined using proportional modeling of the traffic as presented in the **Transportation** analysis. Traffic conditions between 2016 and 2019 were evaluated and determined to have decreased slightly. Therefore, the noise measurements conducted in 2016 were conservatively assumed to be similar to 2019 existing conditions and were not adjusted for decreases in traffic.

The No-Action noise conditions would be up to 2.6 dBA higher than the 2019 existing noise conditions. The With-Action noise conditions including mobile and stationary sources would be up to 1.8 dBA higher than the No-Action. The 2019 existing, 2026 No-Action and 2026 With-Action noise conditions would be Marginally Unacceptable or Clearly Unacceptable

according to the CEQR Noise Exposure Guidelines. The With-Action noise conditions including mobile and stationary sources would be up to 80.7 (L_{10}) on the Madison Avenue façade, up to 82.0 dBA (L_{10}) on the East 44th Street façade, and up to 77.2 dBA(L_{10}) on the East 45th Street façade. With-Action noise conditions for the east façade of the Proposed Project have conservatively been assumed to be the higher of the noise exposure on East 44th Street and East 45th Street (82.0 dBA L_{10}). Since With-Action noise conditions would be Clearly Unacceptable or Marginally Unacceptable according to the CEQR Noise Exposure Guidelines, a minimum window/wall sound attenuation is required to meet an interior noise condition of 50 dBA for commercial spaces.

The proposed building ~~would~~will have ground-level retail and commercial office space on upper floors. Retail space is not considered noise-sensitive and does not require minimum window/wall attenuation requirements to meet the CEQR Noise Exposure Guidelines. The commercial office space ~~would~~will require sufficient outdoor-to-indoor noise reduction measures to reduce the interior sound levels by 32 dBA OITC (outdoor-to-indoor transmission classification) on the Madison Avenue facade, 33 dBA on the East 44th and eastern (back) facades, and by 28 dBA OITC on the East 45th street façade in order to maintain acceptable interior noise conditions in commercial spaces and an alternative means of ventilation must be included such as, but not limited to central air conditioning, to provide ventilation during the closed window condition.

To implement these attenuation requirements, ~~it is anticipated that~~ an (E) designation (E-584) for noise would be applied to the Project Site specifying the appropriate amount of window/wall attenuation and an alternate means of ventilation.

Public Health

The Proposed Project would not result in significant adverse impacts to public health. As described in the relevant analyses of this EIS, the Proposed Project would not result in unmitigated significant adverse impacts in the areas of air quality, water quality, hazardous materials, noise, construction air quality or construction noise. An (E) designation (E-584), would be placed on the Project Site (Block 1279, Lots 23, 24, 25 and 48) for air quality and noise. An (E) designation (E-584), would also be placed on a portion of the Project Site (Block 1279, Lots 23, 24, and 48) for hazardous materials~~, air quality and noise.~~. The implementation of the preventative and remedial measures required under the (E) designation would avoid the potential for significant adverse hazardous materials impacts due to the Proposed Action.

The detailed analysis on operational air quality showed that the proposed heating, ventilation and air conditioning (HVAC) system would result in acceptable emissions levels, and no adverse impacts are expected from nearby industrial sources or large sources~~; therefore~~. Therefore, there would be no significant adverse air quality impacts from the Proposed Project due to operational air quality. An (E) designation (E-584) would be placed on the Project Site for air quality to ensure that the Proposed Project would utilize only natural gas in any fossil fuel-fired heating and hot water system, with a maximum boiler capacity of 32 MMBtu/hr, be fitted with low NOx burners (50 ppm) and ensure that the exhaust stack(s) are located at a certain height to avoid any potential significant adverse air quality impact. An (E) designation (E-584) would also be applied on the Project Site for noise to ensure acceptable interior noise levels by specifying the appropriate amount of

window/wall attenuation and a closed window condition. With these sound attenuation commitments, there would be no adverse impact due to operational noise.

