ENVIRONMENTAL ASSESSMENT STATEMENT

70 VESTRY STREET GARAGE SPECIAL PERMIT

CEQR No. 15DCP161M

Lead Agency: City Planning Commission

Applicant: Bridge Land Vestry, LLC

Prepared by:
Philip Habib & Associates

March 9, 2016

70 Vestry Street Garage Special Permit

Environmental Assessment Statement (EAS)

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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 70 Vestry Street Garage Special Permit

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
15DCP161M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
160145 ZSM	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY NYC City Planning Commission			NAME OF APPLICANT Bridge Land Vestry, LLC c/o The Related Companies, LP		
NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin, AICP			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Philip A. Habib, Philip Habib & Associates, PE, PC		
ADDRESS 22 Reade Street, Room 4E			ADDRESS 102 Madison Avenue, 11th floor		
CITY New York	STATE NY	ZIP 10007	CITY New York	STATE NY	ZIP 10016
TELEPHONE +1.212.720.3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE +1.212.929.5656	EMAIL phabib@phaeng.com	

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): 6 NYCRR 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 application is for a special permit pursuant to NYC Zoning Resolution Sections 13-45 and 13-451 to allow a 42-space, below-grade parking garage in a planned predominantly residential mixed-use building. Apart from the proposed parking, the development is being erected on an as-of-right basis as a 13-story, 149-foot tall building with one cellar level and two curb cuts and will contain approximately 47 dwelling units (DUs) and 829 gross square feet (gsf) of commercial space. Under No-Action conditions, there would be approximately 9 accessory parking spaces in the parking area, as allowed as-of-right. The building is expected to be completed in 2018.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 1	STREET ADDRESS 70 Vestry Street
TAX BLOCK(S) AND LOT(S) Block 223, Lot 3 (See footnote 1 in Attachment A)		ZIP CODE 10013

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The development site is located on West Street (Route 9A) between Desbrosses and Vestry Streets.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY	ZONING SECTIONAL MAP NUMBER
C6-2A and C6-3A - part of the Special Tribeca Mixed-Use District	12a

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 13-45 ("Special Permits for Additional Parking Spaces") and 13-451 ("Additional Parking Spaces for Residential Growth")

***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
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

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.): 24,361.65 sf (lot area)
Waterbody area (sq. ft.) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 24,361.65 sf
Other, describe (sq. ft.): 0

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): 17,960 sf (area occupied by the proposed 42 parking spaces will be built under No-Action conditions; there would be no net change in building area)
NUMBER OF BUILDINGS: part of 1 building
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): approximately 17,960 gsf in an approximately 222,185 gsf building
HEIGHT OF EACH BUILDING (ft.): Cellar space (approx. 15 feet deep) and part of 1st floor in a 149-foot-tall building.
NUMBER OF STORIES OF EACH BUILDING: Cellar levels and part of 1st floor in a 13-story building.

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: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2018

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18 months (same as under the No-Action condition) See Attachment A for further information on construction.

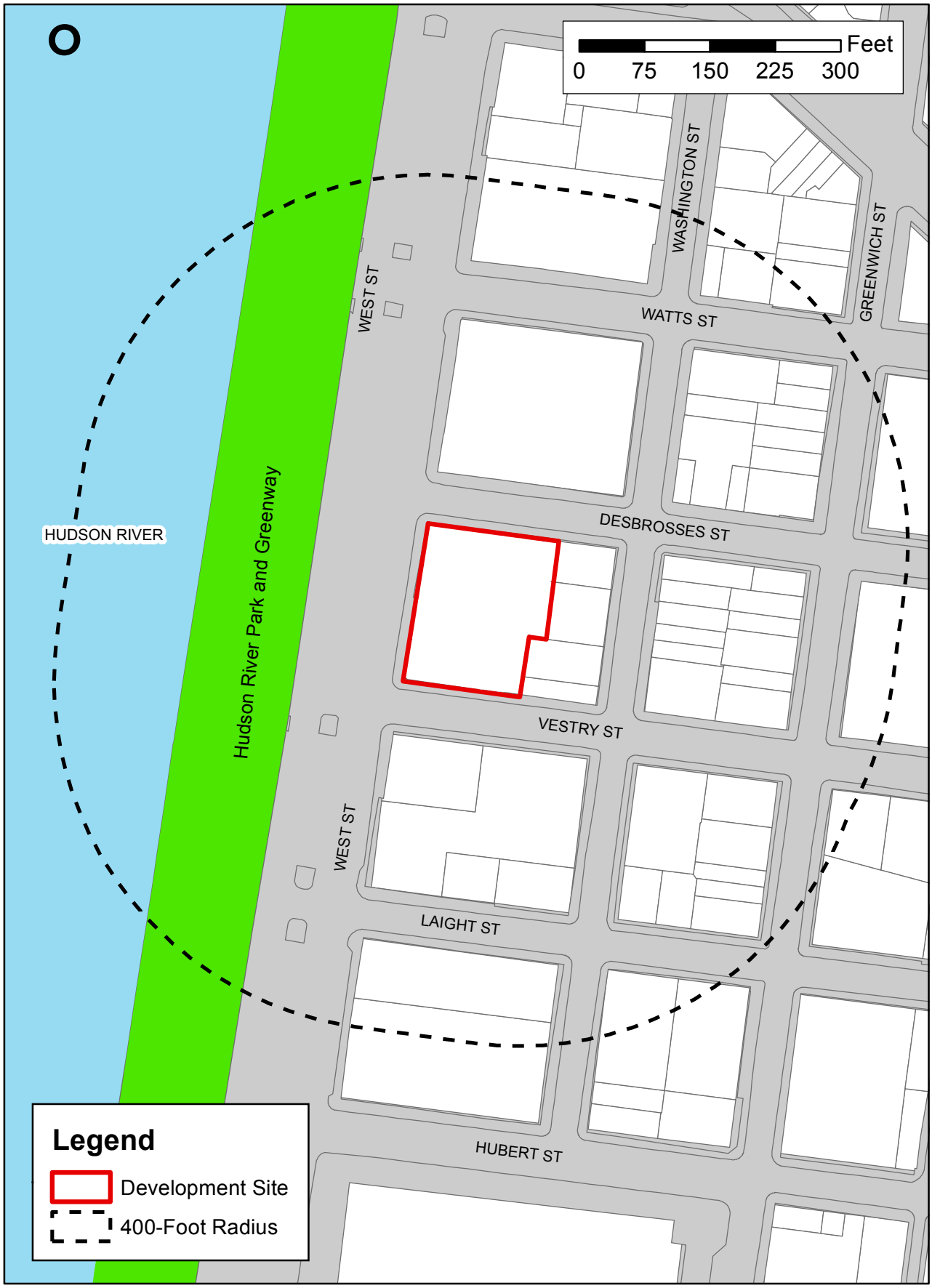
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: parking facilities

Site Location Map



70 Vestry Street Garage Special Permit EAS

Figure 2

Tax Map

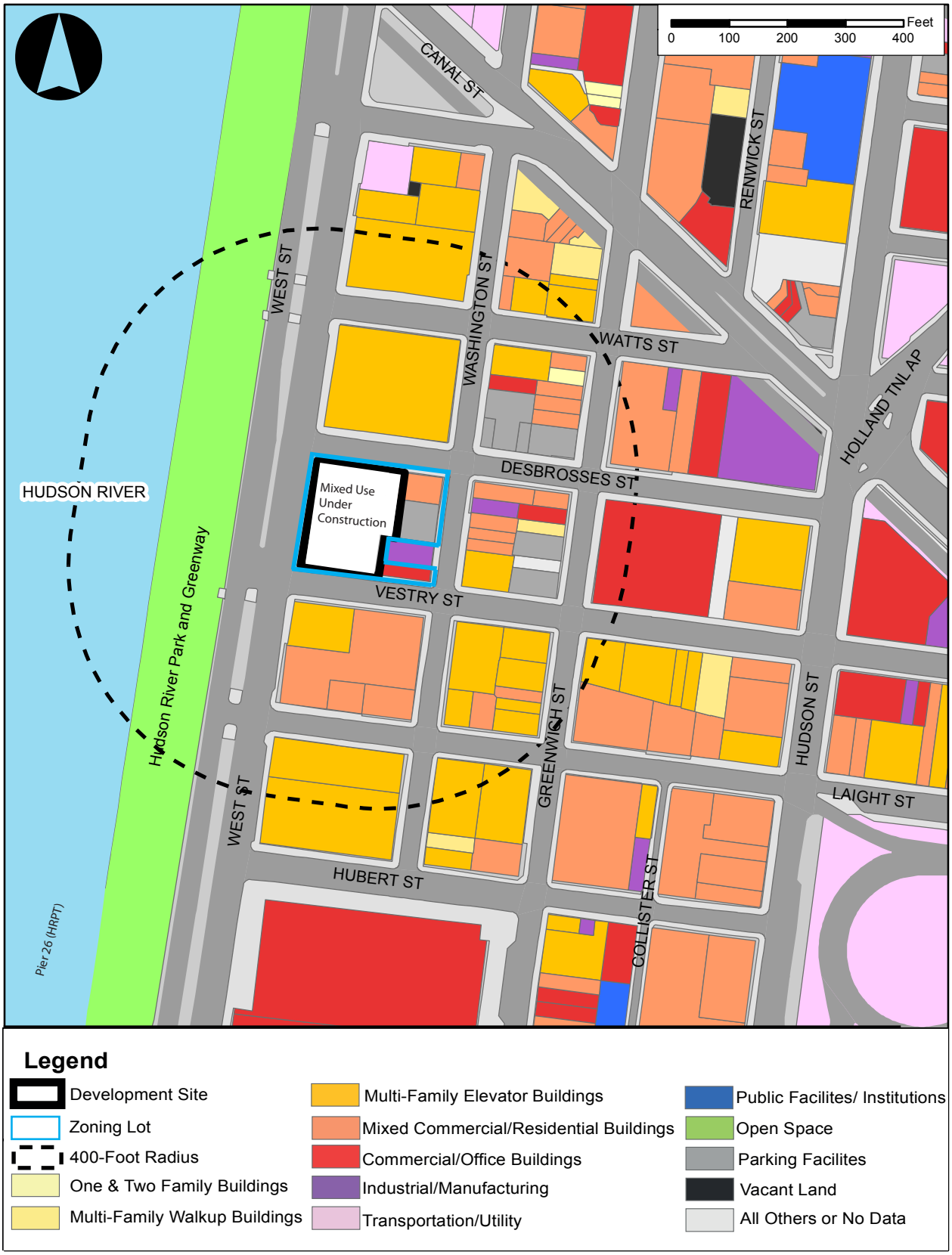
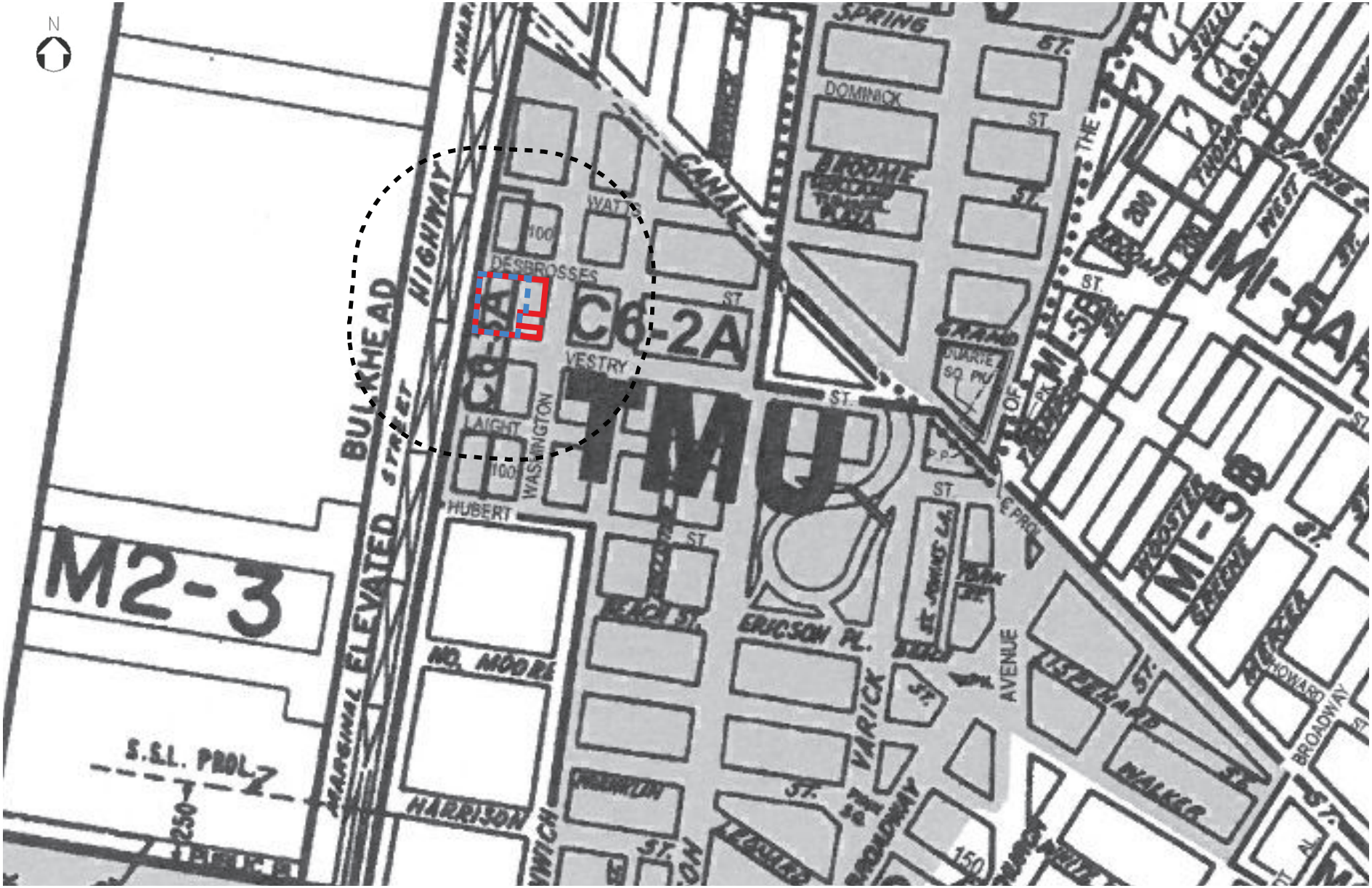

Feet
0
100
200
300
400
CANAL ST
RENWICK ST
WEST ST
WASHINGTON ST
WATTS ST
HOLLAND TNLAP
DESBROSSES ST
HUDSON RIVER
Mixed Use Under Construction
VESTRY ST
Hudson River Park and Greenway
GREENWICH ST
HUDSON ST
LAIGHT ST
WEST ST
HUBERT ST
COLLISTER ST
Pier 26 (HRPT)
Legend
Development Site
Zoning Lot
400-Foot Radius
One & Two Family Buildings
Multi-Family Walkup Buildings
Multi-Family Elevator Buildings
Mixed Commercial/Residential Buildings
Commercial/Office Buildings
Industrial/Manufacturing
Transportation/Utility
Public Facilites/ Institutions
Open Space
Parking Facilites
Vacant Land
All Others or No Data

Figure 4

Zoning Map



1. Desbrosses Street looking southwest towards the development site

2. Corner of Debrosses Street and West Street looking south towards the development site

3. Corner of Debrosses Street and West Street looking southeast towards the development site

4. Debrosses Street looking east towards the development site

5. Corner of West Street and Vestry Street looking north towards the development site

6. Corner of West Street and Vestry Street looking northeast towards the development site

7. Vestry Street looking north towards the development site

8. Vestry Street looking north towards adjoining property

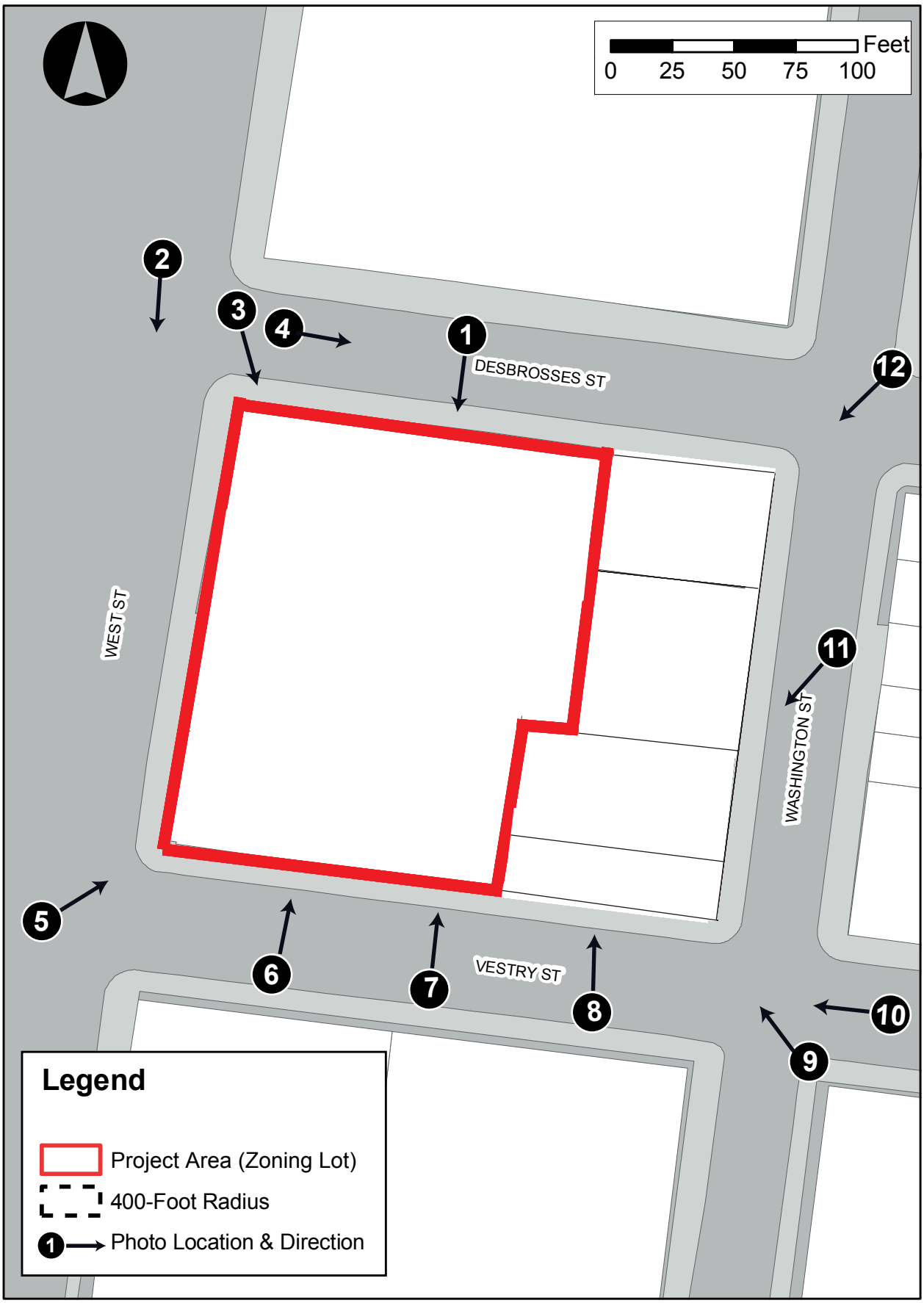
9. Corner of Washington Street and Vestry Street looking north-west towards adjoining properties and the development site

10. Corner of Vestry and Washington Street looking west towards adjoining properties and the development site

11. Washington Street looking southwest towards adjoining properties

12. Corner of Washington Street and Debrosses Street looking southwest towards adjoining properties and development site

Figure 6
Photo Key



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 elevator	Multi-family elevator	
No. of dwelling units		47	47	No change.
No. of low- to moderate-income units		0	0	0
Gross floor area (sq. ft.)		186,358; including 8,151 gsf automated accessory parking and 9,809 gsf automated accessory storage	186,358; including 17,960 gsf of automoated accessory parking	9,809 gsf automated accessory storage area shifted to automated accessory parking
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)		Type to be determined	Type to be determined	
Gross floor area (sq. ft.)	18,628	829	829	No change
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				
Gross floor area (sq. ft.)				
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
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:	construction site			
PARKING				
Garages	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces		0	0	No change.
No. of accessory spaces		9	42	+33
Operating hours		24 hours/7 days	24 hours/7 days	No change.
Attended or non-attended		N/A; automated)	N/A; automated	No change.
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
POPULATION				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Residents	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify number:	0	89	89	No change.
Briefly explain how the number of residents was calculated:	1.9 residents/DU, which is median household size for census tracts within a 1/4-mile radius of site.			
Businesses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. and type				
No. and type of workers by business				
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	C6-2A (TMU Subarea A5) & C6-3A (TMU Subarea A4)	C6-2A (TMU Subarea A5) & C6-3A (TMU Subarea A4)	C6-2A (TMU Subarea A5) & C6-3A (TMU Subarea A4)	No change.
Maximum amount of floor area that can be developed	• 132,510 zsf (residential, commercial, and community facility) in C6-3A area; • 21,865 zsf (residential, commercial, and community facility in C6-2A area.	Same as existing condition.	Same as in existing condition.	No change.
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Land use: Mixed residential/commercial, multi-family elevator, parking facilities, commercial/office and industrial/manufacturing	Land use: Increased multi-family elevator use once the new development and other new developments in the area are completed.	Land Use: Same as under No-Action Condition.	No qualitative change in land use conditions between RWCDS No-Action and RWCDS With-Action
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. See Appendix B		
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,	☐	☐

	YES	NO
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?	☐	☐
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	☐	☐

	YES	NO
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?	☐	☒
(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.		
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 B (Supplemental Screening)		
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 B	☐	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed? See Attachment B	☐	☐
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	☐	☒

	YES	NO
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?	☐	☒
(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): n/a		
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): n/a		
(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)	☐	☒
(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?	☐	☐

	YES	NO
○ 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?	☒	☐
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See attachment B.		
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. See Attachment B.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ 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 B.		