An analysis of construction air quality showed that there would be no significant adverse air quality impacts during construction, as construction of the Proposed Project would not result in any concentrations of NO_2, PM_{10}, and CO that exceed the NAAQS and the maximum predicted incremental concentrations of $PM_{2.5}$ would not exceed the City's *de minimis* criteria. This assumes that, as mandated by state and/or federal regulations, ultra-low-sulfur diesel, fugitive dust control plans, diesel equipment reduction, restrictions on vehicle idling, and equipment meeting Tier 4 standards for diesel engines, would be used in relation to construction activity.

Construction period noise would also not exceed 85 dBA at any receptor during the peak construction periods nor would there be a 15 dBA increase at any receptor assuming existing construction noise regulations, typical construction equipment, and the implementation of a Construction Noise Mitigation Plan, as required by the New York City Noise Code, as well as the use of a 12-foot perimeter construction noise barrier and acoustic enclosures around compressors and generators.

Neighborhood Character

The Proposed Action would not result in significant adverse impacts to the neighborhood character of East Midtown or the Vanderbilt Corridor. The study area is characterized by dense, commercial development, which is reinforced by recent actions, including the Vanderbilt Corridor rezoning in 2015 and the Greater East Midtown rezoning in 2017. As a tall commercial tower, the Proposed Project would be a continuation of this development trend, in keeping with the predominant use and building form that defines the study area. The Proposed Project would incorporate significant transit improvements, sidewalk widening, and ground-floor retail that would contribute to the active and vibrant pedestrian activity and circulation network that defines the area. Construction within the existing East Midtown street grid would maintain significant views to the east within the study area, including views of GCT, the MetLife Building, and the Park Avenue Viaduct.

As detailed in the relevant chapters of this EIS, the Proposed Action would not result in significant adverse impacts in the contributing technical areas of land use, zoning, and public policy; open space; shadows; historic and cultural resources; urban design and visual resources; or noise. Significant adverse impacts were identified in the transportation technical area (traffic, transit, and pedestrian impacts), per *CEQR Technical Manual* guidelines this is not necessarily equivalent to a significant impact on neighborhood character. Although it is expected that there would be an increase in the level of pedestrian activity and traffic volumes in the future With-Action condition, the resulting conditions would not be out of character with the East Midtown area, which is already defined by high volumes of vehicles and pedestrians. Therefore, the identified impact would not affect the defining features of the neighborhood and would not constitute a significant impact on neighborhood character. Overall, the Proposed Action would not result in a significant adverse impact on neighborhood character, either from a significant adverse impact identified in a singular technical area or from the combined effect of changes to the defining elements.

Construction

A construction assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and it concluded that the Proposed Project would not result in significant adverse construction period impacts.

Governmental oversight of construction in New York City is extensive and involves a number of City, State, and Federal agencies, each with specific areas of responsibility. Construction at the Project Site would be subject to government regulations and oversight described below in Construction Regulations and General Practices and would employ the general construction practices described below. The Proposed Project would also comply with the requirements of the New York City Noise Control Code.

Historic and Cultural Resources

The Yale Club, Vanderbilt Concourse Building, Roosevelt Hotel and Brooks Brothers Store are located within 90 feet of the Project Site. To avoid inadvertent construction-period damage to these four historic resources, BP 347 Madison Associates, LLC (BP) would develop and implement a construction protection plan (CPP) for the buildings in consultation with the New York City Landmarks Preservation Commission (LPC), New York State Historic Preservation Office (SHPO), and the Metropolitan Transportation Authority (MTA). The CPP would outline steps to complete a pre-construction field inspection of these adjacent historic resources and establish thresholds for vibrations and methods of monitoring vibrations during construction. Specifically, the CPP would set forth measures for protection and avoidance of structural and architectural damage from construction activities, monitoring of construction activities, and repair in the event of any damage. With these measures in place, construction would not be expected to result in significant adverse impacts on historic or cultural resources.