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
Philip A. Habib, P.E.		5/17/16

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? ☐ ☒

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
Deputy Director, Environmental Assessment and Review Division	New York City Department of City Planning
NAME	DATE
Olga Abinader	4/8/2016

SIGNATURE

Olga Abi

ATTACHMENT A:
PROJECT DESCRIPTION

A. INTRODUCTION

This Environmental Assessment Statement (EAS) has been prepared in support of a Land Use Review Application filed with the New York Department of City Planning (DCP). The applicant, Bridge Land Vestry LLC (c/o The Related Companies), is seeking a zoning special permit pursuant to Sections 13-45 and 13-451 of the New York City Zoning Resolution (ZR § 13-45 and ZR § 13-451), "Special Permits for Additional Parking Spaces" and "Additional Parking Spaces for Residential Growth," (the "Proposed Action"). The proposed action would allow a 42-space accessory parking garage with an automated parking system to be provided in a planned building that is otherwise being constructed on an as-of-right basis on the development site at 70 Vestry Street in the Tribeca neighborhood in Manhattan Community District 1. Under No-Action conditions, the mixed-use building on the development site would include approximately 47 dwelling units (DUs), approximately 829 gross square feet (gsf) of commercial space, and approximately 9 accessory parking spaces (the maximum number of spaces permitted on an as-of-right basis). Apart from the 33-space incremental increase in parking capacity, the proposed action would not result in any other changes to the development; there would be no change in overall building area, footprint, cellar volume, building envelope, curb cut location, residential units or number of building employees. Space occupied by the incremental 33 spaces under With-Action conditions would be used for storage or left vacant under No-Action conditions. The building will be completed and occupied in 2018, including the proposed garage. The City Planning Commission is serving as the lead agency for environmental review.

B. PROJECT AREA EXISTING CONDITIONS

The development site, located at 70 Vestry Street, is an irregularly-shaped double-corner lot, comprised of a large portion Block 223 (Lots 3)[1]. The approximately 24,361.65-sf development site has approximately 140 feet of frontage of Desbrosses Street, approximately 176 feet of frontage on West Street; and approximately 133 feet of frontage on Vestry Street. Refer to Figure A-1, Development Site Dimensions. Located between West Street (Route 9a) and Washington Street, the range of address associated with the site includes 62-74 Vestry Street (even numbers), 264-270 West Street (even numbers), and 33-39 Desbrosses Street (odd numbers).

[1] Effective October 2015, Block 223, Lots 5, 7, 9, 11, 12, and 112 were merged into Lot 3. As a result, the boundary of the development site coincides with the limits of Lot 3.

Figure A-1

Development Site Dimensions

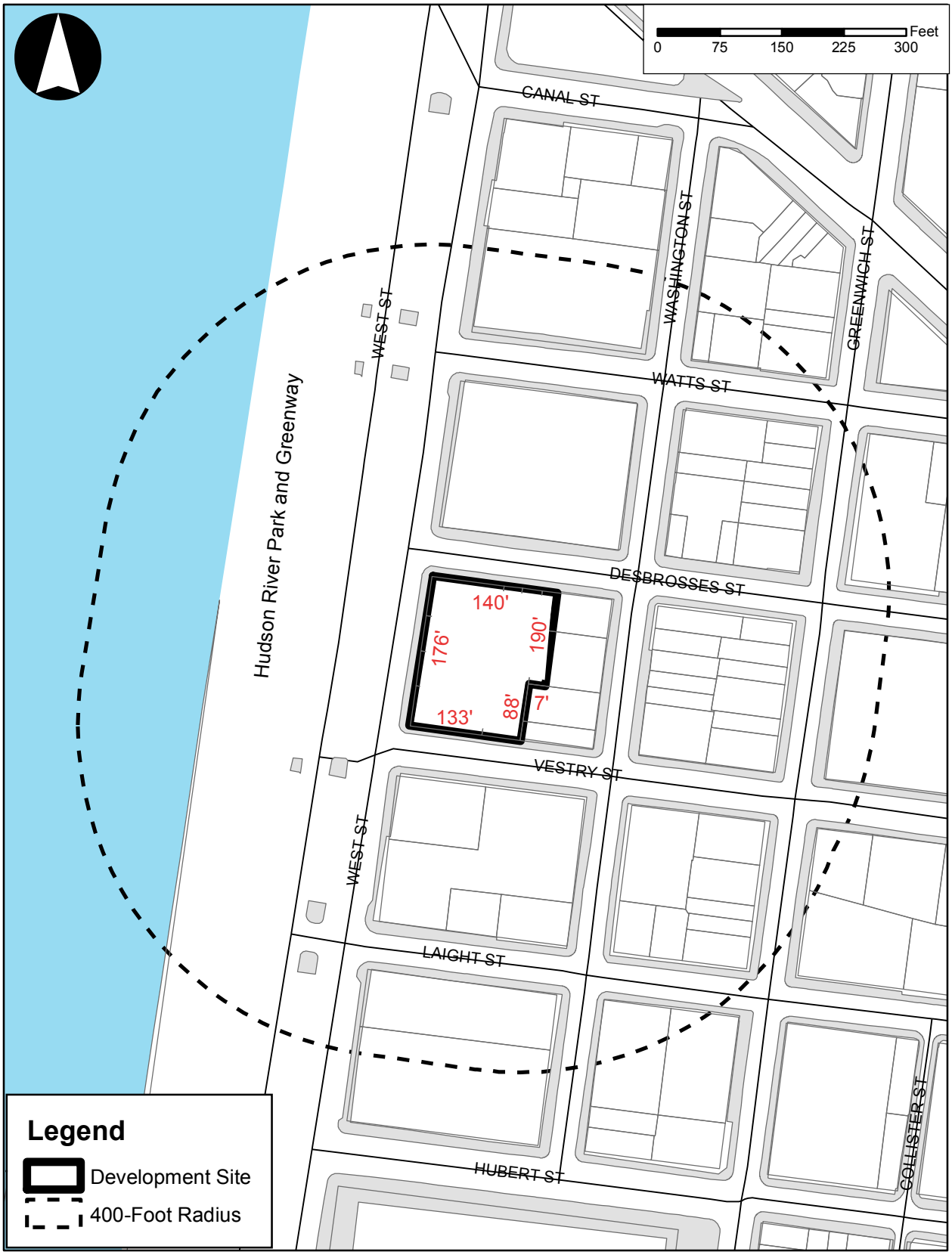


Table A-1 below summarizes information about the development site. Figure A-2 provides an aerial photo of the development site.

Table A-1, Development Site

Block & Lots	Lot Area	Frontage	Existing Condition	Zoning
223: 3	24,361.65 sf	177' on West St, 146' on Desbrosses St, 133' on Vestry St	The applicant is undertaking as-of-right construction activities	C6-3A, C6-2A (TMU)

The applicant is in the initial stage of as-of-right site construction for the planned 222,185 gsf mixed-use development on the site. Demolition of buildings on the site has been completed and excavation work is in progress. Vehicular curb cuts serving the development site prior to current construction activity included two Vestry Street, one on West Street, and two on Desbrosses Street.

Special Tribeca Mixed –Use District

In 1976 the City created the Lower Manhattan Mixed-Use District ("LMM"), a zoning special purpose district now known as the Tribeca Mixed-Use District ("TMU"), which covered a number of blocks in Tribeca and included what is now the applicant's development site (CP-23198). At the same time, parts of northwest Tribeca, including the development site, were rezoned from M2-4 to M1-5 (CP-23199). With the M1-5 (LMM) zoning, new residential development was prohibited and residential conversions of existing buildings were permitted subject to special district regulations.

In 2006, with the adoption of the Tribeca North Rezoning (aka Truffles Rezoning), the four-block area bounded by Watts Street, Washington Street, Hubert Street, and West Street, which includes the development site, was rezoned from M1-5 to C6-2A (the portion of the blocks within 100 feet of Washington Street) and C6-3A (the portion of the blocks more than 100 feet from Washington Street) (C 040543 ZMM; CEQR No. 06DCP067M). As part of a related zoning text amendment, the four block area was designated Area A4 of the special district (N 040544 ZRM). With the C6-2A (TMU) and C6-3A (TMU) zoning in place, residential development, including new buildings, became as-of-right. This rezoning was intended to spur the development of new housing on vacant and underutilized properties and to reflect the increasingly diverse character of the Special Tribeca Mixed Use District. For the environmental review of the Tribeca North Rezoning, the RWCDS in the *Tribeca North Rezoning EAS* included a projected development site comprised of Block 223, Lots[2] 3, 5, 7, 9, 11, 12, 15, 20, i.e., a site with boundaries similar to, though not exactly matching the development site affected by the current proposed action. The Tribeca North Rezoning

[2] As noted above, Lots 5, 7, 9, 11, 12, and 112 were merged into Lot 3 effective October 2015. Earlier, effective June 2015, Lot 112 was subdivided from Lots 13 and 15. Most recently, Lot 15 was merged into Lot 13, effective November 2015.

Source: ZoLa

70 Vestry Street Garage Special Permit EAS

Figure A-2

Development Site Aerial Photo

RWCDS for that site projected a new 236,904-sf building with up to 279 DUs (based on an assumed average unit size of 850 sf).

In 2008 a zoning text amendment modified streetwall regulations affecting a portion of the TMU district, including the development site (N 080297 ZRM; CEQR No. 08DCP047M). Most recently, in 2010, the North Tribeca Rezoning (inverting the word order of the 2006 rezoning) included several changes to the TMU district, including a zoning text amendment creating a new Area A5 in the special district that encompassed, inter alia, the C6-2A district along the west side of Washington Street (N 100370(A) ZRM; CEQR No. 10DCP039M). As a result, the portion of the development site zoned C6-2A was changed from TMU Area A4 to A5.

Land use in this area has experienced a significant shift from industrial and commercial to residential in recent decades. The trend of residential conversions and new construction has been facilitated by these rezonings which allowed for such uses as-of-right in the formerly industrial hub.

Zoning

The portion of the development site located more than 100 feet west of Washington Street, which comprises approximately 20,386.16 sf (84 percent of the site's lot area), is zoned C6-3A and is located within Sub-district Area A4 of the Special Tribeca Mixed Use District ("TMU"). The portion of the development site located within 100 feet of Washington Street, which comprises approximately 3,975.49 sf (16 percent of the site's lot area) is zoned C6-2A and is located in Sub-district Area A5 of the TMU. In the C6-3A/A4 portion, the maximum allowable floor area ratio ("FAR") is 6.5, the maximum building height is 140 feet, with a further 10-foot penthouse permitted (150-foot total height with penthouse), and the required streetwall height must be 60 (minimum) to 70 (maximum) feet tall. In the C6-2A/A5 portion, the maximum allowable FAR is 5.5, the maximum building height is 110 feet and the required streetwall must be 60 (minimum) to 70 (maximum) feet tall.[3] In both districts, the required setback distance above the streetwall is 10 feet for wide streets (applicable to West Street) and 15 feet for narrow streets (applicable to Desbrosses Street and Vestry Street). The "Manhattan Core" parking requirements outlined in Article I, Section 3 of the ZR are applicable to the development site. As such, any new development may provide residential accessory parking spaces equivalent to up to 20 percent of the number of new DUs and one space per every 4,000 sf of commercial floor area.

Zoning Lot

In addition to the development site, the zoning lot includes other adjoining properties on Block 223 that will not be directly affected by the proposed action or the new development on the development site. Pursuant to a Zoning Lot Development Agreement (ZLDA), the zoning lot

[3] Given that the development site is located within the 100-year floodplain, as designated in the Preliminary Flood Insurance Rate Map (FIRM), the building height regulations are measured from the design flood elevation (DFE), which per the Building Code is 1-foot above the 100-year flood elevation indicated on the preliminary FIRM. For the proposed development site the DFE is approximately 6 feet above grade.

has a total lot area of approximately 35,658 sf and consists of tax Lots 13 and 20, in addition to the development site (Lot 3). These zoning lot parcels are not owned or controlled by the applicant. Lot 13, 432-440 Washington Street/31 Desbrosses Street, has been occupied by 440 Washington Street/31 Desbrosses Street, is a vacant property, as the previously existing buildings on the site were recently demolished. Plans have been filed with the Department of Buildings (DOB) for a new 9-story building with approximately 41 DUs and approximately 7,407 sf of retail space; no parking is planned. Lot 20, 426 Washington Street, is occupied by a 2-story commercial building. Information on these lots is summarized in Table A-2 and their location is shown in Figure A-2.

Table A-2, Zoning Lot Properties

Lots	Address	Lot Area SF	Existing Use/Notes
3	70 Vestry	24,362	Development Site
13	432-440 Washington St./ 31 Desbrosses St.	9,426	Vacant property being redeveloped with new building
20	426 Washington St.	1,869	2-story commercial building
	TOTAL	**35,658**	

As the proposed action involves a site-specific parking garage special permit that would not change the amount of floor area on the zoning lot and would generally limit the garage to the location identified in the special permit application drawings, there would be no direct effect on conditions on the remainder of the zoning lot.

C. PROPOSED ACTION

The proposed action consists of one City Planning Commission (CPC) zoning special permit, which is a discretionary action subject to the Uniform Land Use Review Procedure (ULURP). This special permit is pursuant to the New York City Zoning Resolution Sections (ZR §) 13-45 and 13-451, "Additional Parking Spaces for Residential Growth" to allow the new development on the development site to provide 42 accessory attended parking spaces in an automated parking system. The new building under construction on the development site is permitted approximately 9 accessory parking spaces as-of-right. Therefore, as a result of the proposed action there would be a 33-space incremental increase in parking on the development site.

The building will have two approximately 15-foot-wide curb cuts[4] – a one-way entry on Desbrosses Street, the site's northern boundary, and a one-way exit on Vestry Street, the site's southern boundary—that will provide vehicular access to both a ground level driveway/motor court and to the below-grade parking accessed via a car elevator. The Desbrosses Street curb cut will be approximately 95 feet east of West Street and approximately 103 feet west of Washington Street and the Vestry Street curb cut will be approximately 100 feet east of West

[4] The 15-foot curb cuts will be flanked by 1.5-foot long splays, so that the length, including splays, will be 18 feet.

Street and 103 feet west of Washington Street. These curb cuts are replacing the previous curb cuts located at the site (describe above).

Table A-3 summarizes the required approval that comprises the proposed action.

Table A-3, Summary of Required Approvals

TYPE OF ACTION	BRIEF DESCRIPTION
Zoning Special Permit Pursuant to ZR § 13-45 & 13-451	To allow the proposed development to provide 42 accessory parking spaces, exceeding the maximum allowed as-of-right, which is approximately 9 spaces. The additional parking would address growth in residential demand from the development under construction on the development site, which would ease demand on the area's system of public off-street parking facilities which have not met DCP's 20% target ratio of increased supply relative to new residential development.

The new building on the development site would not require any other discretionary actions; it would comply with other zoning regulations including those related to use, density, and bulk.

Section D, below provides more information on the parking plan that would result from the proposed special permit.

D. PROPOSED PROJECT/REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

A RWCDS for the development site has been identified in order to assess the environmental effects that could occur as a result of the proposed action. This includes the amount, type, and location of development that is expected to occur in both No-Action and With-Action conditions. The net incremental difference between the With-Action and No-Action serves as the basis for the environmental impact analyses.

No-Action Conditions

Under the RWCDS No-Action scenario, the 222,185-gsf building under construction on the development site would be completed on an as-of-right basis pursuant to the C6-2A and C6-3A (TMU) zoning.

The building is expected to include approximately 47 DUs (approximately 152,861 zsf / approximately 186,358 gsf residential space) and approximately 829 gsf of commercial space. On an as-of-right basis, it is permitted to provide 9 accessory parking spaces. The development will be 149 feet tall (roof height) including the permitted penthouse. The development will include cellar space excavated to a depth of approximately 15 feet below grade (excluding two elevator pits that would be approximately 21.5 feet deep). The cellar space will total approximately 30,748 gsf and includes accessory residential amenity spaces, including a swimming pool, storage, and parking.

Under No-Action conditions, the cellar space in the western portion of the building will be occupied by a combination of the 9 parking spaces and storage/vacant space, both of which will be served by an automated placement system. The automated parking area would occupy 3,901 gsf below-grade and 4,250 gsf of ground floor space, for a total of 8,151 gsf of parking area and the automated storage area would occupy 9,809 gsf. Vehicles would access the 9-space garage via an elevator located on the ground level motor court, with entering vehicles arriving via the curb cut on Desbrosses Street and exiting vehicles departing via the curb cut on Vestry Street. Refer to Figure A-3, which shows the RWCDS No-Action (as-of-right) plans for the cellar levels. As discussed below under "Incremental Development", the 9,809 gsf of space that would be occupied by the incremental 33 parking spaces that would be added under With-Action conditions would be used for added building storage space under No-Action conditions.

The development is expected to be completed and occupied in 2018.

Refer to Table A-4, which summarizes the RWCDS for No-Action, With-Action, and Net Increment condition.

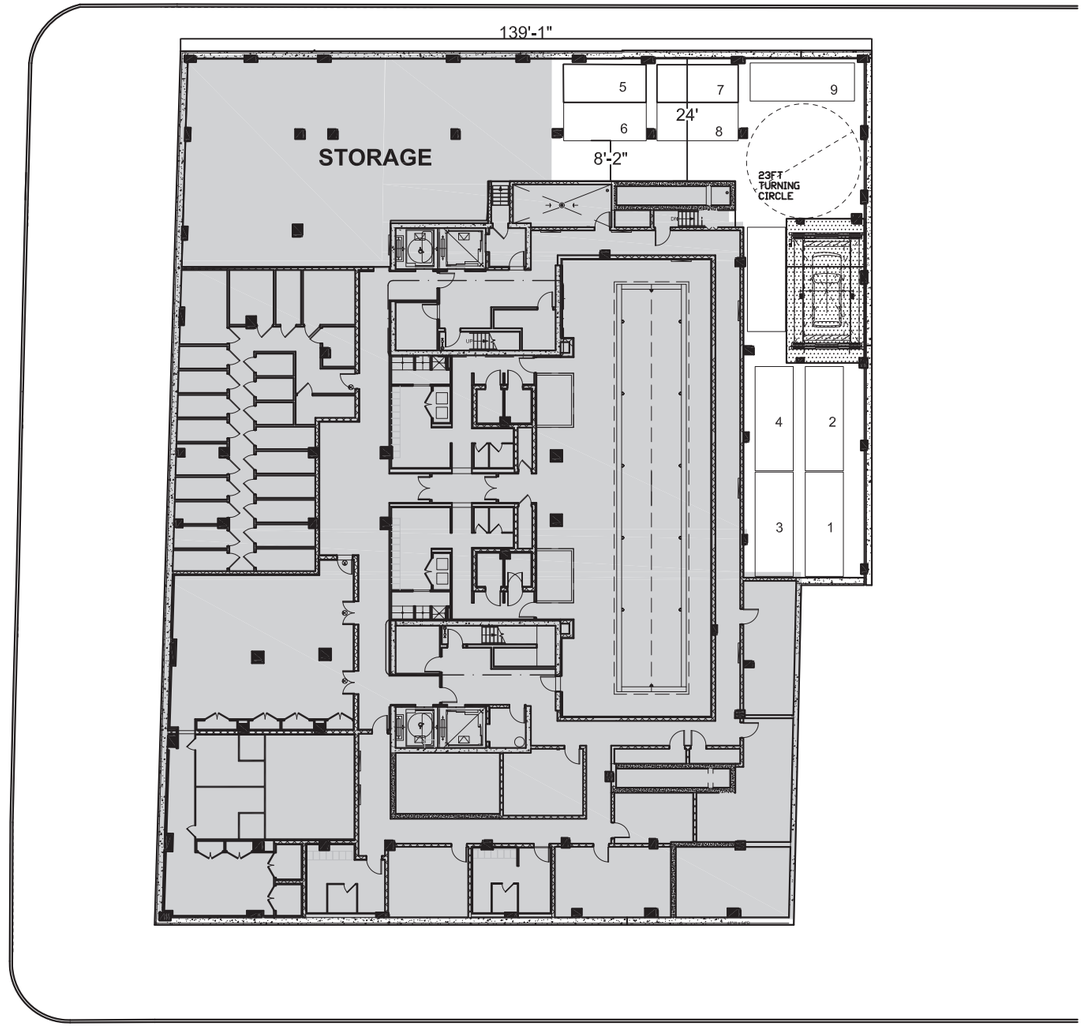
Table A-4, RWCDS

	No-Action Conditions	**With-Action Conditions**	**Net Increment**
Residential Units	47	47	0
Commercial Space	829 gsf	829 gsf	0
Parking	9 spaces 8,151 gsf	42 spaces 17,960 gsf	+33 spaces + 9,809 gsf
Automated Storage	9,809 gsf	0 gsf	-9,809 gsf
Curb Cut	2; on Vestry St and Desbrosses St	2 on Vestry St. and Desbrosses St	No change; same dimensions and location
Building Height	149 feet	149 feet	0
Cellar Depth	15 feet	15 feet	0

Garage Operations

Under both No-Action and With-Action conditions, the garage will operate as an accessory facility, only available to users who have a contractual relationship with the garage, i.e., this facility will not accommodate transient users. Upon arriving at the site, the motorist will activate the garage door via a remote signal and vehicles will enter the motor court area via the 15-foot wide curb cut located on Desbrosseses Street, located 95 feet east of West Street, and proceed to the parking elevator. There will be two reservoir spaces for queuing vehicles, as indicated by Figure A-3, on the ground floor level in the motor court lane that vehicles use to approach the vehicle elevator, provided under both No-Action and With-Action conditions. Motorists retrieving a parked vehicle would initiate a request via the automated system (such as swiping a card or via a wireless device) and the system would retrieve the vehicle from the parking berth and convey it to the moveable pallet area for pick-up. Parking space licenses will be sold by the applicant and an ongoing fee will be charged to parking space licensees by the condominium.

DESBROSSES STREET

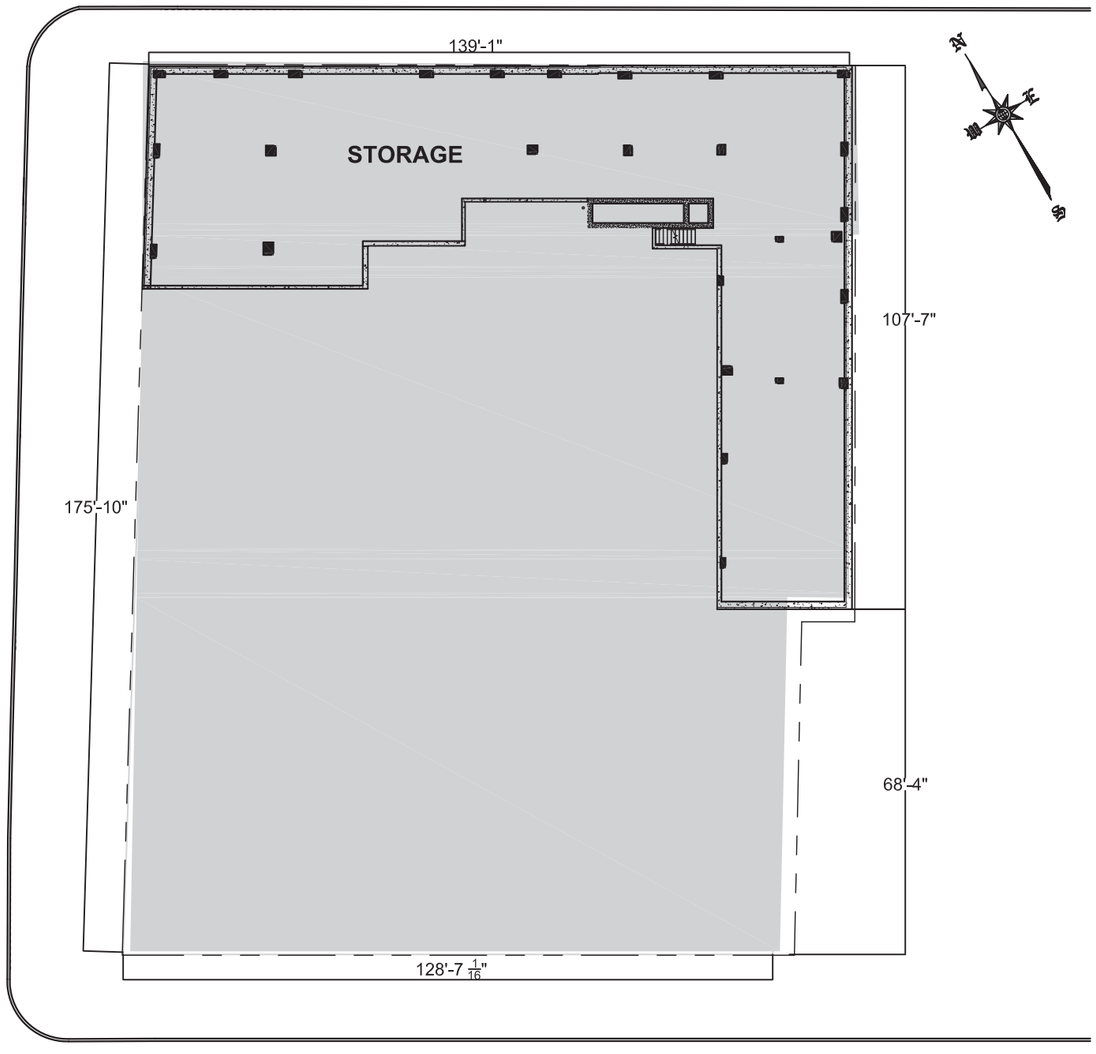


WEST STREET

VESTRY STREET

CELLAR

DESBROSSES STREET



WEST STREET

VESTRY STREET

SUBCELLAR

Other Areas (Not Parking)

U.S. STANDARD SCALE:

0' 30' 60' 90' 120'

70 Vestry Street Garage Special Permit EAS

Figure A-3

Preliminary RWCDS No-Action Parking Plan

Figure A-4 shows the ground level parking conditions, which would be identical for both No-Action and With-Action conditions.

With-Action Conditions

With the proposed action, the building on the development site would have 42 accessory parking spaces, in approximately 17,960 gsf of space on portions of the first floor and cellar levels. This would include 4,250 gsf of parking access zone on the ground floor and 13,710 gsf of below-grade parking zone, as indicated the application plans). The 42 spaces would be provided in an automated parking system, with the same operational characteristics as described under No-Action conditions. The other elements of the building program would not change, except that the 9,809 gsf space occupied by the incremental 33 parking spaces added under With-Action conditions would not be used for storage, as would be the case under RWCDS No-Action conditions.

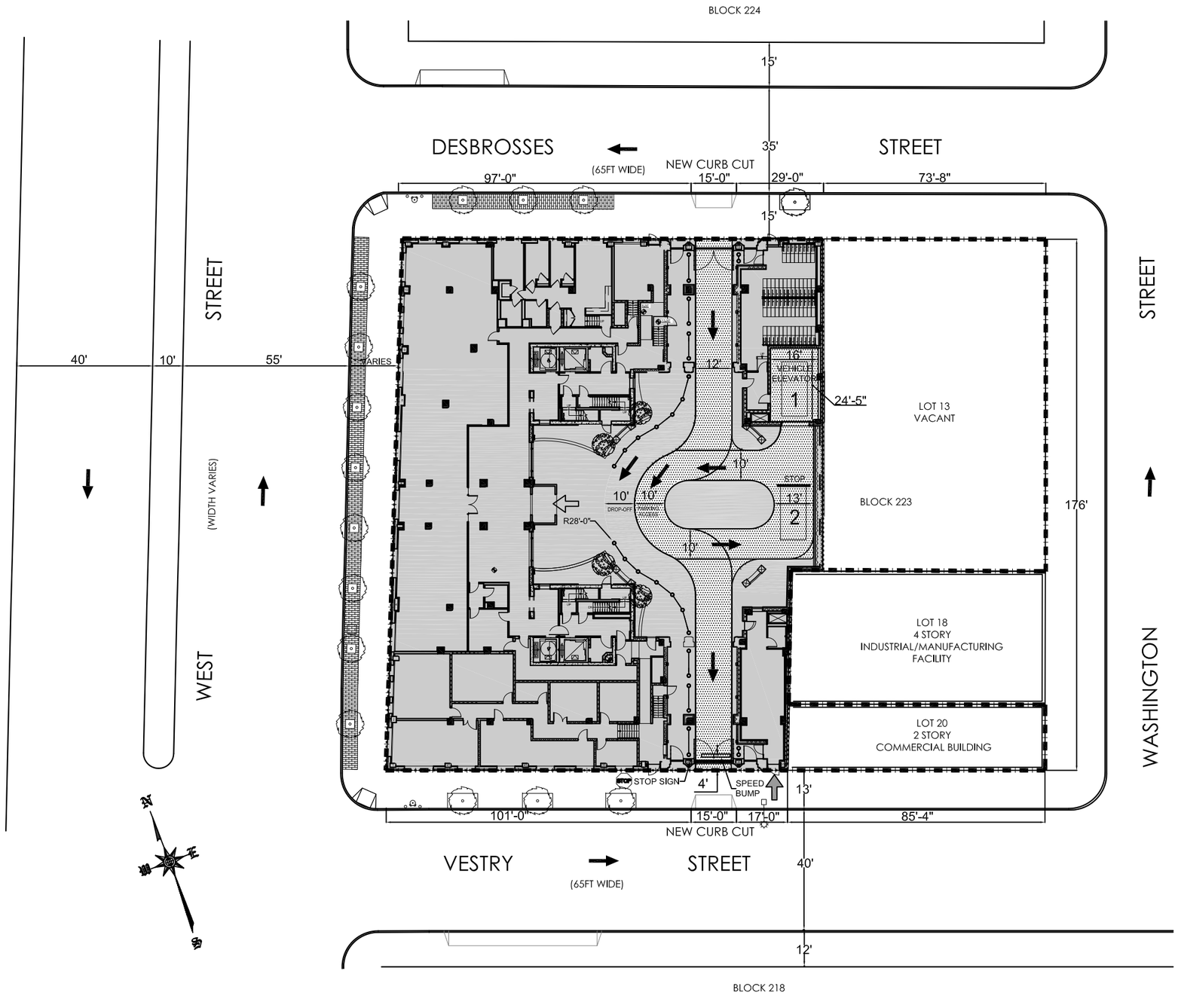
Curb cut locations for With-Action conditions would be exactly the same as is described above for No-Action conditions.

Figure A-5 shows the proposed parking plans.

Net Increment

The program for the planned development will be the same under both RWCDS No-Action and RWCDS With-Action conditions, as the scope of the proposed action would only affect the number of parking spaces provided in the development. As such, the proposed action would result in an approximately 33-space increase in parking. The number of DUs, amount of commercial space, number, location and dimensions of curb cuts, and building volume would not change. The only physical change to the development would occur in the use of some of the below-grade space. It should be noted that the cellar depth will be the same under both RWCDS No-Action and RWCDS With-Action conditions, as reflected by building permit filings with the Department of Buildings. The applicant is excavating the site to provide a cellar with two levels to provide sufficient depth for the accessory pool and other features. Excavation of soil and off-site disposal is being conducted pursuant to the requirements of a Restrictive Declaration being enforced by the NYC Mayor's Office of Environmental Remediation (OER) and the site is being enrolled in the Brownfield Cleanup Program (BCP) administered by the NY State Department of Environmental Conservation (NYSDEC) (refer to the Hazardous Materials section of Attachment B, "Supplemental Screening", for more details).

Table A-4 includes a summary of program and building information for the RWCDS Net Increment.



ACCESSORY PARKING GARAGE – AUTOMATED

LEVEL	GARAGE AREA (S.F.)			
	Access Zone	Parking Zone		Total Garage Area
		Access Aisle	Area of Trays	
Ground Floor	3,725	0	0	
Cellar	450	2,765	3,640	
Sub-Cellar	450	2,765	3,640	
Total	4,625	5,530	7,280	17,435

GARAGE CAPACITY		
ZR Section	Permitted/Required	Proposed
13-27	Max. No. of spaces permitted – N.A.	42
	Min. No. of spaces permitted – N.A.	
RESERVOIR SPACES		
ZR Section	Permitted/Required	Proposed
13-25	[25-50 spaces = 5%]	2
BICYCLE SPACES		
ZR Section	Permitted/Required	Proposed
25-811 36-711	Required no. of bicycle parking spaces for the building use or one for every 10 parking spaces whichever is greater. Required for use = 1 per 2 D.U = 24 Required for Acc. Garage = 1/10 spaces = 4	24

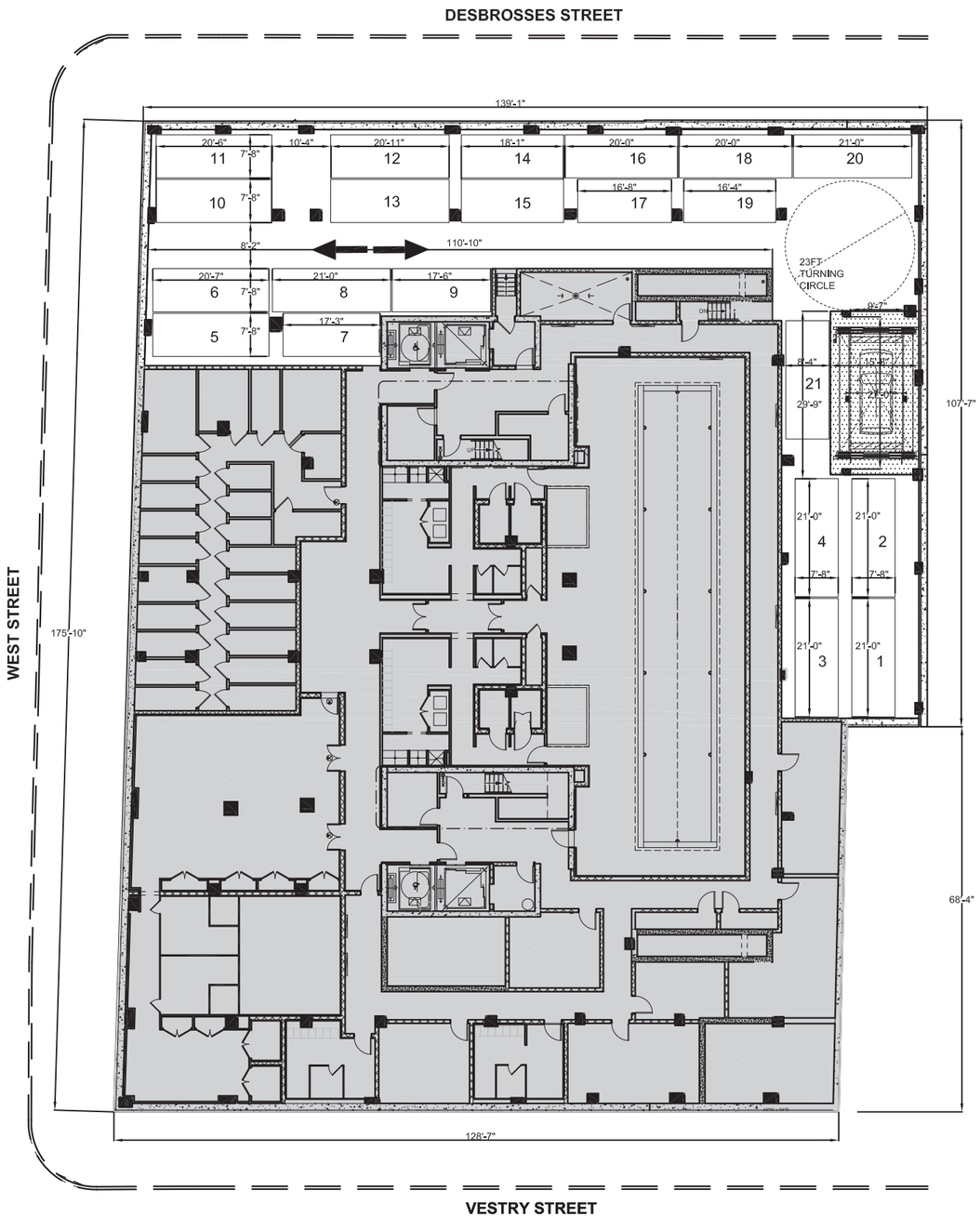
LEGEND:

- VEHICULAR FLOW
- 18' / 2 / 9" / 8' — RESERVOIR SPACE
- ZONING LOT LINE
- DEVELOPMENT SITE LINE
- CORES, MECHANICAL, ELECTRICAL OTHER SPACE NOT SUBJECT TO REQUESTED SPECIAL PERMIT PURSUANT TO ZR SECTION 13-45 & 13-451
- ACCESS ZONE
- RESIDENTIAL PEDESTRIAN ENTRANCE
- COMMUNITY FACILITY PEDESTRIAN ENTRANCE
- PROPOSED TREE
- STOP SIGN
- SPEED BUMP: 2"HX12'Dx ½ WIDTH OF DRIVEWAY

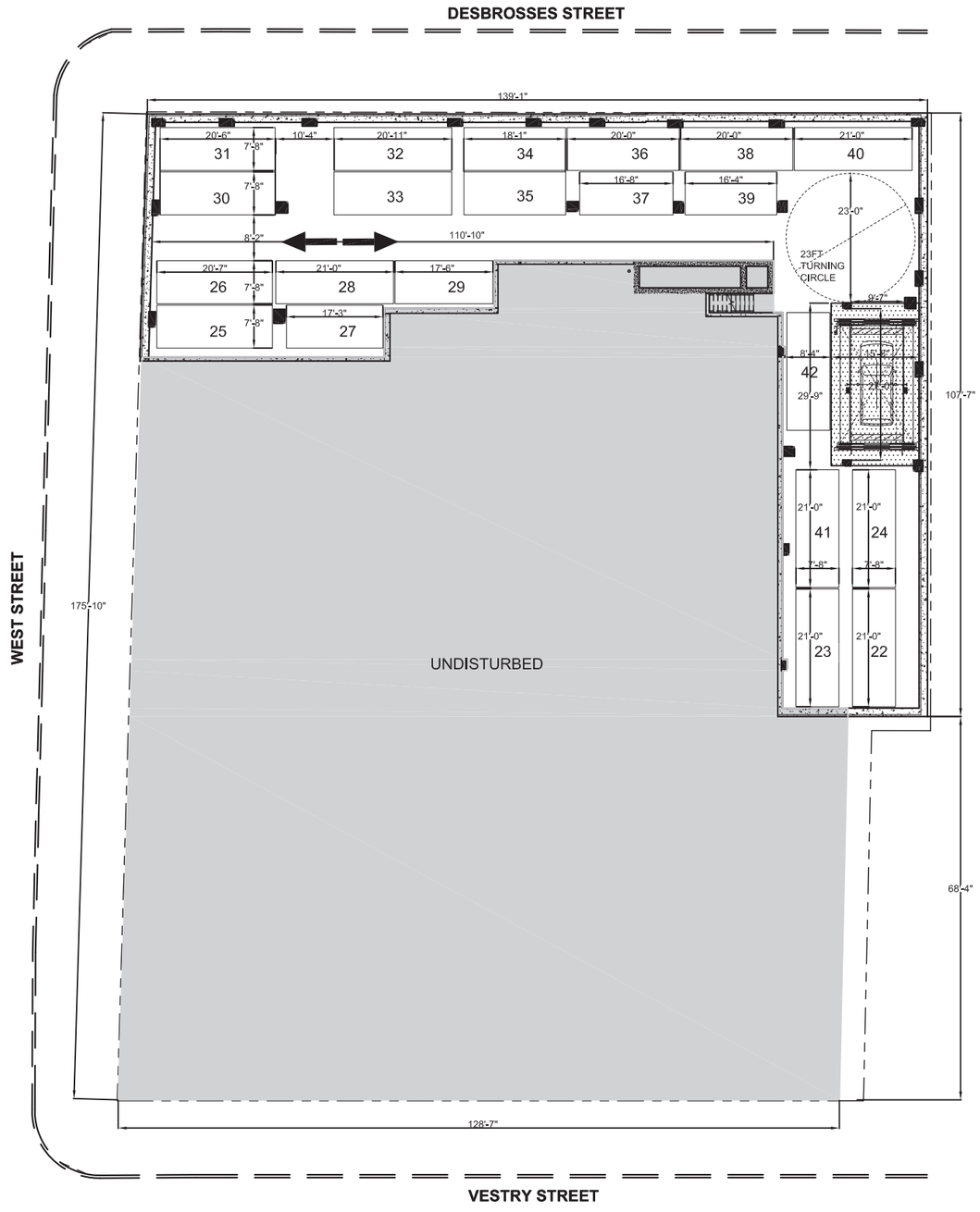
70 Vestry Street Garage Special Permit EAS

Figure A-4

Ground Floor Parking Plan



CELLAR



SUBCELLAR

E. PURPOSE AND NEED

Without the proposed action, the site would provide only the maximum number of spaces permitted as-of-right for the development, i.e., 9 spaces, which the applicant believes would not fully address the new building's anticipated site-generated parking demand. It is the applicant's opinion that the parking Special Permit would enable the building to provide additional parking spaces and to make productive use of its cellar space. The applicant believes that the additional parking would serve its own on-site demand and benefit the surrounding mixed-use community, which has experienced substantial new residential development while the provision of residential parking has fallen below the level permitted as-of-right. Several of the new developments have replaced public parking facilities and some new residential developments in the vicinity have not provided permitted parking.