Transportation

Traffic

Construction activities for the Proposed Project would generate 27 construction worker auto trips and ten construction truck trips during the AM construction peak hour, and 26 construction worker auto trips and no construction truck trips during the PM construction peak hour. The *2020 CEQR Technical Manual* indicates that a detailed traffic analysis for construction activities is not necessary if the construction peak hour would generate fewer than 50 vehicle trips. Therefore, there is no potential for significant traffic impacts associated with the arrival and departure of construction related vehicles and no further quantified traffic analysis is warranted. Although no further traffic analyses were needed, vehicle trips generated by construction activities for the Proposed Project were assigned to the surrounding roadway network for the purpose of the other construction analyses (air quality and noise).

Parking

Construction workers would generate an estimated maximum daily parking demand of 34 spaces during the peak construction quarter. This parking demand could be accommodated by the off-street parking facilities available within a quarter mile radius of the Project Site.

Transit and Pedestrians

During the peak construction quarter, the Proposed Project would generate approximately 238 daily construction workers. It is expected that the majority of these workers (80 percent) would arrive during the AM construction peak hour and depart during the PM construction peak hour, and they would generate approximately 135 construction worker trips by public transportation during each construction peak hour. The study area is well served by public transit, including the No. 4,5,6,7, and S subway lines at the 42nd Street – Grand Central station as well as the B,D,F, and M subway lines at Fifth Avenue – Bryant Park and 47th – 50th Streets Rockefeller Center stations. Several Manhattan and Queens local bus routes, and express bus routes, also serve the study area. These trips would be distributed to the different transit options, and construction activities are not expected to result in transit or pedestrian impacts.

Air Quality

Based on the results of the emissions intensity and quantitative construction air quality analysis for on-site emissions (construction equipment, trucks and fugitive dust), and off-site emissions (approaching and departing construction trucks) effects of construction, the Proposed Project would not result in significant adverse impacts on air quality during construction.

Noise

Construction on the Project Site would involve standard construction activities and practices for buildings in New York City. Excavation, foundation, and superstructure phases of construction are when noisiest activities occur. The interior fitout phase of construction typically involves minimal exterior equipment substantially quieter noise conditions. The Proposed Project is near existing residential and commercial land uses; therefore, based on the proximity of these noise-sensitive land uses, there is the potential for construction to cause significant adverse noise impacts and detailed construction noise analysis is warranted.

Construction noise levels would not increase by 15 dBA or more during any phase of construction and noise levels would be below 84 dBA during the With-Action and would not exceed the public health noise criterion of 85 dBA. Construction noise levels would increase ambient levels by 3 dBA or more and exceed the interior noise criteria at 19 receptor locations during the excavation, foundation and superstructure phases for 24 months during the No-Action condition. Similarly, construction noise levels would increase by 3 dBA or more and exceed the interior noise criteria at the same 19 receptor locations during excavation, foundation, and superstructure phases for 28 months during the With-Action condition. The analysis results indicate that during excavation and foundation, construction equipment and durations would be the same between the No-Action and With-Action conditions. The analysis results indicate that during superstructure, construction noise levels would be within 1-2 dBA for the Proposed Action compared to the No-Action and would last for 4 months longer. Since construction noise levels would exceed 3 dBA or more and exceed the interior noise criteria for 24 months or more for both the No-Action and With-Action conditions at all of these receptors, there would not be significant noise impact due to the Proposed Action.

With the adherence to existing construction noise regulations, the implementation of a Construction Noise Mitigation Plan, as required by the New York City Noise Code, as well as the use of an 12-foot perimeter wall noise barrier and acoustic enclosures around generators and compressors, construction noise would be reduced and would not exceed the thresholds for significant adverse noise impact. The perimeter wall would have an absorptive surface on the interior side (facing the ~~project site~~Project Site) along the Madison Avenue and East 44th Street sides.