ATTACHMENT B:
SUPPLEMENTAL SCREENING

A. INTRODUCTION

This Environmental Assessment Statement ("EAS") has been prepared in accordance with the guidelines and methodologies presented in the 2014 *City Environmental Quality Review ("CEQR") Technical Manual*. For each technical area, thresholds are defined, which, if met or exceeded, require that a detailed technical analysis be undertaken. Using these guidelines, preliminary screening assessments were conducted for the proposed action to determine whether detailed analysis of any technical area may be appropriate. Part II of the EAS Form identifies those technical areas that warrant additional assessment. For those technical areas that warranted a "Yes" answer in Part II of the EAS Form, including Land Use, Zoning, and Public Policy; Historic and Cultural Resources; Hazardous Materials; Noise; Neighborhood Character; and Construction, supplemental screening assessments are provided in this attachment.

The remaining technical areas detailed in the 2014 *CEQR Technical Manual* were not deemed to require supplemental screening because they do not trigger initial *CEQR* thresholds and/or are unlikely to result in significant adverse impacts. These areas screened out from any further assessment include: Socioeconomic Conditions; Community Facilities and Services; Open Space; Shadows; Urban Design and Visual Resources; Natural Resources; Water and Sewer Infrastructure; Solid Waste and Sanitation Services; Energy; Transportation; Air Quality; Greenhouse Gas Emissions; and Public Health.

The supplemental screening assessments contained herein identified that a preliminary assessment is required in the area of Land Use, Zoning, and Public Policy. That assessment is provided in Attachment C. Per the screening assessments provided in this attachment, more detailed analyses of the following technical areas are not required: Historic and Cultural Resources; Hazardous Materials; Noise; Neighborhood Character; and Construction. Table B-1 presents a summary of analysis screening information for the proposed action.

As described in Attachment A, "Project Description", the applicant is seeking a zoning special permit to allow a 42-space accessory parking garage in the new building that will be constructed on the development site on an as-of-right basis. Apart from an increase in the amount of parking above what is permitted as-of-right (9 spaces), there would be no change in the building program as a result of the proposed action. The proposed garage would use an automated parking system. Refer to Attachment A for details. It is anticipated that the building, including the proposed garage, would be completed and occupied in 2018.

Given that the proposed special permit would increase the number of parking spaces on the development site by less than 85 parking spaces, it would meet the requirement for classification as a Type II action under CEQR—except that it does not meet one of the required pre-requisites for a Type II determination, i.e., the lead agency has determined that the development site is located

adjacent to a historic resource (the Tribeca North Historic District) that is a New York City-designated historic district. As such, the proposed action is classified as a Type I Action and therefore requires environmental review.

Table B-1. Summary of CEQR Technical Areas Screening

CEQR TECHNICAL AREA	SCREENED OUT PER EAS FORM	SCREENED OUT PER SUPPLEMENTAL SCREENING	FURTHER ASSESSMENT REQUIRED
Land Use, Zoning, & Public Policy			X[1]
Socioeconomic Conditions	X		
Community Facilities and Services	X		
Open Space	X		
Shadows	X		
Historic & Cultural Resources		X	
Urban Design & Visual Resources	X		
Natural Resources	X		
Hazardous Materials		X	
Infrastructure	X		
Solid Waste & Sanitation Services	X		
Energy	X		
Transportation - Traffic & Parking - Transit - Pedestrians	 X X X		
Air Quality - Mobile Sources - Stationary Sources	 X X		
Greenhouse Gas Emissions	X		
Noise		X	
Public Health	X		
Neighborhood Character		X	
Construction		X	

[1] A preliminary assessment of Land Use, Zoning, and Public Policy, including a consistency assessment for the Waterfront Revitalization Program (WRP) is provided in Attachment C, "Land Use, Zoning, and Public Policy."

B. SUPPLEMENTAL SCREENING AND SUMMARY OF DETAILED ANALYSES

Land Use, Zoning, & Public Policy

Following 2014 *CEQR Technical Manual* guidelines, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, including any future changes in zoning that could cause changes in land use, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. In addition, the preliminary assessment should include a basic description of the project facilitated by the proposed actions in order to determine whether a more detailed assessment of land use would be appropriate. This information is essential for conducting the other environmental analyses and provides a baseline for determining whether detailed analysis is appropriate. *CEQR* requires a detailed assessment of land use conditions if a detailed assessment has been deemed

appropriate for other technical areas. As such, the 2014 *CEQR Technical Manual* does not require a detailed land use and zoning assessment for a project such as the proposed action, as it has only a limited effect on land use on a single site and does not require detailed analysis of any other technical areas. The preliminary assessment of land use zoning is provided in Attachment C, "Land Use, Zoning, and Public Policy," for informational purposes and to demonstrate that more detailed analysis is not warranted.

In addition, as the development site is located within the City's newly expanded coastal zone (with State and Federal agency sign-off pending), a Waterfront Revitalization Program (WRP) coastal zone consistency assessment is also provided for the proposed action in Attachment C. As discussed in Attachment C, the proposed action would not result in any significant adverse impacts on land use, zoning, and public policy.

Historic and Cultural Resources

Historic resources are defined as districts, buildings, structures, sites and objects of historical, aesthetic, cultural, and archaeological importance. This includes properties that have been designated or are under consideration as New York City Landmarks or Scenic Landmarks or are eligible for such designation; properties within New York City Historic Districts; properties listed for the State and/or National Register of Historic Places (S/NR); and National Historic Landmarks. According to the 2014 *CEQR Technical Manual* guidelines, a study area defined by a radius of 400 feet from the boundaries of the project site is typically adequate to assess potential impacts on historic/architectural resources. Archaeological resources are assessed only for areas proposed for development if they would entail an in-ground disturbance.

The New York City Landmarks Preservation Commission (LPC) conducted an architectural and archaeological review of the development site. In an Environmental Review letter dated 9/8/2014 (attached in Appendix A), LPC stated that the properties comprising the development site[1] have no architectural historic significance, i.e., the properties are not listed on the State/National Registers of Historic Places (S/NR) or designated as NYC Landmarks, either individually or within a historic district. Furthermore, they are not eligible for S/NR listing for NYC Landmark designation. However, LPC's Environmental Review letter states the NYC Landmark-designated and S/NR-certified Tribeca North Historic District reaches the curbline of one of the development site properties, 62 Vestry Street. The adjoining Vestry Street roadway is covered with Belgian Block granite paving. The LPC Designation Report for the Tribeca North Historic District notes that "Belgian block street pavers further the nineteenth century commercial character of the district."[2]

LPC in a separate Environmental Review letter for archaeological resources dated 9/15/2014 (attached in Appendix A), stated that the development site has no archaeological significance.

[1] LPC refers to the development site by an alternate address, 268 West Street.

[2] As discussed in Attachment A, the historic district reaches the curbline of a portion of the development site, for CEQR purposes the development site is deemed substantially contiguous to a historic resource and is categorized as a Type I Action requiring environmental review.

Research of the area indicates that there are no S/NR-listed historic districts or buildings in the 400-foot radius surrounding the development site.

Architectural Resources

An assessment of architectural resources is usually required for projects that are located adjacent to historic or landmarked structures, or are located within a locally or nationally recognized historic district. Within a 400-foot radius of the development, historic resources include the aforementioned Tribeca North Historic District and the Fleming Smith Warehouse. The latter is a NYC-designated landmark which is not located within any designated historic district.

Table B-1 identifies these historic resources located within the historic resources study area. The properties identified in Table B-1 are shown in Figure B-1. Brief descriptions are provided below.

Table B-1, Historic Resources

No.	Name	Address	Status	Location
1	Tribeca North Historic District	Extends from Watts Street to the north, Washington Street to the east, Hubert Street to the south and West Street to the west.	NYC Landmark historic district	Diagonally across (southward) from the development site.
2	Fleming Smith Warehouse	451-453 Washington Street	NYC Landmark	Within 400' Radius Study Area

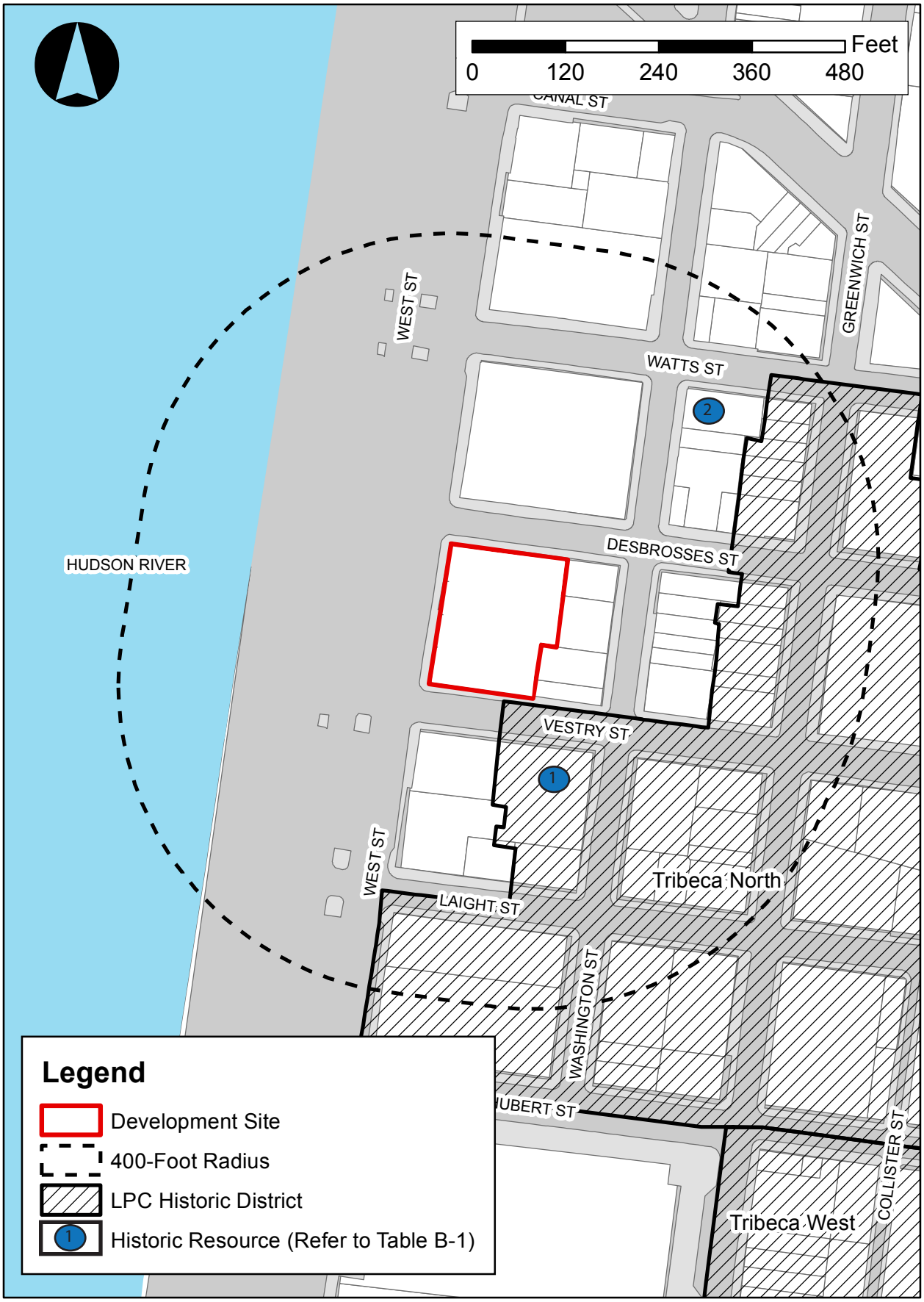
Tribeca North Historic District

The Tribeca North Historic District encompasses all or part of nine tax blocks (Manhattan Blocks 215, 217, 218, 219, 220, 222, 223, 224 and 225). It is located in an area roughly bounded by Watts Street to the north, Varick Street to the east, Hubert Street to the south, and West Street (Route 9A) to the west. The district is a rare surviving example of New York City's rapidly-disappearing industrial neighborhoods and contains approximately 67 structures, the oldest of them dating from the early nineteenth century. LPC designated it an NYC historic district in 1992. Per LPC's Environmental Review letter, this historic district is S/NR certified.

The historic district includes two resources that are located within a 90-foot radius of the development site, which according to the 2014 *CEQR Technical Manual* is the distance within which a historic resource may be potentially sensitive to construction impacts. These include 416-424 Washington Street, which is across the street from the development site and portions of Vestry Street that lie within 90 feet of the development site.

* *416-424 Washington Street, aka 57-65 Vestry Street (Block 218, part of Lot 7501)*: This 5-story warehouse building, which is utilitarian in style with Romanesque Revival elements, was constructed in 1882 on a site previously occupied by a sugar refinery. It was originally owned by Moller, Odell & Company and used for many years by various companies for warehousing. After being vacant for a number of years, it was converted to residential use,

Historic Resources



with ground floor retail, in approximately 2005. It is connected to a newer building to the southwest at 92 Laight Street that was completed at the same time of the conversion.[3] Collectively the two buildings are referred to as River Lofts. (92 Laight Street, lies outside the historic district, is not within 90 feet of the development site, and therefore is not a historic resource of concern although the two buildings share the same tax lot.)

* *Vestry Street*[4]: Initially laid out in the 1790s, Vestry Street was named in honor of the Vestry of Trinity Church, which chose names for several Tribeca streets that were established on property it owned at the time. The portion of the street to the west of Greenwich Street, where the development site is located, was extended in 1803 and opened by the late 1820s. This portion was originally developed with residential buildings and then redeveloped for warehouses and other commercial uses in the late 1800s. The street's Belgian block granite paving was laid in 1927.

The Fleming Smith Warehouse building (Block 224, Lot 24)

The Fleming Smith Warehouse building, now occupied by residential apartments and ground-floor commercial space[5], is located at 451-453 Washington Street, aka 135 Watts Street, and, as its name indicates, was originally a warehouse. It is a rectangular building with frontage on Washington and Watts Streets. Designed by Stephan Decatur Hatch, it has a 6-story Romanesque Revival/neo-Flemish brick facade with gables, copper dormer windows and cornices. The LPC designated the structure an individual New York City landmark in 1978. It was converted to residential use, with ground floor retail, about 1980, making it among the first commercial to residential conversions in Tribeca. It is located just outside of the northern boundary of the Tribeca North Historic District (see Figure B-1).

Archaeological Resources

The approval of the proposed garage special permit would not result in any incremental change in excavation and in-ground disturbance as compared to conditions under RWCDS No-Action conditions.

The building to be constructed on the development site and which would house the proposed 42-space parking garage would involve in-ground disturbance for the excavation of below-grade cellar space to a depth of approximately 15 feet. However, the same area and volume of excavation would occur under both RWCDS No-Action and RWCDS With-Action conditions. The space occupied by the parking garage under RWCDS With-Action conditions would instead be partly occupied by a smaller parking and partly occupied by residential amenity space or left vacant under RWCDS No-Action conditions. In any event, LPC determined that the development site has no

[3] The conversion of 416-424 Washington Street received an "Excellence in Historic Preservation Award" from the Preservation League of New York State in 2007.
[4] Source: the LPC's Tribeca North Historic District Designation Report (1992)
[5] Since 1980, the landmark building's ground floor was occupied by Capsouto Frères, a former French bistro that fed emergency workers in the aftermath of 9/11. The restaurant closed in 2013 after suffering irreparable damage from Hurricane Sandy.

archaeological significance. Thus, the proposed action would not have the potential to result in any effects on archaeological resources.

In any event, LPC in its environmental review of the development site determined that the site has no archaeological significance. Furthermore, LPC, in its previous review of this site as part of a broader review of all projected and potential development sites for the Tribeca North Rezoning EAS, also determined that the area is not archaeologically significant.

Effects of the Proposed Action

According to the 2014 *CEQR Technical Manual*, generally, if a proposed action would affect those characteristics that make a resource eligible for New York City Landmark designation or S/NR listing, this could be a significant adverse impact. The historic resources in the study area are significant both for their architectural quality as well as for their value as part of the City's historic development. The proposed action was assessed in accordance with guidelines established in the 2014 *CEQR Technical Manual* (Chapter 3F, Part 420), to determine (a) whether there would be a physical change to any designated property or its setting as a result of the proposed action, and (b) if so, is the change likely to diminish the qualities of the resource that make it important (including non-physical changes such as context or visual prominence).

Assessment of Direct Effects, Construction Effects, and Indirect Effects

The proposed action would have no direct effects, since the development site is not an architectural historic resource and is not located in a designated or listed historic district and has not been identified as part of an eligible historic district.

In addition, the proposed action would not have construction or indirect effects on any architectural historic resources, as it would only involve construction changes within the interior of the building under construction on the development site.

With or without the proposed action, the building, which is under construction, will be completed and will be required to comply with all applicable construction regulations to protect nearby historic resources. These regulations include the DOB's *Technical Policy and Procedure Notice (TPPN) #10/88*, which supplements the standard building protections afforded by the Building Code C26.112.4 by requiring a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. Under *TPPN 10/88*, a construction protection plan (CPP) must be provided to LPC for review and approval prior to construction. When required, a CPP would follow the guidelines set forth in LPC's Guidelines for Construction Adjacent to a Historic Landmark and Protection Programs for Landmark Buildings.

With this and other required processes in place, protection of nearby historic resources would be provided under both RWCDS No-Action and RWCDS With-Action conditions. Accordingly, there would be no incremental change in the construction effects of the development site's new building on historic architectural resources.

In conclusion, the proposed action does not have the potential to result in significant adverse historic and cultural resources impacts and no further analysis is necessary.

Hazardous Materials

As defined in the 2014 *CEQR Technical Manual*, a hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi-volatile organic compounds, methane, polychlorinated biphenyls (PCBs) and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the 2014 *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: (a) hazardous materials exist on a site, and (b) an action would increase pathways to their exposure; or (c) an action would introduce new activities or processes using hazardous materials.

(E) Designation/Restrictive Declaration

The development site is subject to Environmental Restrictive Declaration (R) 76[6] dated 5/4/06, which was also established in connection with the Tribeca North Rezoning to ensure that no significant adverse impacts related to hazardous materials would occur as a result of redevelopment on this site. Although the Restrictive Declaration is not formally an (E) designation, it is functionally equivalent in terms of its purpose and required procedures and therefore is equally protective of public health and the environment during project construction and site recovery. For hazardous materials, this Restrictive Declaration requires as a condition of site development: hazardous materials investigation, testing, and as appropriate remediation. It requires that the fee owner of the tax lots on Manhattan Block 223 (except for Lot 13, which is not part of the development site) implement a sampling protocol to identify the presence of hazardous materials and remediate as necessary in connection with the proposed building. These requirements must be complied with to the satisfaction of OER.

[6] (E) designations (and restrictive declarations that are functionally equivalent) for hazardous materials provide notice of the presence of an environmental requirement pertaining to potential hazardous materials contamination on a particular tax lot. They are established in connection with a change in zoning or an action pursuant to a provision of the Zoning Resolution that would allow additional development to occur on property, or would permit uses not currently allowed. For new developments, enlargements of existing buildings, or changes in use, DOB will not issue a building permit for grading, excavation, foundation, alteration, building, or any other permit for the site which permits soil disruption, or issue a temporary or permanent Certificate of Occupancy that reflects a change in Use Group until the environmental requirements are satisfied. For hazardous materials (E) designations or restrictive declarations, the environmental requirements are that a testing and sampling protocol be conducted, and a remediation plan be developed and implementation where appropriate, to the satisfaction of the NYC Mayor's Office of Environmental Remediation (OER). OER administers the (E) Designation Environmental Review Program, which was formerly administered by the NYC Department of Environmental Protection (DEP). Per the City rules regulating (E) designations, related to these activities, Phase I Environmental Site Assessments, Remedial Investigation Work Plans (aka, Phase II Work Plans), Remedial Investigation Reports, mandatory health and safety plans (HASPs) Remedial Action Plans (RAPs), and Remedial Closure Reports consistent with the applicable standards of the American Society for Testing and Materials (ASTM) must be prepared, reviewed and approved by OER, and implemented to OER's satisfaction during investigation and remediation of (E)-designated sites in order to assure protection of public health and the environment. DOB may issue permits allowing for certain activities consistent with a RAP upon receiving a Notice to Proceed from OER.

With these controls in place, the potential for significant adverse hazardous materials impacts on the development site under RWCDS No-Action or RWCDS With-Action conditions would be precluded.

Brownfield Cleanup Program (BCP)

In addition to being subject to the requirements of the Restrictive Declaration, the applicant is also enrolling the development site the BCP to facilitate the required remediation activities. With enrollment in the BCP, the remediation would also be subject to a Brownfield Cleanup Agreement requiring NYSDEC approval. Once remediation is successfully completed, OER would also certify that the site remediation satisfies the Restrictive Declaration and DOB may issue building permits and a certificate of occupancy.

Notice to Proceed

OER issued a Notice to Proceed (NTP), addressed to DOB, for the development site dated 16 April 2015. The NTP noted that NYSDEC has approved a remedial work plan for the site and issued a Decision Document that defines the remedial actions required for the project (the NTP and the Decision Document are included in Appendix A, Agency Correspondence). With this NTP DOB may issue permits related to site excavation that will facilitate the implementation of the selected remedy. Before DOB may issue a temporary or final Certificate of Occupancy for this site, OER must issue a Notice of Satisfaction confirming that all required remedial activities have been satisfied. (The NTP also addressed the Noise (E) designation; that information is discussed below in the "Noise" section of this attachment.)

The applicant has demolished the buildings previously present on the development site and as of March 2016, the excavation is underway.

Conclusion

As the applicant is working to satisfy the requirements of Restrictive Declaration (R) 76, there will be no potential for significant adverse impacts related to hazardous materials as a result of development under RWCDS No-Action or RWCDS With-Action conditions. No further assessment in this EAS is warranted.

Noise

The principal types of noise sources affecting the New York City environment are mobile sources (primarily motor vehicles), stationary sources (typically machinery or mechanical equipment associated with manufacturing operations or building heating, ventilating and air conditioning systems) and construction noise. The 2014 *CEQR Technical Manual* states that the initial impact screening for noise considers whether the project would: (1) generate any mobile or stationary sources of noise; and/or (2) be located in an area with existing high ambient noise levels.

As noted above, the development site is subject to an institutional control, i.e., an (E) designation, to ensure that new development on the site will provide required window-wall attenuation and alternate means of ventilation to ensure acceptable interior noise levels and thereby not result in significant adverse noise impacts. As discussed below, the proposed action will generate or divert vehicular traffic, but this would not represent a substantial new mobile source of noise.

Per the EAS Form, the proposed action would not result in the introduction of any sensitive noise receptor to the development site, and it would not create any substantial stationary noise source. Additionally, the vehicle parking facilitated by the proposed action would be located in enclosed areas, below the lowest residential floor in the new development.

Mobile Source

As indicated on the EAS Form, the proposed action would generate or re-route vehicular traffic — specifically, vehicle trips to and from the garage that, under RWCDS No-Action Conditions, would be made to other parking facilities or to on-street parking spaces. However, as the proposed action would not exceed any development density threshold for Transportation analysis identified in 2014 *CEQR Technical Manual* Table 16-1, it would not result in a substantial increase in traffic. Therefore, the proposed action would not result in a 100 percent or more increase in noise passenger car equivalents (PCE) on West Street and the other streets surrounding the development site, which are public streets that carry significant vehicle traffic. The 2014 *CEQR Technical Manual* states that, if existing Noise PCE values are not increased by 100 percent or more, it is likely that the proposed project would not cause a significant adverse vehicular noise impact. Therefore, no further vehicular noise analysis is needed.

Assessment

As the development site is subject to an (E) designation for noise and the proposed action would not introduce a new noise receptor and would not create a substantial new stationary or mobile noise source, the proposed action would not have the potential to result in significant adverse noise impacts, and a detailed analysis is not warranted.

(E) Designation

(E) designations for noise provide notice of the presence of an environmental requirement pertaining to high ambient noise levels on a particular tax lot. If an area is proposed to be rezoned, and the accompanying environmental analysis indicates that development on a property may be affected adversely by existing noise in the vicinity, then an (E) designation for window/wall attenuation and alternate means of ventilation may be placed on the property by the lead agency in order to address such issues in conjunction with any new development or new use of the property. For new developments, enlargements of existing buildings, or changes in use, the DOB will not issue a building permit until the environmental requirements of the (E) designation are satisfied.

In order to preclude the potential for significant adverse impacts related to noise due to redevelopment on the site, as part of the 2006 Tribeca North Rezoning, an (E) designation for noise

was recorded for the development site. The (E) designation, listed in the Zoning Resolution Appendix C, Table 1, City Environmental Quality Review (CEQR) Environmental Requirements, as "E-162", states "Window Wall Attenuation & Alternate Ventilation." The Tribeca North Rezoning EAS Supplemental Analysis, dated July 12, 2006, states that, to ensure an acceptable interior noise environment, future residential/commercial uses at the development site must provide a closed-window condition with a minimum of 40 dB(A) window/wall attenuation on all facades in order to maintain an interior noise level of 45 dB(A). An alternate means of ventilation must be provided in order to maintain a closed-window condition. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or federally-approved fans.

As discussed above, OER administers the (E) designation program and will not authorize the DOB to issue a TCO or C of O for the new building on the development site until the applicant has demonstrated that it has satisfactorily complied with all E-162 requirements, including those for noise. This process will occur under both RWCDS No-Action and RWCDS With-Action conditions and would not be affected by the proposed action, which would not affect the residential program on the development site. Building permits have in fact been issued for the building based on the NTP letter discussed above under "Hazardous Materials." As it pertains to noise requirements, the NTP states that OER finds the "Noise RAP [Remedial Action Plan] acceptable" and noted that the applicant remains committed to submitting "a Noise Installation Report certified by the Engineer (P.E.) or Architect (R.A.) of Record to OER for review and approval at the conclusion of construction activity."

NTP

As noted above, in the "Hazardous Materials" section, OER issued an NTP for the development site, addressed to DOB, on 16 April 2015. In addition to addressing hazardous materials, the NTP stated that OER accepted the applicant's noise remedial action plan (Noise RAP) and the attached OER Decision Document identifies the select remedy for noise, which specifies the attenuation requirements, models of windows that will be used to comply with the same, and how the requirement for alternate means of ventilation will be achieved. Refer to the NTP and Decision Document in Appendix A for details.

With these controls in place, the potential for significant adverse noise impacts on the development site under RWCDS No-Action or RWCDS With-Action conditions would be precluded.

Neighborhood Character

As the EAS is providing a preliminary assessment of land use, zoning, and public policy (Attachment C), a preliminary screening analysis is necessary to determine if a detailed neighborhood character analysis is warranted.

Neighborhood character is an amalgam of various elements that give neighborhoods their distinct "personalities." According to the 2014 *CEQR Technical Manual*, a preliminary assessment may be appropriate if a project has the potential to result in any significant adverse impacts on any of the following technical areas: land use, zoning, and public policy; socioeconomic conditions; open

space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise. Per the analyses provided in this EAS, although the proposed project required supplemental screening or preliminary assessment of some of these technical areas, there would be no project-generated significant adverse impacts.

The 2014 *CEQR Technical Manual* also states that for projects not resulting in significant adverse impacts to any technical areas related to neighborhood character, additional analyses may be required to determine if the proposed project would result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. However, the 2014 *CEQR Technical Manual* indicates that neighborhood character impacts are rare and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects in the neighborhood would result in any significant adverse impact to neighborhood character.

As the proposed project would not be considered to have any significant effects on any of the technical areas relating to neighborhood character, a neighborhood character assessment can be screened out, and no significant adverse neighborhood character impacts would occur. Therefore, no additional analysis is warranted for neighborhood character.

Construction

Construction impacts, although temporary, can include disruptive and noticeable effects of a project. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Based on 2014 *CEQR Technical Manual* guidelines, where the duration of construction is expected to be short-term (i.e., less than two years), any impacts resulting from construction generally do not require detailed assessment. Construction of the building on the development site is expected to be completed within approximately 21 months, and the duration will be approximately the same under both RWCDS No-Action and RWCDS With-Action conditions. Construction of the proposed 42-space garage would involve internal fit-out and finishes of space. This work, which would be initiated upon approval of the application, would occur concurrently with fit-out and finishes for other portions of the development; there would be similar, though less extensive, construction activity in this area of the building under RWCDS No-Action conditions.

While overall construction will have a duration of less than two years and there will not be a substantial incremental change in the construction schedule as a result of the proposed action, a preliminary screening of construction impacts resulting from the project is recommended, because the proposed action could result in construction activities that may require the short-term closing, narrowing, or otherwise impeding of traffic, transit or pedestrian elements (roadways, parking spaces, sidewalks, crosswalks, corners, etc.) along streets bordering the site. In addition, construction activities on the site are occurring within 400 feet of historic and cultural resources, as identified in the "Historic and Cultural Resources" section above.

The majority of construction activities will take place Monday through Friday, although the delivery or installation of certain equipment could occur on weekend days. Hours of construction are regulated by DOB and apply in all areas of the City. In accordance with those regulations,

almost all work could occur between 7 AM and 6 PM on weekdays, although some workers arrive and begin to prepare work areas before 7 AM. Occasionally, Saturday or overtime hours could be required to complete time-sensitive tasks. Weekend work requires a permit from the DOB and, in certain instances, approval of a noise mitigation plan from NYCDEP under the City's Noise Code.

Preliminary Screening

As described in Attachment A, the proposed action would facilitate a 42-space accessory parking facility in a new development planned for construction; the proposed action would result in a 33-space incremental increase in spaces as compared to the approximately 9 spaces permitted on the site on as-of-right basis. All incremental construction activities generated by the proposed action would occur internally within the structure, as there would be no change in the amount of excavation or change in the building envelope. Construction impacts are usually important when construction activity could affect the integrity of historical and archaeological resources, hazardous materials, traffic conditions, air quality, and noise conditions. A discussion of these areas of concern is provided below for informational purposes.

Historic and Cultural Resources

As described in the "Historical and Cultural Resources" section above, the proposed action would not have the potential to have construction effects on any architectural or archaeological resources, as it would only involve construction changes within the interior of the building under construction on the development site.

Hazardous Materials

As described in the "Hazardous Materials" section above, the development site is being remediated subject to a Restrictive Declaration with OER oversight and is being enrolled in the BCP, which is administered by NYSDEC. Pursuant to these processes, the applicant will implement a remedy that is protective of human health and the environment consistent with the proposed use of the property.

Transportation

The development site has frontage on Vestry Street and Desbrosses Street, as well as West Street; thereby it is situated along a major thoroughfare. However, as the proposed action would only entail construction work within the interior of the building under construction on the development site, it is not anticipated to have any noticeable effect on West Street. The site is not located in a Central Business District (CBD). There are no designated bicycle routes, bus lanes or routes, or access points to transit in the immediate vicinity of the development site. During construction, the sidewalks along these streets adjacent to the site may need to be closed at times in order to accommodate construction vehicles, equipment, and supplies. If sidewalk closure is necessary, Jersey barriers or other protective structures would be erected, and a covered pedestrian walkway would be created to accommodate pedestrian traffic around the property. Short-term closure of the parking lanes adjacent to the project site also may be necessary. These closures would be considered to be routine closures that would be addressed by a permit (and a pedestrian access

plan) to be issued by the NYC Department of Transportation (DOT) Office of Construction Mitigation and Coordination (OCMC) at the time of closure so that adverse impacts are not expected to occur. Standard practices would be followed to ensure safe pedestrian and vehicular access to nearby buildings and along affected streets and sidewalks. During construction, access to all adjacent businesses, residences, and other uses would be maintained according to the regulations established by the DOB. In addition, it is not anticipated that all vehicular moving lanes adjacent to the site would need to be closed during construction.

During construction, trucks and other vehicles will be traveling to and from the development site via West Street, which the city designates as a through truck route. Trucks traveling northbound or southbound on West Street would turn onto Vestry Street (a one-way eastbound street) in order to access the site. An analysis of transportation impacts from construction of the project is not required, as the project construction period is less than two years and most construction traffic would take place outside of the AM and PM traffic peak hours in the vicinity of the site due to typical construction hours.

Accordingly, the proposed action would not result in any significant adverse transportation impacts during project construction.

ATTACHMENT C:
LAND USE, ZONING, AND PUBLIC POLICY

A. INTRODUCTION

Under *City Environmental Quality Review (CEQR) Technical Manual* guidelines, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed project, and determines whether that proposed project is compatible with those conditions or may affect them. Similarly, the analysis considers the proposed project's compliance with, and effect on, the area's zoning and other applicable public policies.

The proposed action consists of an application for a City Planning Commission (CPC) Zoning Special Permit pursuant to Sections 13-45 and 13-451 of the New York City Zoning Resolution (ZR § 13-45 and 13-451), "Special Permits for Additional Parking Spaces" and "Additional Parking Spaces for Residential Growth" (the "proposed action"). The proposed action would allow a 42-space parking garage to be provided in a new development to be constructed on an as-of-right basis at 70 Vestry Street in the Tribeca neighborhood in Manhattan Community District 1. The development site at 70 Vestry Street—which consists of Block 223, Lot 3—is located on West Street (Route 9A) between Vestry and Desbrosses Streets. The range of addresses associated with the site includes 62-74 Vestry Street (even numbers), 264-270 West Street (even numbers) and 33-39 Desbrosses Street (odd numbers).

As discussed in Attachment A, "Project Description", the as-of-right, 222,185-gsf building planned for the development site will be 149 feet tall (roof height), which includes a permitted penthouse. It will have approximately 47 dwelling units (DUs) and approximately 829 gsf of commercial or community facility space. The development will include 30,748 gsf of cellar space, excavated to a depth of approximately 15 feet below grade. On an as-of-right basis, the development is permitted to have 9 accessory parking spaces. The site is being developed with two curb cuts providing vehicular access to both a ground level driveway/motor court and to the below-grade parking accessed via a car elevator, including a one-way entry on the site's northern boundary on Desbrosses Street and a one-way exit on the site's southern boundary on Vestry Street. This represents the RWCDS No-Action condition for the development site, which represents the baseline against which the effects of the With-Action condition will be compared. The effect of the proposed action, therefore, represents the incremental effect on conditions that would result as the net change in development between No-Action conditions and the With-Action conditions.

With the proposed action, the on-site parking garage would have 42 spaces, while the residential and community facility program, building envelope, area and volume of below-grade space, and curb cut location would not change. This represents the RWCDS With-Action condition for the

site. Accordingly, the RWCDS Increment for the proposed action is a net increase of 33 parking spaces. The development is expected to be completed in 2018 under both RWCDS No-Action and RWCDS With-Action conditions.

As also discussed in Attachment A, the development site is part of a larger zoning lot that also includes Block 223, Lots 13 and 20. The proposed action would not directly affect conditions on the remainder of the zoning lot.

B. PRINCIPAL CONCLUSION

No significant adverse impacts on land use, zoning, or public policy, as defined by the guidelines for determining impact significance set forth in the 2014 *CEQR Technical Manual*, are anticipated in the future with the proposed action in the primary and secondary study areas. The proposed action would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with existing or anticipated land uses, zoning, or public policy in the secondary study area. The proposed action would not create land uses or structures that would be incompatible with the underlying zoning, nor would it cause a substantial number of existing structures to become non-conforming. The proposed action would not result in land uses that conflict with public policies applicable to the primary study area.

The proposed action would result in an overall increase in parking on the development site, when compared to conditions in the future without the proposed action. The proposed action would only change the number of parking spaces provided by the development. Thus, the only physical change to the development would occur in the use of some below-grade space of the planned building. The cellar depth will be the same under both RWCDS No-Action and RWCDS With-Action conditions.

Under No-Action conditions, the cellar space in a portion of the building will be occupied by a combination of the 9 parking spaces and storage, back-of-house and additional residential amenities. Under With-Action conditions, space that would be occupied by the storage, back-of-house or added residential amenities would be replaced with 33 additional parking spaces.

C. METHODOLOGY

The land use, zoning, and public policy analysis has been conducted in accordance with the methodology presented in the 2014 *CEQR Technical Manual*. Per 2014 CEQR guidelines, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. A preliminary public policy analysis was also prepared to determine the potential of the proposed project to alter or conflict with applicable public policies. As the development site is located within the City's current Coastal Zone boundaries (and is also located within the zone on the new maps approved by the City in 2013 that are awaiting State and Federal approval), an assessment for consistency with the City's Waterfront Revitalization Program is provided.

In accordance with the 2014 *CEQR Technical Manual*, the assessment describes existing and anticipated future conditions at a level necessary to understand the relationship of the proposed action to such conditions, assesses the nature of any changes to these conditions that would be created by the proposed action, and identifies those changes, if any, that could be significant or adverse. The assessment discusses existing and future conditions with and without the proposed project in the 2018 analysis year for a primary study area and a secondary study area.

Existing land uses were identified by reviewing a combination of sources including field surveys, secondary sources such as the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2013, online Geographic Information Systems (GIS) databases including the New York City Open Accessible Space Information System (http://www.oasisnyc.net) and the New York City Department of City Planning's (DCP's) Zoning and Land Use (ZoLa) application (http://gis.nyc.gov/doitt/nycitymap/). New York City zoning maps and the *Zoning Resolution of the City of New York* were consulted to describe existing zoning districts in the study areas and provided the basis for the zoning evaluation of the future RWCDS No-Action and RWCDS With-Action conditions. Relevant public policy documents were utilized to describe existing public policies pertaining to the development site and surrounding study area.

Analysis Year

It is anticipated that the proposed 42-space parking garage and the otherwise as-of-right building that it would be located within would be operational by 2018. As such, the analysis year for environmental analysis purposes is 2018. The future RWCDS No-Action and RWCDS With-Action conditions account for land use and development projects, zoning proposals, and public policy initiatives that are expected to be implemented in the study area by 2018.

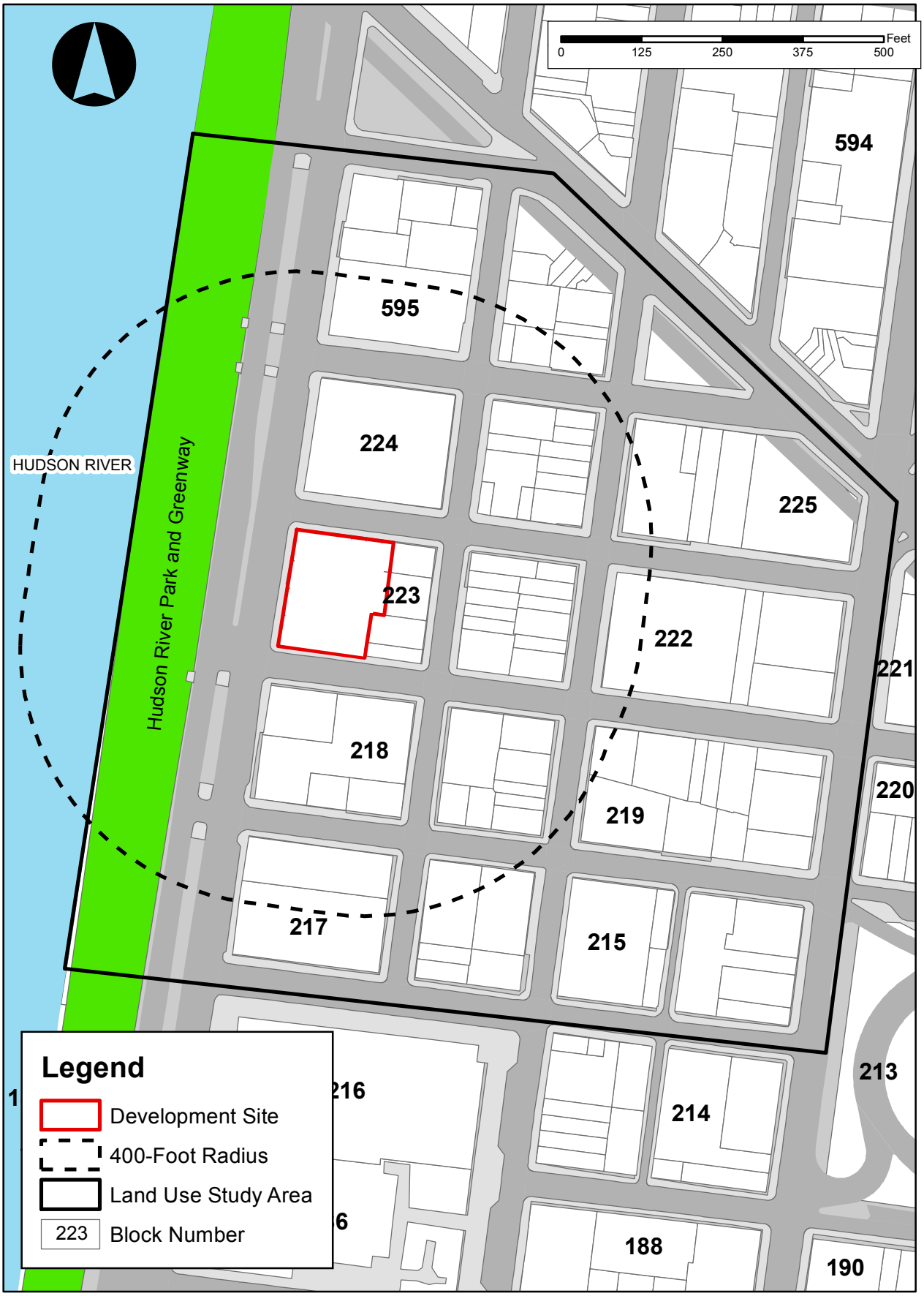
Study Area Definition

According to the 2014 *CEQR Technical Manual*, the appropriate study area for land use, zoning and public policy is related to the type and size of the proposed project, as well as the location and context of the area that could be affected by the project. Study area radii vary according to these factors, with suggested study areas ranging from 400 feet for a small project to a half-mile for a large project. In accordance with the 2014 *CEQR Technical Manual* guidelines, land use, zoning, and public policy are addressed and analyzed for two geographical areas: (1) the development site, also referred to as the primary study area, and (2) a secondary study area. The secondary study area for this project extends approximately 400 feet from the boundary of the development site.