Vibration

The Proposed Project is not anticipated to result in significant adverse impacts as a result of construction vibration as most nearby buildings not on the immediate block are 60 feet or farther from proposed construction activities and vibration levels from drilling and other sources of vibration such as bulldozers and jackhammers would not exceed the LPC vibration criterion. Since 50 Vanderbilt Avenue (Yale Club) is an individual landmark, the DOB Technical Policy and Protection Notice (TPPN) #10/88 would apply, which requires a vibration monitoring program to reduce the likelihood of construction damage to adjacent New York City Landmarks and NR-listed properties within 90 feet. The applicant would employ means/methods that meet acceptable vibration levels as mandated by DOB.

In terms of construction vibration causing potential annoyance, the threshold for potential annoyance is 65 VdB inside buildings. Assuming a 10 VdB outdoor to indoor vibration attenuation for large masonry buildings, there is potential for human annoyance within 65 feet of most other equipment, such as drilling, bulldozers, and jackhammers. These construction activities would only occur for limited periods of time at any particular location. Therefore, there would be no significant adverse impacts as a result of construction vibration.

Mitigation

Traffic

The Proposed Project would result in significant adverse traffic impacts at two of the four intersections analyzed, including one intersection (at two traffic movements) during the AM and midday peak hours, and two intersections (at three traffic movements) during the PM peak hour. At the intersection of Madison Avenue and East 44th Street, impacts to the northbound right turn movement could not be mitigated during the AM and PM peak hours; these impacts could only be partially mitigated during the AM and PM peak hours and could be fully mitigated during the midday peak hour. The other intersections with significant adverse impacts could be fully mitigated.

Mitigation measures identified later in the chapter, such as signal timing modifications, parking regulation changes to add additional travel lanes, and lane restriping, are standard traffic capacity improvements that are typically implemented ~~by the New York City Department of Transportation (NYCDOT).~~NYC DOT.

Transit

Analyses conducted for the 42nd Street – Grand Central subway station elements (stairways, escalators, fare control areas, and passageways) during the AM and PM commuter peak

hours identified one significant transit impact for the ES208 escalator (at the west end of the Flushing platform) during the PM peak hour. Although the Proposed Project would include increased circulation capacity on the Flushing line platform through the widening of the U2/U4, U6/U8, and PL9 stairways and construction of two new stairs, impacts to the ES208 escalator would remain unmitigated. This impact could potentially be mitigated by increasing the escalator operating speed from 90 feet per minute to 100 feet per minute~~; the practicability of implementing this measure would be explored between the Draft EIS and Final EIS. Other transit improvements projects are being proposed by the MTA and once approved and implemented, those improvements could alleviate this impact in the future. Even if this impact were to remain unmitigated, the overall transit improvements of the Proposed Action could significantly outweigh this impact.~~. Replacement of the ES208 escalator as part of MTA's Capital Program is expected to be completed by 2025 and would allow for the increase of the escalator operating speed to 100 feet per minute. However, if in future it is determined that there is crowding in the immediate switchback landing as passengers transfer between escalators, then NYCT would have to potentially lower the escalator operating speed back to 90 feet per minute, in which case, the impact would remain unmitigated.

Pedestrians

The Proposed Project would result in significant adverse pedestrian impacts at four pedestrian elements (two crosswalks and two corners) during the AM and midday peak hours, and two pedestrian elements during the PM peak hour (two crosswalks), out of the ten pedestrian elements analyzed. There would be no significant impacts to any sidewalks analyzed in any analysis period. Potential mitigation measures have been identified for the impacted elements during all three peak hours. Potential mitigation measures identified were widening of the east crosswalks at the intersection of Madison Avenue at East 44th and at East 45th Streets, and corner curb extensions at the two impacted corners. Implementation of the pedestrian mitigation measures are within the jurisdiction of ~~NYCDOT~~NYC DOT.