The secondary study area for this project extends approximately 400 feet from the boundary of the development site, but the boundary has been extended to include the entirety of blocks that lie partly within the 400-foot radius. As shown in Figure C-1, the secondary study area extends northward to Canal Street, eastward to Hudson Street, as far south as Hubert Street and, westward, to the Hudson River. As such, it includes all of tax Blocks 215, 217, 218, 219, 222, 223, 224, 225, and parts of tax Blocks 594 and 595.

Figure C-1

Land Use Study Area Map



D. PRELIMINARY ASSESSMENT

1. Existing Conditions

Historic Overview

For many decades, Tribeca was an industrial area filled with warehouses and manufacturing buildings. This land use pattern was reflected by manufacturing zoning adopted as part of the 1961 Zoning Resolution, which prohibited new residential development. However, by the turn of the twenty-first century, many of these properties were underutilized or vacant and eventually converted to residential uses such as lofts, in large part due to a series of rezonings. The Tribeca North Rezoning, adopted in 2006, was designed to respond to the increasing demand for new housing; the rezoning allowed for the residential redevelopment of four blocks abutting West Street including the block containing the development site. The larger North Tribeca Rezoning, adopted in 2010, also encouraged residential development in an approximately 25-block area of the neighborhood.[1] The area's contextual mixed-use buildings house a growing residential community, while the district's regulations support a mix of uses by allowing light-performing industries.

Land Use

Development Site

The development site is located at 70 Vestry Street (Block 223, Lot 3)[2], occupies much of the tax block's western half, which is bounded by Desbrosses Street to the north, Washington Street to the east, Vestry Street to the south and West Street to the west. The site, which is flat, is a double-corner lot with frontage on Desbrosses Street, Vestry Street, and West Street. The development site was an assemblage of what were several separate properties that in recent years included a restaurant (former Lot 9), an auto repair shop (former Lots 3 and 5), a six-story loft building (former Lot 13), and one-story garages (former Lot 15). A mixed-use building with accessory parking is planned for the site on an as-of-right basis. The applicant expects to complete the building by 2018. Refer to Table A-1 in Attachment A, which summarizes existing conditions information for the development site.

Study Area

The study area blocks are roughly bounded by Watts Street to the north, Greenwich Street to the east, Laight Street to the south, and Hudson River Park to the west.

As shown in Figure C-2, the study area is comprised of a range of uses including mixed residential-commercial buildings as well as all-residential buildings, offices, parkland, parking facilities, and manufacturing-industrial uses.

[1] Refer to discussion of zoning history in Attachment A, "Project Description," for more information.
[2] The development site is an assemblage of several properties that historically had distinct uses. Reflecting this, and as noted in Attachment A, until recently the site consisted of several tax lots, including Lots 5, 7, 9, 11, 12, and 112).

Figure C-2
Study Area Land Use

Lot sizes vary throughout the study area. Many of the nearby buildings to the east of the development site have narrow frontages and contain a mix of low-scale (one-to-five-story) automobile shops and residential buildings. Buildings further to the north and south have larger footprints, range in heights of 5 and 15 stories, and contain a mix of residential and commercial uses.

There have been several new residential and mixed residential-commercial buildings developed pursuant to the Tribeca North and North Tribeca rezonings, including both new construction, on sites used that were previously vacant or occupied by parking, commercial, or industrial buildings, and conversion of former industrial and commercial loft buildings.

One example of the trend toward residential development is Tribeca Summit, an 8-story condominium originally built as a warehouse that was converted to residential use with approximately 63 DUs about 2011. It is located at 415 Greenwich Street (Block 218, Lot 7504), at the southeastern edge of the study area. Another notable new residential use is Truffles Tribeca, a new construction 15-story rental apartment building with approximately 291 DUs and 166 parking spaces completed in about 2012. It is located at 34 Desbrosses Street/450 Washington Street (Block 224, Lot 1), occupying the full block immediately north of the development site.

The western portion of the study area consists of West Street, a major north-south thoroughfare with a landscaped median separating northbound and southbound lanes that connects the Upper West Side with the southern tip of the borough, and the adjoining Hudson River Park, a waterfront park extending between the river and the West Street from Battery Park City to W. 59th Street. The park includes a continuous waterfront esplanade with a bicycle path and walkway, seating, and other amenities. Nearby, though outside the study area boundary, the park also includes active recreation areas including basketball courts and a dog run, as well as piers that have been converted to passive recreation use. The park has an entrance on Vestry Street at West Street, diagonally across from the development site.

Zoning

The development site was rezoned as part of the Tribeca North Rezoning adopted in 2006 (ULURP Nos. N 040544ZRM and C 040543 ZMM). The rezoning changed the development site's zoning from an M1-5 district to C6-3A and C6-2A districts within the already-existing Special Tribeca Mixed-Use District (TMU). The rezoning area included four manufacturing-zoned blocks bounded by Watts Street to the north, Washington Street to the east, Hubert Street to the south and West Street to the west. In 2010, the City approved a rezoning of portions of approximately 25 blocks in Northern Tribeca, an area bounded by Canal Street to the north; Broadway to the East; Hubert Street, Beach Street, Ericsson Place, North Moore Street and Walker Street to the south; and West Street to the west, which included changes to the TMU Special District that also affected the project area.

Development Site

As noted, the development site is now zoned C6-3A and C6-2A. The C6-3A portion of the development site is located within Subarea A4 of the TMU in which the maximum allowable

residential FAR is 7.52 for the C6-3A district. The C6-2A portion of the development is located within Subarea A5 of the TMU in which the maximum allowable residential FAR is 6.02. Uses permitted as-of-right include residential (Use Groups 1 and 2), community facilities (Use Groups 3 and 4) and commercial (Use Groups 5 to 12). Manufacturing/industrial uses are not permitted, though pre-existing non-conforming uses are grandfathered. The Special TMU District regulations include specific controls on building use and size, including restrictions on ground-floor retail and hotels. The "Manhattan Core" parking requirements outlined in Article I, Section 3 of the ZR are applicable to the development site and as such, any new development may provide accessory parking spaces equivalent to 20 percent of the number of new dwelling units and may provide one accessory parking space for every 4,000 sf of retail floor area.

Study Area

In addition to the eastern portion of the development site, most of the study area is zoned C6-2A and is designated as TMU Subarea A5. The C6-3A zoning district, designated as TMU Subarea A4, which covers the western portion the project area, also covers the western portion of blocks to the north and south of the development site. West Street and the waterfront portion of the study area (which is occupied by Hudson River Park) is zoned M2-3.

Public Policy

According to the 2014 *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, which pertain to the primary and secondary study areas. If the proposed project could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary. Besides zoning, the only other public policy applicable to the development site is NYC's Local Waterfront Revitalization Program (WRP). An overview of the WRP is provided below.

Local Waterfront Revitalization Program

Projects proposed for areas that are located within the designated boundaries of New York City's Coastal Zone must be assessed for their consistency with the City's Waterfront Revitalization Program (WRP). The federal Coastal Zone Management Act (CZMA) of 1972 was enacted to support and protect the distinctive character of the waterfront and to set forth standard policies for reviewing proposed development projects along coastlines. The program responded to City, State, and federal concerns about the deterioration and inappropriate use of the waterfront. In accordance with the CZMA, New York State adopted its own Coastal Management Program (CMP), which provides for local implementation when a municipality adopts a local waterfront revitalization program, as is the case in New York City.

The WRP is the City's principal coastal zone management tool which was originally adopted in 1982 and approved by the New York State Department of State (NYSDOS) for inclusion in the New York State CMP. The WRP encourages coordination among all levels of government to

promote sound waterfront planning and requires consideration of the program's goals in making land use decisions. NYSDOS administers the program at the State level, and DCP administers it in the City. The WRP was revised and approved by the City Council in October 1999. In August 2002, NYSDOS and federal authorities (i.e., the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service) adopted the City's 10 WRP policies for most of the properties located within its boundaries. The 10 WRP policies deal with residential and commercial redevelopment; water-dependent and industrial uses; commercial and recreational boating; coastal ecological systems; water quality; flooding and erosion; solid waste and hazardous substances; public access; scenic resources; and historic and cultural resources.

In October 2013, the City Council approved revisions to the WRP in order to proactively advance the long-term goals laid out in *Vision 2020: The New York City Comprehensive Waterfront Plan*, released in 2011. The changes will solidify New York City's leadership in the area of sustainability and climate resilience planning as one of the first major cities in the U.S. to incorporate climate change considerations into its Coastal Zone Management Program. They will also promote a range of ecological objectives and strategies, facilitate interagency review of permitting to preserve and enhance maritime infrastructure, and support a thriving, sustainable working waterfront. The revisions to the WRP are currently pending State and Federal approval in order to go in to effect.

Development Site

As shown in Figure C-3, the development site is located in the coastal zone that is currently in place. As shown in Figure C-4, the development would also be within the coastal zone boundary that is part of the 2013 revisions, which are currently pending State and Federal approval. AWRP assessment is formally required in order to ensure compliance with the WRP.

Consistency Assessment

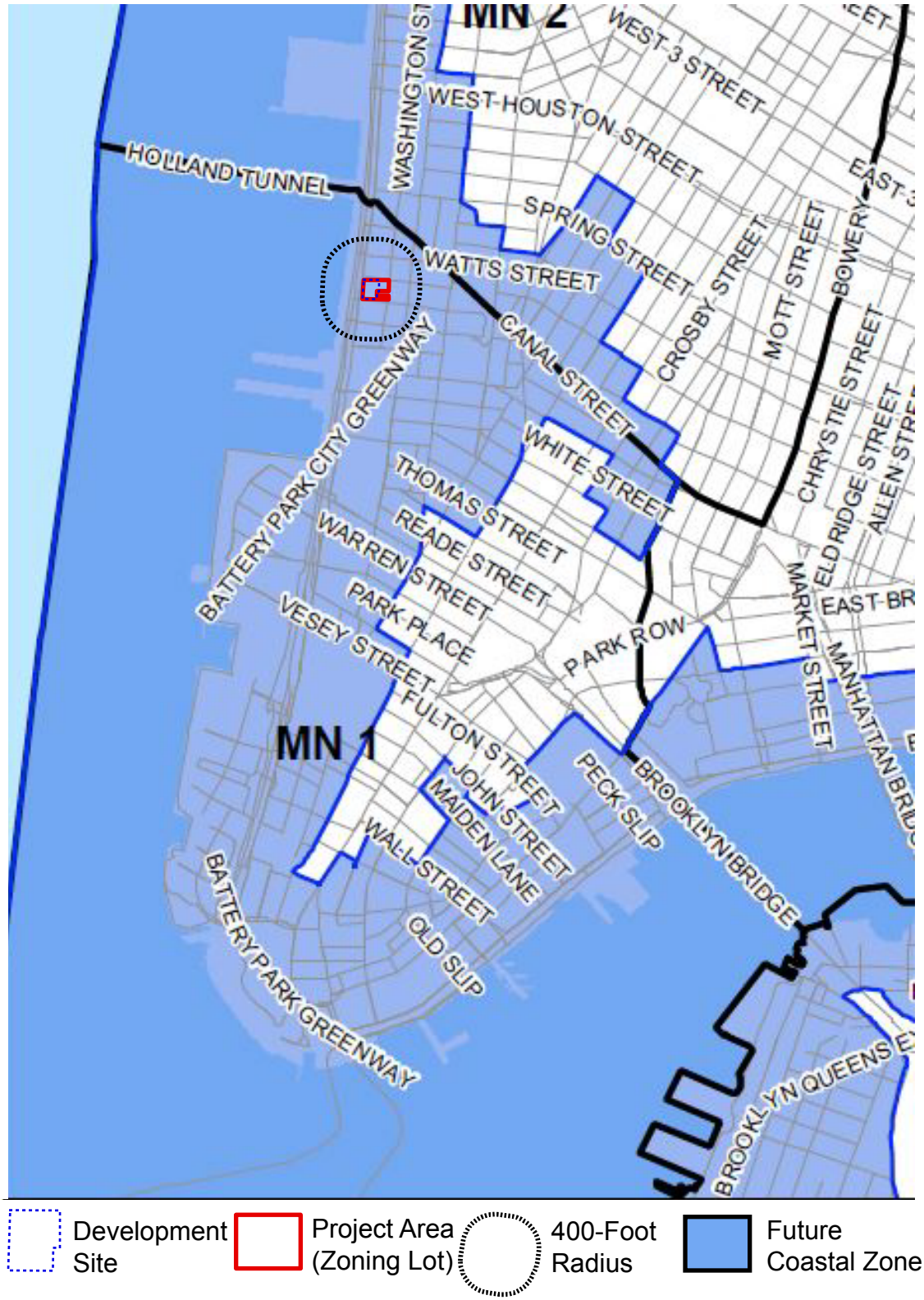
In accordance with the guidelines of the 2014 *CEQR Technical Manual*, a Consistency Assessment Form (CAF) was prepared for the proposed project (see Appendix B). As indicated in the form, the proposed action was deemed to potentially require further assessment of certain WRP policies. Each of the policies that were identified in the CAF as requiring further assessment is presented below, followed by a discussion of the proposed project's consistency with the policy. As noted below, the proposed action does not conflict with any of the WRP policies.

The proposed action is limited in scope and would result in relatively minor changes in site conditions as compared to No-Action conditions, with the only change being an increase in the number of parking spaces from 9 to 42 and a resulting increase in the amount of below-grade building space dedicated to parking. The density, bulk, uses, and extent of excavation on the development site would not change as a result of the proposed action. Accordingly, the effects of the proposed action with respect to the applicable policies are minimal.

Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.

Figure C-3
Exisiting Coastal Zone Boundary

Figure C-4
Future Coastal Zone Boundary



The proposed action would not directly result in any additional commercial or residential development, but would support and facilitate new residential development by providing accessory parking spaces in response to new residential demand. The proposed special permit would allow a 42-space accessory parking garage in a new as-of-right apartment building being built near the waterfront. The development is occurring pursuant to rezonings that were intended to spur new residential development on underutilized and vacant land. The as-of-right development is permitted 9 accessory parking spaces and therefore the effect of the proposed action would be to increase the amount of on-site parking by approximately 33 spaces. The proposed action is expected to ease demand for residential parking on other facilities in the area, as the rate of new residential parking in the area has fallen well below DCP's target rate of 0.2 new spaces per each new residential unit.

Therefore, the proposed action is consistent with this policy.

1.1 Encourage commercial and residential redevelopment in appropriate coastal zone areas.

See response to Policy 1, above.

Policy 6: Minimize loss of life, structures and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

Flood Insurance Rate Maps and Base and Design Flood Elevations

The Federal Emergency Management Agency (FEMA) issued updated Preliminary Flood Insurance Rate Maps (FIRMs) for New York City dated 1/30/2015. The Preliminary FIRMs are considered the best available flood hazard data. Following a public review process of the preliminary FIRMs, FEMA anticipates adopting effective, i.e., official, FIRMs. These new FIRMs are replacing the currently effective FIRMs issued by FEMA in 1983 with revisions dated 2007. They identify the 100-year (1 percent annual chance) floodplain with the 100-year flood water levels projected to reach the specified base flood elevations. They also identify the 500-year (with an annual probability of flooding between 0.2 percent and 1 percent) floodplain. FEMA does not identify the base flood elevation for the 500-year floodplain. Areas within the 100-year floodplain are subject to NYC Building Code and FEMA flood-resistant construction requirements. These include requirements that all habitable space be located above the design flood elevation; permitted uses below the design flood elevation include parking and storage. The City of New York has adopted the base flood elevations specified in the Preliminary FIRMs until new effective FIRMs are available for the purposes of determining compliance with all floodproofing requirements and for establishing base plane elevations for new buildings to measure their compliance with zoning building height requirements.

There are two types of 100-year floodplains; "V" zones with the added hazard of high-velocity wave action with a projected wave height of 3 feet or more and "A" zones, which are projected to be inundated with the 100-year flood but without wave action from waves of 3 feet or more. The Preliminary FIRMs also introduced a new area defined as the "Coastal A Zone" designated by a boundary called the Limit of Moderate Wave Action (LiMWA). This zone is the portion of an A

Zone, also referred to as the "Coastal AE Zone", where moderate wave action with projected wave heights between 1.5 and 3 feet is expected during the base flood event.

The City of New York has adopted the base flood elevations[3] specified in the Preliminary FIRMs until new effective FIRMs are available for the purposes of determining compliance with all flood-proofing requirements and for establishing base plane elevations for new buildings to measure their compliance with zoning building height requirements.[4]

Development Site

As shown in Figure C-5, per the 1/30/2015 preliminary FIRM, the development site is located in the 100-year floodplain "A Zone", designated "Zone AE (El 12), i.e., having a base flood elevation of +12 NAVD (which is approximately equivalent to +10.4 Manhattan vertical datum). This indicates a special flood hazard area where the City's Building Code and FEMA special requirements for the 100-year floodplain are applicable to new developments. In "AE" zones, the NYC Building Code requires that for structures such as residential buildings, the design flood elevation is 1 foot above the base flood elevation indicated on the FIRM. Accordingly, the entire building must provide all habitable space at a design flood elevation of at least at +13 NAVD (+11.4 Manhattan vertical datum). Also, per the preliminary FIRM, a portion of the development site is located within the LiMWA area, indicating that the development site is considered to be at risk of moderate wave action.

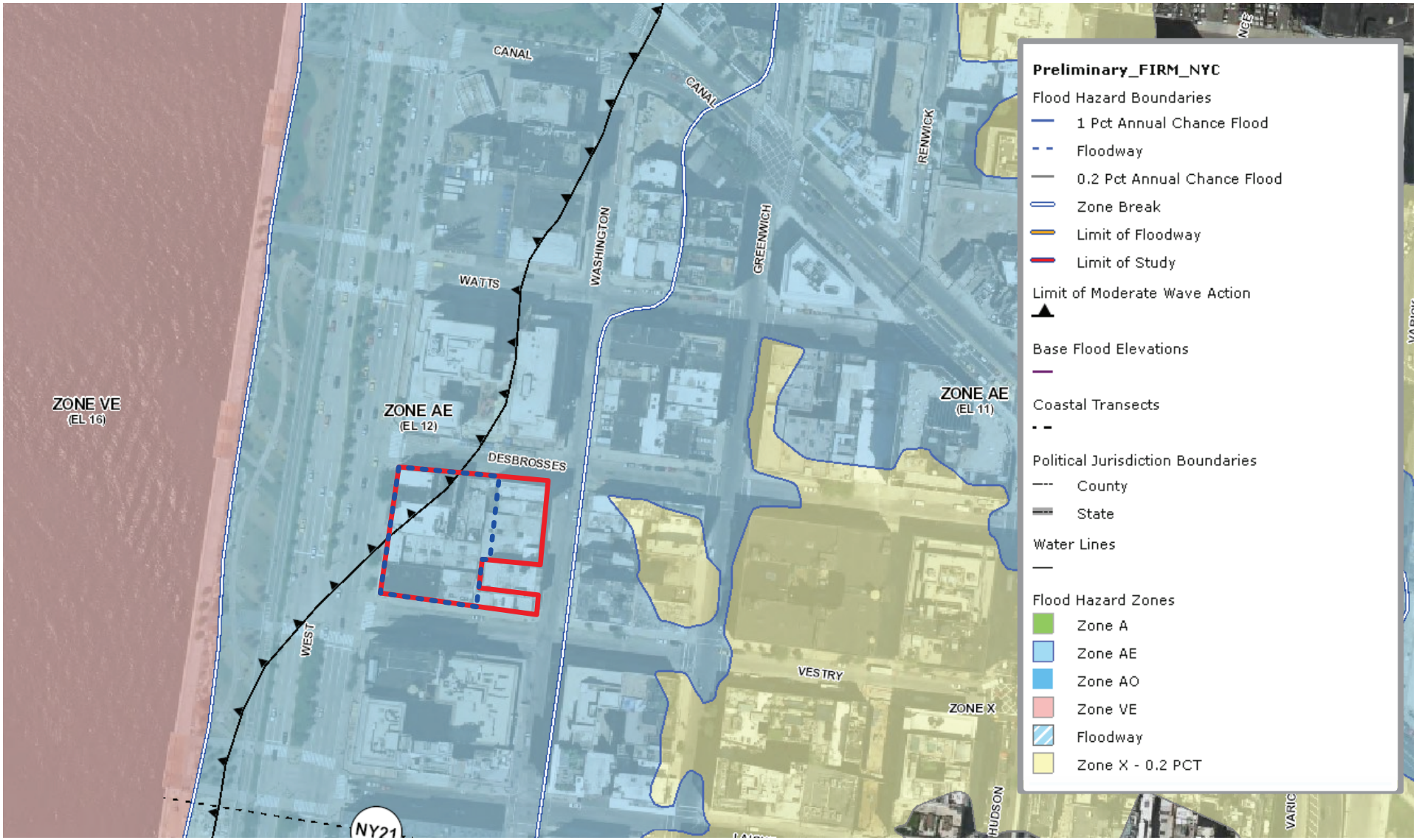
As-of-right Building on the Development Site

Construction of the new building on the development site will proceed on an as-of-right basis. This construction will occur pursuant to building permits filed in compliance with applicable NYC Building Code 100-year floodplain flood proofing requirements, in conformity with the Preliminary FIRM data. As of March 2016, permits for the new building, including those related to compliance with special flood zone requirements, are under review by the Department of Buildings (DOB).

As required, all special floodproofing measures applicable to the development site will be incorporated into the building design, pursuant to DOB's review which will ensure compliance with applicable building regulations. This compliance, which will be required under No-Action and With-Action conditions, ensures consistency with this policy.

Figure C-6 provides a section of the building illustrating the location of uses relative to the required design flood elevation, indicating that uses required to be above the design flood elevation will be located accordingly. This section is consistent with more detailed drawings filed with the DOB to demonstrate compliance with the Building Code regulations related to the design flood elevation.

[3] Preliminary FIRM elevations are measured in feet above the North American Vertical Datum of 1988 (NAVD 88).
[4] See "Coastal Climate Resilience: Designing for Flood Risk", Department of City Planning, City of New York, June 2013, for additional information. Online at:
www.nyc.gov/html/dcp/pdf/sustainable_communities/designing_flood_risk.pdf



0 100 200 Feet

N

Development Site

Zoning Lot

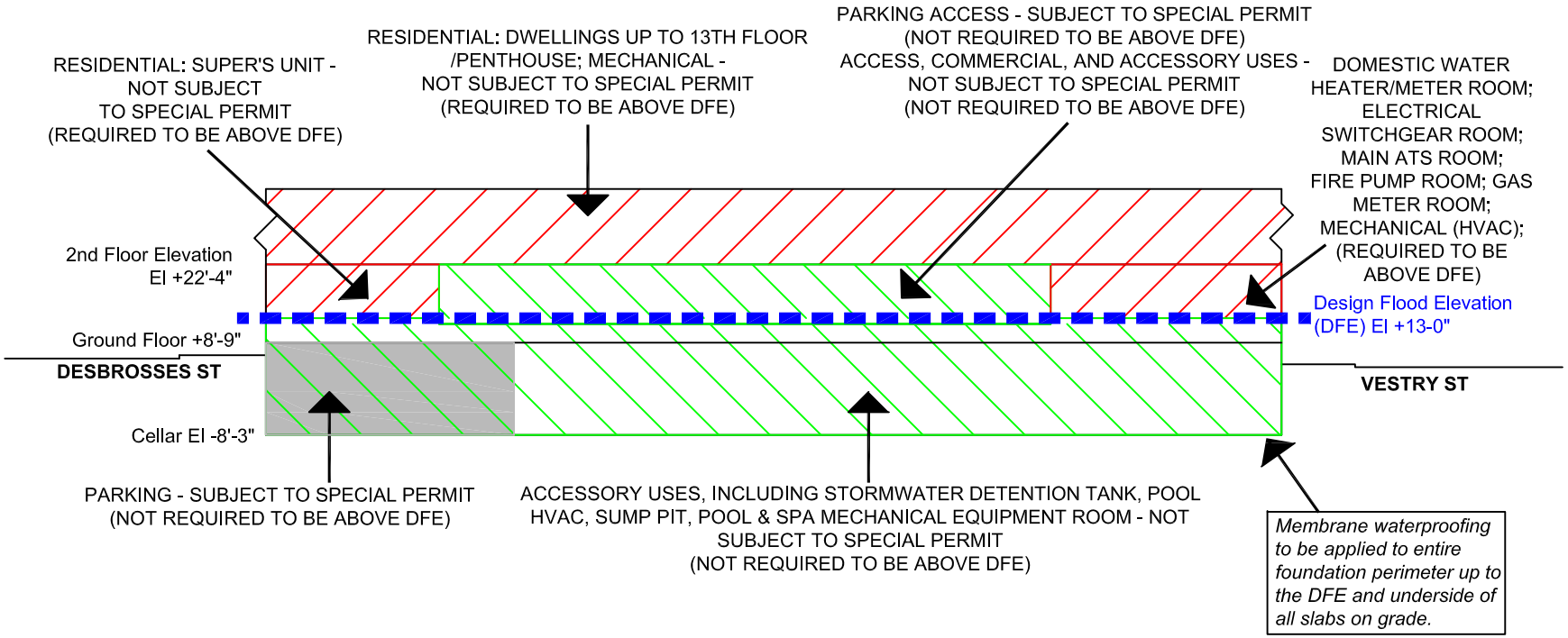
70 Vestry Street Garage Special Permit EAS

Figure C-5

FEMA Preliminary Flood Insurance Rate Map (FIRM)

Illustrative North-South Section: Uses in Relation to Design Flood Elevation (DFE)

This section illustrates the vertical location of uses relative to the DFE and their requirements related thereto. For illustrative purposes only.



Legend:

Use permitted to be located below the design flood elevation

Use required to be above the design flood elevation

Garage area subject to special permit (not required to be above DFE)

Note: Per Building Code regulations applicable to this building and site; design flood elevation is 1-foot above base flood elevation (BFE); for this site BFE = +12.0 NAVD 88, as indicated on the Preliminary Flood Insurance Rate Map, dated 1/30/2015

All elevations shown are NAVD 88

Scale (in feet): 0 25 50 75 100

NPCC Report: 2020 and 2050 Flood Zone Projections

In 2013, the New York City Panel on Climate Change (NPCC) released a report (*Climate Risk Information 2013: Observations, Climate Change Projections, and Maps*) outlining New York City-specific climate change projections to help respond to climate change and accomplish PlaNYC goals. The NPCC report predicted future City temperatures, precipitations, sea levels, and extreme event frequency for the 2020s and 2050s. While the projections will continue to be refined in the future, current projections are useful for present planning purposes and to facilitate decision-making in the present that can reduce existing and near-term risks without impeding the ability to take more informed adaptive actions in the future.

The NPCC recommends assessing the impacts of projected sea level rise on the lifespan of projects. While the NPCC developed a series of maps incorporating projections for sea level rise with FEMA's 2013 Preliminary Work Maps, because of limitations in the accuracy of flood projections, the NPCC recommends that these maps not be used to judge site-specific risks. However, in general, the NPCC estimates that in the New York City area, sea level will rise up to a high estimate of 11 inches by the 2020s, and up to a high estimate of 31 inches by the 2050s. As such, some areas not currently within the currently applicable 100-year and 500-year flood zones are projected to be in the future. Unlike the 2013 preliminary FIRMs, the maps do not designate base flood elevations for the 2020 and 2050 100-year floodplains.

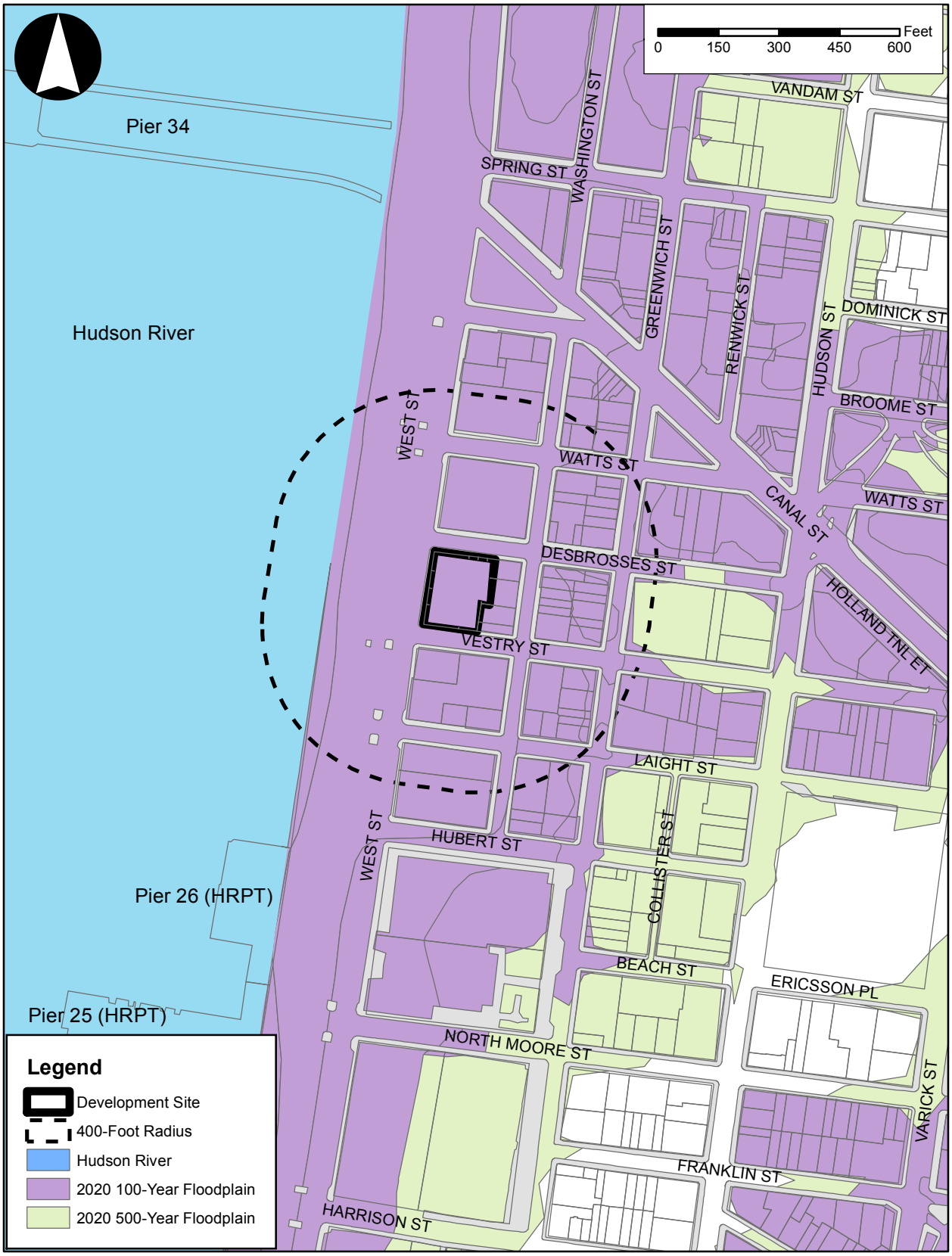
As indicated in Figures C-7 and C-8, the development site will remain in 100-year floodplain in the coming decades. Should the base flood elevation rise to these projected elevations in the future, the applicant anticipates retrofitting the perimeter of the building with flood prevention systems (either temporary or permanently installed flood gates/shutters), potentially in conjunction with an emergency flood protection plan. The nature of such retrofits would depend on the specific change to the base flood elevation, possible future changes to Building Code flood regulations, City-led infrastructure measures to address such changes, and other considerations that are unknown as this time. As such, the nature of such retrofits cannot be characterized at this time.

However, it is important to note that the NPCC recommends that these map projections not be used to judge site-specific risks and notes that they are subject to change. Coastal floodplains are influenced by astronomic tide and meteorological forces and not by fluvial (river) flooding, and as such are not affected by the placement of obstructions within the floodplain. Therefore, the construction and operation of the proposed project would not exacerbate future projected flooding conditions.

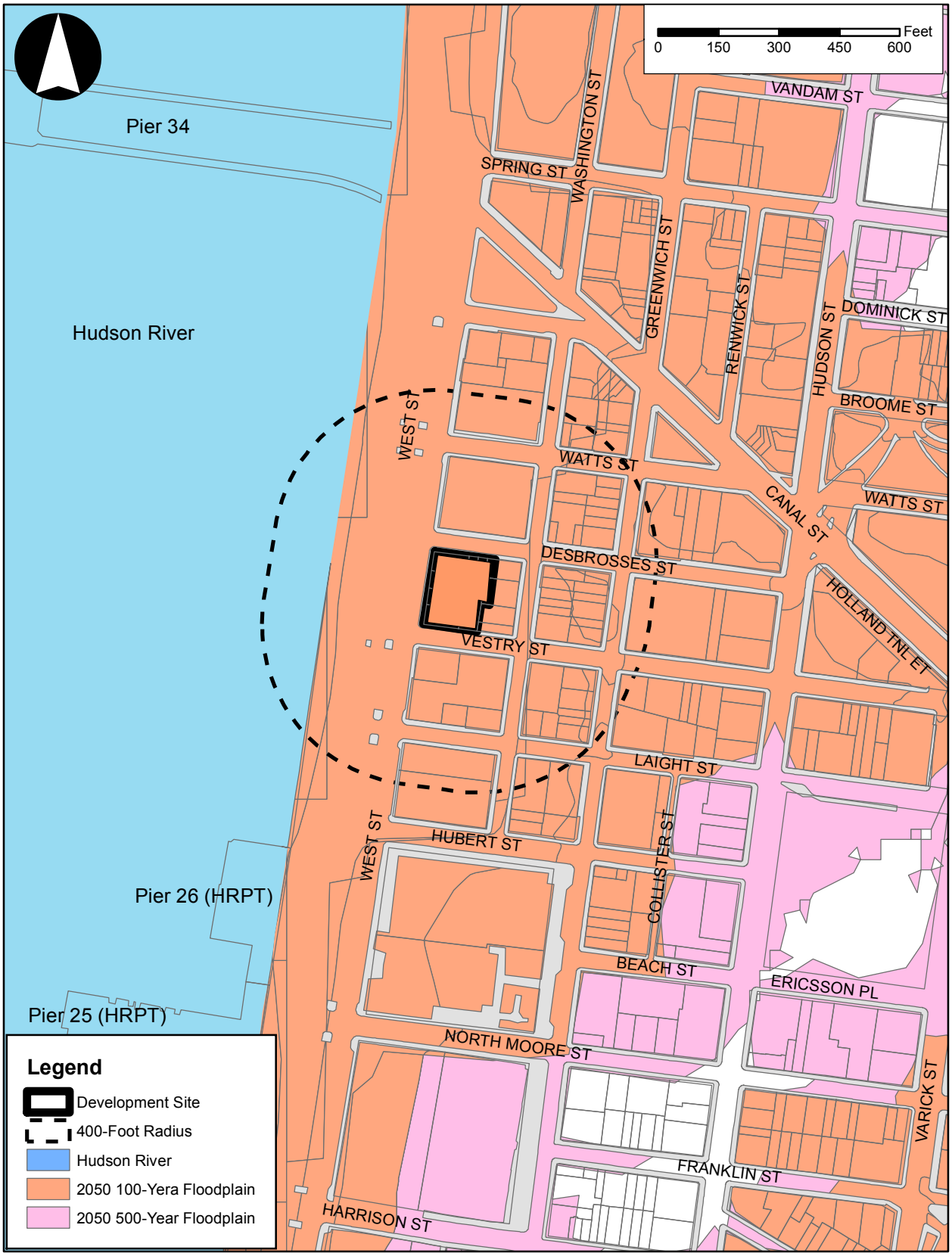
Proposed Action

The proposed action would facilitate increased parking area in the cellar of the building. As noted above, parking is a permitted use beneath the design flood elevation in the 100-year floodplain. As such, the proposed action would facilitate a use that would not be prohibited in the 100-year floodplain.

NPCC 2020 Floodplain Projections



NPCC 2050 Floodplain Projections



Therefore, the proposed project would minimize the potential for public and private losses due to flood damage, reduce the exposure of public utilities to flood hazards, prepare for and address future risks, and would be consistent with this policy.

Policy 7: Minimize environmental degradation from solid waste and hazardous substances.

7.2 Prevent and remediate discharge of petroleum products

As discussed in the "Hazardous Materials" section of Attachment B, the development site is subject to a restrictive declaration for hazardous materials and being enrolled in the NY State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP). With these institutional controls in place, the discharge of petroleum products will be prevented and remediated. Accordingly, with or without the proposed action, there will be no potential for significant adverse impacts related to hazardous materials on the development site, and the new development will comply with this policy. Refer to Attachment B for further details.

Policy 8: Provide public access to and along New York City's coastal waters.

The development site is located across West Street from Hudson River Park. Presently, people wishing to access the park by foot may use the West Street crosswalks at Vestry Street and Laight Street. The proposed action would not impede access to and from the park.

Apart from its proximity to the park, the development site is not located adjacent to any public open spaces and is not located directly on or immediately adjacent to the coastline and therefore has no potential to provide new waterfront open space, visual access, or directly affect public or visual access to any existing or potential waterfront public open space. As such, the proposed action would have no effects related to public access to NYC's coastal waters or to public open spaces. Accordingly, this policy is not applicable to the proposed action.

Policy 10: Protect, preserve and enhance resources significant to the historical, archaeological, and cultural legacy of the New York City coastal area.

The development site is not a designated or eligible historic resources, but it is located adjacent to the boundary of the Tribeca North Historic District, a NYC-designated historic district which is also certified though not listed on the State and National Register of Historic Places. The closest adjoining element of the historic district is Vestry Street, which is paved Belgian block paving stones and the closest historic district building is 416-424 Washington Street, aka 57-65 Vestry Street, which is located across the street from the development site. The NYC Landmarks Law requires that all construction occurring within 90 feet of designed NYC landmarks must follow a NYC Landmarks Preservation Commission (NYC LPC)-approved Construction Protection Plan. With these protections in place, the proposed action would not result in any significant adverse impacts. Refer to the "Historic and Cultural Resources" section of Attachment B for further details.

2. No-Action Conditions

Land Use

The trend of new residential development replacing vacant and underutilized non-residential properties is expected to continue in the study area described above. On the development site, a 222,185-gsf new apartment building with approximately 47 DUs and approximately 829 gsf of commercial or community facility space, will replace the vacant and underutilized buildings and open areas that existed on the site prior to its ongoing redevelopment.

Elsewhere in the study area, there are seven new developments expected to be completed by 2018, including six residential developments and one commercial development. Table C-3 presents a summary of these developments and Figure C-9 shows their locations.

These include a new, 10-story, 106-DU residential building under construction at 460 Washington Street (Block 595, Lot 1), one block north of the development site. It would include 21 parking spaces. It is expected to be completed by 2016.