Alternatives

No-Action Alternative

The No-Action Alternative examines future conditions in 2026 absent the Proposed Action. In simplest terms, the No-Action Alternative is the No-Action condition identified, described, and assessed in the preceding chapters of this EIS. In the No-Action Alternative, the Project Site would be developed with a 15 FAR, 474,532-gsf commercial office and retail building with 6,144 gsf of ground floor retail space, 411,540 gsf of commercial office space above, and 56,848 sf of below-grade and mechanical space. It would also include an easement for ESA circulation, to be built at a later date by the MTA. The No-Action Alternative would result in approximately 451,098 gsf less floor area to be developed on the Project Site compared to the Proposed Action and would be shorter by approximately 578 feet. Construction of the No-Action Alternative would require a shorter construction period. The significant adverse impacts associated with the Proposed Action would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the project goals, and as compared to the Proposed Action, the intended benefits—the development of

on- and off-site transit improvements, significant revenue generation for MTA, and substantial first-class office space within the Vanderbilt Corridor—would be eliminated or substantially reduced with the No-Action Alternative.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Project are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Action. The Proposed Project would result in significant adverse traffic impacts at the intersection of Madison Avenue and East 44th Street during the AM and PM peak hours, which could not be fully mitigated with standard traffic capacity improvement measures.

No reasonable alternative could be developed to eliminate these unmitigated traffic impacts that would also achieve the project's goals and objectives. A sensitivity analysis determined that the Proposed Project would need to be reduced substantially – to approximately two percent of its size (an approximately 8,400 sf increase in office space as compared to the No-Action development) to avoid an unmitigated significant adverse traffic impact. Transit improvements included as part of the Proposed Project, such as a new entrance to GCT and LIRR's ESA connection, stair widenings, or new platform stairs on the Flushing platform, would not be implemented. That substantial reduction in the Proposed Project would compromise the Applicant's ability to achieve the project goals and objectives of providing first-class office space within the Vanderbilt Corridor, providing needed on- and off-site transit improvements, and generating significant revenue for the MTA.

Unavoidable Significant Adverse Impacts

Transportation

Traffic

As discussed in **Chapter 9, Transportation** and **Chapter 16, Mitigation**, the Proposed Project would result in significant adverse impacts at the intersection of Madison Avenue and East 44th Street (impacts to the northbound right turn movement) that could not be fully mitigated during the AM and PM peak hours. Even though the increase from project-generated traffic to the impacted movement would only be six vehicles in the AM peak hour and one vehicle in the PM peak hour, due to prevailing background traffic conditions and high volumes of pedestrian traffic, this would be sufficient to preclude full vehicular traffic mitigation. The three other intersections analyzed could either be fully mitigated or would not be impacted, and the Madison Avenue and East 44th Street intersection could be fully mitigated during the midday peak hour.

The proposed mitigation measures are subject to review and approval by ~~the New York City Department of Transportation (NYCDOT). If certain proposed mitigation measures are deemed infeasible by NYCDOT, practical alternative measures, if any, may be analyzed and presented in the Final Environmental Impact Statement (FEIS). If no other alternative mitigation measures can be identified, those additionally impacted locations would be unmitigated.~~NYC DOT. If, prior to implementation, NYC DOT determines that an identified mitigation measure is infeasible, the impact would remain unmitigated.

Transit

As discussed in **Chapter 9, Transportation** and **Chapter 16, Mitigation**, the results of the analyses of transit conditions show that, while overall transit conditions for pedestrians would improve by virtue of the Proposed Action's transit improvements, the additional subway trips from the Proposed Action would result in one significant adverse impact at the 42nd Street Grand Central subway station ES208 escalator (at the west end of the Flushing platform) that would remain unmitigated. This impact, resulting from approximately 94 additional users of that escalator during the PM peak hour, could potentially be mitigated by increasing the escalator operating speed from 90 feet per minute to 100 feet per minute~~; the practicability of implementing this measure, given potential operation and safety concerns, would be explored between the Draft EIS and Final EIS. If that measure proves impractical, this impact would remain unmitigated unless and until other longer-term transit improvements were approved and implemented by the MTA in the future.~~. Replacement of the ES208 escalator as part of MTA's Capital Program is expected to be completed by 2025 and would allow for the increase of the escalator operating speed to 100 feet per minute. However, if in future it is determined that there is crowding in the immediate switchback landing as passengers transfer between escalators, then NYCT would have to potentially lower the escalator operating speed back to 90 feet per minute, in which case, the impact would remain unmitigated.

Pedestrians

As discussed in **Chapter 9, Transportation** and **Chapter 16, Mitigation** the Proposed Project would result in significant impacts at four pedestrian elements during the AM and midday peak hours (two crosswalks and two corners), and two pedestrian elements during the PM peak hour (two crosswalks). Pedestrian related improvements could potentially fully mitigate these impacts during all peak hours analyzed and would result in no significant impacts to any sidewalk areas analyzed in any of the peak hours analysis periods.

Implementation of these measures would be performed by the Applicant, subject to review and approval by ~~NYCDOT~~NYC DOT. If, prior to implementation, ~~NYCDOT~~NYC DOT determines that an identified mitigation measure is infeasible, the impact would remain unmitigated.

Growth-Inducing Aspects of the Proposed Project

The Proposed Action would permit an increase in the maximum floor area ratio, and modifications to certain bulk regulations and mandatory district plan elements, in order to facilitate the development of a first-class office and retail building on the site of the former MTA Headquarters on Madison Avenue. It is intended to further the City's economic development goals for the Vanderbilt Corridor within the Special Midtown District, a transit-accessible area, and the principal commercial business district in Manhattan. The Proposed Action would provide for commercial development in an area that is well-served by mass transit and create an opportunity for significant revenue generation for the MTA.

The Proposed Project would provide transportation improvements at the GCT complex, including (i) the creation of new pedestrian access to, and egress from, the LIRR ESA concourse (the existing connection from 45th Street to the GCT Roosevelt Passageway would remain adjacent to the site at 52 Vanderbilt); (ii) improvements to the 45th Street pedestrian

connection to GCT; and (iii) improvements to passenger connections to the Flushing Line platform of the Grand Central – 42nd Street Subway Station. Overall, these improvements would substantially improve the accessibility of the overall pedestrian circulation network, reduce points of pedestrian congestion, and extend and provide more direct and generous connections to the existing below-grade pedestrian circulation network serving GCT.

These transportation, planning, and economic development goals would be realized in connection with the development of a first-class office and retail building. As described in **Chapter 2, Land Use, Zoning, and Public Policy**, several developments, occurring independently of the Proposed Project, would bring substantial commercial growth to the neighborhood surrounding the Project Site. This would collectively result in approximately 4 million square feet of commercial office space—growth that will occur in the future without the Proposed Action. Although the Proposed Action would result in increased development in a transit-rich area of Manhattan, with denser development focused around the intermodal GCT, it is not anticipated that the Proposed Action would generate significant secondary impacts resulting in substantial new development in nearby areas.

While the Proposed Action would provide transportation improvements, the infrastructure in the study area is already well developed such that improvements associated with the Proposed Action would not induce additional growth. Therefore, the Proposed Action would not induce significant new growth in the surrounding area.

Irreversible and Irretrievable Commitments of Resources

The Proposed Project constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future; however, the Project Site does not possess any natural resource of significant value, and the site has been previously developed. Furthermore, funds committed to the design, construction/renovation, and operation of developments under the Proposed Action are not available for other projects.

These commitments of resources and materials are weighed against the benefits of the Proposed Project. As described in **Chapter 1, Project Description,** the Proposed Project is intended to further the City's economic development goals for the Vanderbilt Corridor within the Special Midtown District, a transit-accessible area, and the principal commercial business district in Manhattan. The Proposed Action would provide for commercial development in an area that is well-served by mass transit and create an opportunity for significant revenue generation for the MTA. Through the development of this new, first-class, modern office building, the Proposed Action seeks to maintain East Midtown's importance as an office district while further realizing its transportation, planning, and economic development goals.