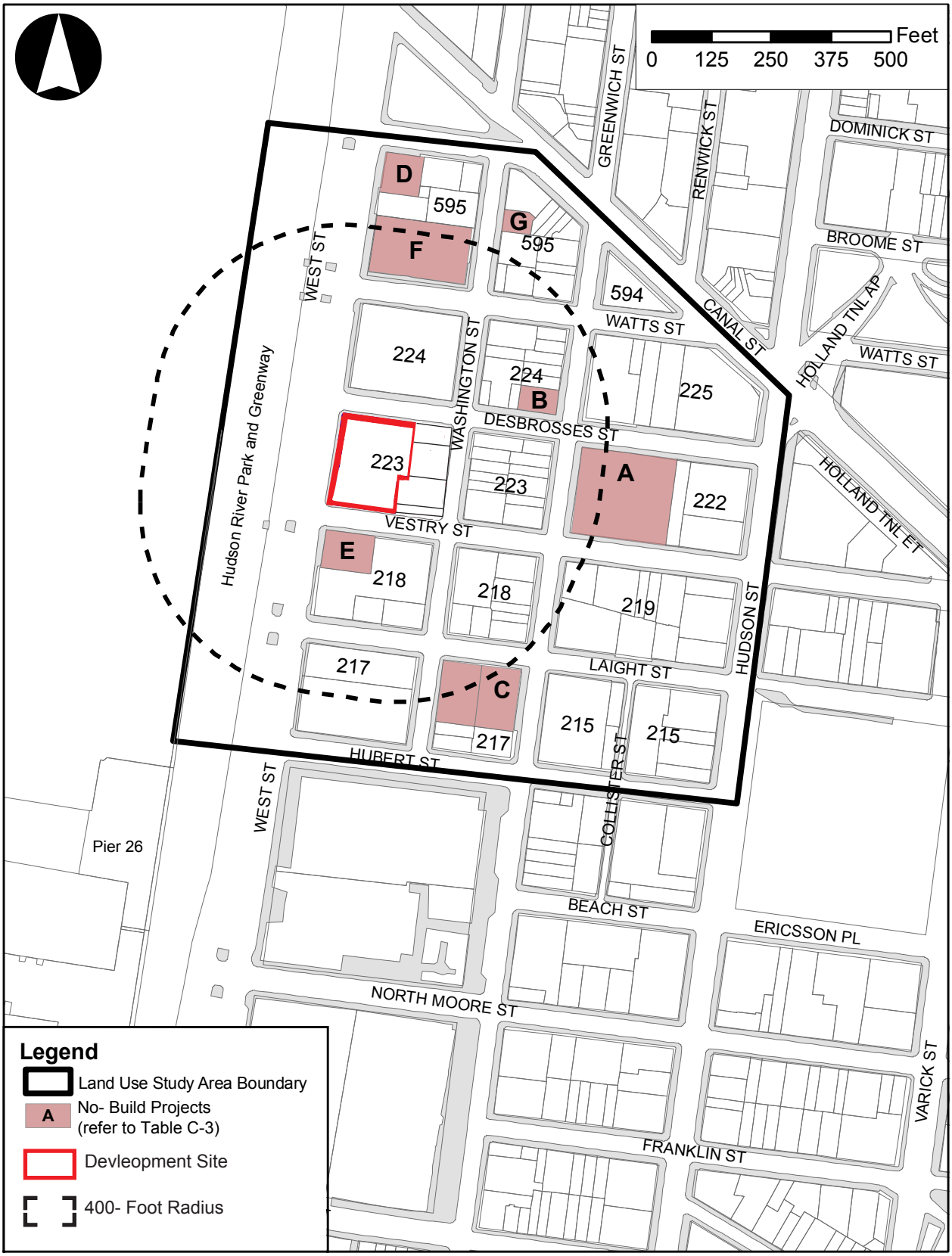
To the south of the development site at 67 Vestry Street (Block 281, Lot 24), another new apartment building—a proposed 11-story structure, would replace a warehouse building damaged in Hurricane Sandy that had been converted to residences. The planned development would have 42 DUs and is expected to be completed by 2017.

Table C-3, No-Build Developments within the Land Use Study Area

Map Key	Project Name	Location/ Block & Lot	Program	Year	Notes
A	443 Greenwich St.	Block 222, Lot 1	53 DUs; 15 parking spaces	2016	Conversion
B	456 Greenwich St.	Block 224, Lot 32	3,095 sf restaurant	2016	Conversion
C	Sterling Mason	71 Laight St.; 422 Greenwich St.; Block 217, Lot 14	32 DUs; 12 parking spaces	2016	Conversion/expansion
D	290 West St.	Block 595, Lot 10	13 DUs	2016	New construction
E	67 Vestry St.	Block 218, Lot 24	42 DUs	2017	New construction
F	460 Washington St	Block 595, Lot 1	106 DUs, 21 parking spaces	2016	New construction
G	465 Washington St	Block 595, Lot 30	7 DUs (4-DU increment)	2017	Conversion/expansion
		TOTAL	253 DUs (250-DU increment), 48 parking spaces, 3,095 sf restaurant		

East of the development site, along the eastern edge of the study area a building at 443 Greenwich Street (Block 222, Lot 1) formerly occupied by a printing house and a steel wool factory is being converted into a 53-unit apartment building. The development, which is expected to be completed by 2016, will have a swimming pool, a fitness center, and a children's playroom. It also will have a 15 parking spaces pursuant to a Zoning Authorization approved by the CPC on February 4th, 2015.

Figure C-9
No-Build Projects



Besides 460 Washington Street, 67 Vestry Street, and 443 Greenwich Street, there are four other, smaller developments also expected to be completed in the study area by 2018.

In addition, in December 2014 plans were filed with DOB for a new, 9-story, 41-DU apartment building with 7,407 sf of commercial space, at 438-440 Washington Street/31 Desbrosses Street (Block 223, Lot 13). This new building would be located immediately adjacent to the development site on the northeastern corner of the block. It is expected that this development would be completed after the planned building on the development site. As of March 2016, site clearance activities are underway on this site.

Zoning

According to the 2014 *CEQR Technical Manual*, a preliminary assessment of zoning should identify any changes in zoning that could cause a change in land use. There are currently no pending zoning map or text amendments that would affect any site within the study area. Furthermore, there are no known possible applications. Accordingly, it is anticipated that the existing zoning for the development site, and the study area as a whole will remain in effect without any changes in the 2018 analysis year.

Public Policy

As noted above, the only public policy applicable to the development site is the WRP, which has been addressed above. There are no expected changes in any other public policies under No-Action conditions that would affect the development site.

3. With-Action Conditions

Land Use

The proposed action would not introduce a new land use. It would only result in a modest increase in the amount of parking on the development site as compared to RWCDS No-Action conditions. Accordingly, the proposed action would not have a significant adverse impact on land use.

Zoning

The parking special permit would allow the development to provide more parking spaces than allowed as-of-right pursuant to ZR Section 13-451, "Additional parking spaces for residential growth." This allows the CPC to increase permitted parking provided it makes certain findings, including: that either (a) the number of off-street parking spaces in such proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility with regard to: (1) the increase in the number of dwelling units; and (2) the number of both public and accessory off-street parking spaces, or (b) the proposed ratio of parking spaces to dwelling units in the proposed development or enlargement does not exceed: (1) 20 percent of the total number of dwelling units, where such units are located within Community District 1, 2, 3, 4,

5 or 6; or (2) 35 percent of the total number of dwelling units, where such units are located within Community District 7 or 8.

In support of the application for this special permit, the applicant prepared a "residential growth" parking study for the area within a one-third mile radius of the development site. In order to identify the ratio of recent off-street residential parking spaces to recent residential units developed in the study area, the study focused on changes in conditions since 2004 through the anticipated 2018 Build year. The study found with the 42 spaces that would be provided as a result of the proposed action that this ratio would be well below 20 percent and as such the proposed larger garage would help to meet the need for residential parking in this area which has experienced substantial new residential development. A number of new developments in this area have been in new buildings that replaced public parking lots. There have also been several existing non-residential buildings converted to residential use, which do not provide parking. Based on the findings of the parking study, the proposed 42-space parking garage would be reasonable and not excessive in relationship to recent trends in close proximity to the development site as the project satisfies the required residential growth finding for the special permit.

Accordingly, the proposed action would not result in any significant adverse zoning impacts.

Public Policy

As discussed above, the only public policy applicable to the proposed action is the WRP and the proposed action would comply with all applicable WRP policies. Accordingly, the proposed action would not result in any significant adverse public policy impacts.

APPENDIX A:
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 / 77DCP222M
Project: 268 WEST STREET PARKING GARAGE
Date received: 9/4/2014

ARCHITECTURAL REVIEW ONLY

Properties with no Architectural significance:

1) ADDRESS: 62 VESTRY STREET, BBL: 1002230005
2) ADDRESS: 268 WEST STREET, BBL: 1002230007
3) ADDRESS: 37 DESBROSSES STREET, BBL: 1002230009
4) ADDRESS: 35 DESBROSSES STREET, BBL: 1002230011
5) ADDRESS: 33 DESBROSSES STREET, BBL: 1002230012
6) ADDRESS: 31 DESBROSSES STREET, BBL: 1002230013
7) ADDRESS: 432 WASHINGTON STREET, BBL: 1002230015

The Tribeca North HD, LPC designated and S/NR certified, reaches to the curbline only of 62 Vestry St. It does not include that building.

Gina Santucci 9/8/2014

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 29858_FSO_GS_09082014.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

ARCHAEOLOGY

Final Sign-Off (Multiple Sites)

Project number: DEPARTMENT OF CITY PLANNING / 77DCP222M
Project: 268 WEST STREET PARKING GARAGE
Date received: 9/4/2014

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.

This document only contains Archaeological review findings. If your request also requires Architecture review, the findings from that review will come in a separate document.

Properties with no Archaeological significance:

1) ADDRESS: 72 VESTRY STREET, BBL: 1002230003
2) ADDRESS: 62 VESTRY STREET, BBL: 1002230005
3) ADDRESS: 268 WEST STREET, BBL: 1002230007
4) ADDRESS: 37 DESBROSSES STREET, BBL: 1002230009
5) ADDRESS: 35 DESBROSSES STREET, BBL: 1002230011
6) ADDRESS: 33 DESBROSSES STREET, BBL: 1002230012
7) ADDRESS: 31 DESBROSSES STREET, BBL: 1002230013
8) ADDRESS: 432 WASHINGTON STREET, BBL: 1002230015

Comments:

9/15/2014

SIGNATURE DATE
Amanda Sutphin, Director of Archaeology

File Name: 29858_FSO_DNP_09152014.doc

OFFICE OF ENVIRONMENTAL REMEDIATION
100 Gold Street – 2nd Floor
New York, New York 10038

Daniel Walsh, Ph.D.
Director
Tel: (212) 788-8841
Fax: (212) 788-2941

NOTICE TO PROCEED
DOB Job Number NB 121186812

April 16, 2015

Martin Rebholz, R.A.
Manhattan Borough Commissioner
NYC Department of Buildings
280 Broadway, 3rd Floor
New York, NY 10007

Re: **268 West Street/58 Vestry – Hazardous Materials Restrictive Declaration and Noise "E" Designation**
E-162/R-76: Block 223, Lot 3, 5, 7, 9, 11 and 12, New York, CD 1
North Tribeca Rezoning- CEQR # 06DCP067M
OER Project # 14RH-N567M / State BCP # C231089

Dear Commissioner Rebholz:

The New York City Office of Environmental Remediation (OER) hereby issues a Notice to Proceed for the above-referenced Department of Buildings Job Number. This correspondence is provided pursuant to OER's responsibilities as established in Chapter 24 of Title 15 of the Rules of the City of New York and Section 11-15 of the Zoning Resolution of the City of New York. The Applicant has filed a Hazardous Materials remedial work plan with and received approval from the New York State Department of Environmental Conservation (DEC), as well as filing a Noise remedial action plan with OER that is acceptable to this Office. OER's Decision Document that defines the remedial actions required for this project has been prepared and filed and is available on request.

At the conclusion of remedial activities required under this action, the Zoning Resolution and §24-07 of the Rules of the City of New York requires that OER issue a Notice of Satisfaction signifying that all remedial action requirements established for this project have been satisfied prior to issuance of the Certificate of Occupancy or Temporary Certificate of Occupancy by Department of Buildings.

If you have any questions or comments, please feel free to contact me at 212-788-3922.

Sincerely,

Maurizio Bertini, Ph.D.
Assistant Director

cc: Daniel Walsh, Shaminder Chawla, Zach Schreiber, Hannah Moore
Joe Walsh – joe.walsh@related.com
Ray Everett – reverett@ilarch.com
Brian Gochenaur – bgochenaur@langan.com
Ken Shook – kens@longmanlindsey.com
Ralph Keating – ralph.keating@dec.ny.gov

COPY - NOT FOR DOB FILING

OFFICE OF ENVIRONMENTAL REMEDIATION
100 Gold Street – 2nd Floor
New York, New York 10038

Daniel Walsh, Ph.D.
Director
Tel: (212) 788-8841
Fax: (212) 788-2941

DECISION DOCUMENT
E-Designation Remedial Action Work Plan Approval

April 16, 2015

Re: **268 West Street/58 Vestry – Hazardous Materials Restrictive Declaration and Noise "E" Designation**
E-162/R-76: Block 223, Lot 3, 5, 7, 9, 11 and 12, New York, CD 1
North Tribeca Rezoning- CEQR # 06DCP067M
OER Project # 14RH-N567M / State BCP # C231089

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Work Plan (RWP) for Hazardous Materials dated February 2015 approved by the New York State Department of Environmental Conservation (DEC) and the Remedial Action Plan for Noise dated December 2014 for the above-referenced project. These plans were submitted to OER under the E-Designation Program.

Project Description

The proposed development includes demolition of existing structures and construction of a 13-story residential building with basement level parking and a courtyard. General excavation across the site is anticipated to extend to depths ranging from approximately 18 to 25 feet below grade surface (bgs) within the building footprint. Additional deeper excavations will be required for an automated parking feature, elevator pits, and foundation elements.

Statement of Purpose and Basis

This document presents the remedial action for the E-Designation Program project known as 268 West Street pursuant to the Zoning Resolution and §24-07 of the Rules of the City of New York.

Description of Selected Remedy for Hazmat

The subject site (Lot 3, 5, 7, 9, 11 and 12 of Block 223) is enrolled in the NYSDEC Brownfield Cleanup Program (NYS BCP Site #C-231089).

In an effort to satisfy the Hazardous Materials "E" requirements for this project, the applicant submitted all necessary documentation to our office for review/approval. This documentation included the DEC approved February 2015 Remedial Action Work Plan and the February 2015 Decision Document. The selected remedy is a Track 2: Restricted with generic soil cleanup objectives remedy. The remedy will include excavation, removal of soil/fill, removal of all underground storage tanks (USTs) and petroleum-contaminated soil. The extensive site excavation will address the minor SVOC exceedances of the ground water standards, as well as the soil vapor detections noted in shallow soil such that no further remedial actions, beyond excavation, will be necessary to achieve a Track 2 residential use cleanup. No environmental easement or site management plan is anticipated. The DEC project Manager for this site is Ralph Keating.

Description of Selected Remedy for Noise
The elements of the remedial action selected for Noise for the 268 West Street site are as follows:

1. Along West Street and the first 50-foot wrap around along Desbrosses and Vestry Street: 39 dBA for windows less than 100 feet above street level;

2. Along West Street and the first 50-foot wrap around along Desbrosses and Vestry Street: 37 dBA for windows from 101 - 200 feet above street level, based on a reduction of 3 dBA from the projected street-level L_{10} value of 83 dBA to 80 dBA;

3. Along Desbrosses Street and Vestry Street, more than 50 feet from West Street: 33 dBA for windows less than 100 feet above street level, based on a measured street-level L_{10} value of 76 dBA;

4. Along Desbrosses Street and Vestry Street, more than 50 feet from West Street: 31 dBA for windows from 101 - 200 feet above street level based on a reduction of 3 dBA from the projected street-level L_{10} value of 76 dBA to 73 dBA; and

5. Along courtyard-facing elevations: at least 30 dBA.

The following windows will be installed:

Façade Floor Range	**OITC Rating**	**OITC Certification**	**Manufacturer and Model**	**Glazing**
West Street and first 50-foot wrap around along Desbrosses and Vestry Streets				
0 to 200 feet above grade	36	ASTM E-90 Lab Test Report	Viracon Insulating Laminated Glass	1 1/4" overall – 1/4" glass, 1/2" airspace, 1/4" glass, .030" PVB, 1/4" glass
Desbrosses and Vestry Streets – 50-feet from West Street and beyond				
0 to 100 feet above grade	33	ASTM E-90 Lab Test Report	Viracon Acoustical Glass	1 1/16" overall – 1/4" glass, 1/2" airspace, 5/16" glass
100 to 200 feet above grade	30	ASTM E-90 Lab Test Report	Viracon Acoustical Glass	1" overall – 1/4" glass, 1/2" airspace, 1/4" glass
Courtyard Elevations				
All floor elevations	30	ASTM E-90 Lab Test Report	Viracon Acoustical Glass	1" overall – 1/4" glass, 1/2" airspace, 1/4" glass

The acoustical reports described above are representative of the acoustical performance of all proposed windows and curtain walls. The required attenuation will be achieved via the performance of the glazing, façade, and interior walls. Composite window/wall attenuation calculations are based on the worst-case glazing percentage scenario represented by the great room of unit 8C, which contains 59.83% of vision glass. The applicant has committed to provide OER with an ASTM E-90 Lab Test Report for the proposed windows prior to purchase and installation.

In order to satisfy the requirements of the E-Designation, alternate means of ventilation (AMV) will be installed in order to maintain a closed window condition. AMV for this project will be achieved by:

Trickle Vents: Installing SM405 trickle vents manufactured by Titon in all bedrooms and living rooms in each residential unit, at a frequency of at least one trickle vent per window, which will provide fresh air to all

bedrooms and living rooms. Elevation plans and floor plans showing the locations of trickle vents were included in the RAP together with manufacturer specifications for the trickle vents.

Combination of Dedicated Fresh Air/ HVAC System: Each apartment living area and corridor will be provided with cooled, heated and filtered outside air by two roof mounted 100% outside air energy recovery units, which also provide cooled, heated and filtered air for the public hallways of Floor 2 through the penthouse level. Each unit includes an energy wheel, supply fan, post-cooling air-cooled DX system, gas-fired heating section, supply fan, and filters. Ground Floor and cellar occupied spaces will receive filtered, heated, and conditioned air via packaged water-cooled heat pump units. Each unit will deliver conditioned air throughout the year. The units also provide outside air to meet the minimum ventilation air exchange rates provided in the NYC Mechanical Code, Section 403.

March 19, 2015

Date

Maurizio Bertini, Ph.D.
Assistant Director

cc: D. Walsh, S. Chawla, Z. Schreiber, H. Moore
Joe Walsh – joe.walsh@related.com
Ray Everett – reverett@ilarch.com
Brian Gochenaur – bgochenaur@langan.com
Ken Shook – kens@longmanlindsey.com
Ralph Keating – ralph.keating@dec.ny.gov

APPENDIX B:
WRP CONSISTENCY ASSESSMENT FORM

For Internal Use Only:
Date Received: _____

WRP no._____
DOS no._____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)*. The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

A. APPLICANT

1. Name: Bridge Land Vestry LLC, c/o The Related Companies, LP
2. Address: 60 Columbus Circle, 19th floor, New York, New York 10023
3. Telephone: +1-212-500-0787 Fax:_____ E-mail: joe.walsh@related.com
4. Project site owner: Bridge Land Vestry LLC

B. PROPOSED ACTIVITY

1. Brief description of activity:

   The applicant is proposing to develop a 42-space accessory garage (pursuant to a special permit), located in below-grade space with ground-level access in a new as-of-right mixed use development currently in development. This would expand the parking area within the building from 9 spaces permitted as-of-right; the expanded parking area would otherwise be used as storage space under No-Action conditions.

2. Purpose of activity:

   The parking special permit would enable the new building to make productive use of its cellar space and provide additional parking spaces on the development site. The applicant believes that the additional parking would serve its own on-site demand and benefit the surrounding mixed-use community, which has experienced substantial new residential development while the provision of residential parking has fallen below the level permitted as-of-right.

3. Location of activity: (street address/borough or site description):

   The development site is located at 70 Vestry Street (Block 233, Lot 3, in Manhattan Community District 1's Tribeca neighborhood. It is an irregularly-shaped, double corner lot, with frontage on Desbrosses Street, West Street, and Vestry Street. (NB: In Nov. 2015, Lots 5, 7, 9, 11, 12, & 112 were merged into Lot 3.)

Proposed Activity Cont'd

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:

   No federal or state permit was issued or is required for the proposed expanded or for the as-of-right development in which it would be located.

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).

   No federal or state funding is being used to finance the proposed expanded garage or for the as-of-right development in which it would be located.

6. Will the proposed project require the preparation of an environmental impact statement?
   Yes _____ No ____✓____ If yes, identify Lead Agency:

7. Identify **city** discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

   The City discretionary action is a special permit to be approved by the NYC City Planning Commission (CPC) and subject to City Council review that would allow an expanded accessory parking garage. The proposed special permit is pursuant to Section 13-451 of the New York City Zoning Resolution (ZR § 13-451), "Additional Parking Spaces for Residential Growth."

C. COASTAL ASSESSMENT

Location Questions:	**Yes**	**No**
1. Is the project site on the waterfront or at the water's edge?		✓
2. Does the proposed project require a waterfront site?		✓
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?		✓

Policy Questions	**Yes**	**No**

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1)		✓
5. Is the project site appropriate for residential or commercial redevelopment? (1.1)	✓	
6. Will the action result in a change in scale or character of a neighborhood? (1.2)		✓

Policy Questions cont'd	Yes	No
7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)		✓
8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)		✓
9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)		✓
10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)		✓
11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)		✓
12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)		✓
13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)		✓
14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)		✓
15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)		✓
16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2)		✓
17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)		✓
18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)		✓
19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1)		✓
20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1and 9.2)		✓
21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)		✓
22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)		✓
23. Would the action have any effects on commercial or recreational use of fish resources? (4.4)		✓
24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)		✓
25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)		✓
26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)		✓
27. Will any activity associated with the project generate nonpoint source pollution? (5.2)		✓
28. Would the action cause violations of the National or State air quality standards? (5.2)		✓

Policy Questions cont'd	Yes	No
29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)		✓
30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)		✓
31. Would the proposed action have any effects on surface or ground water supplies? (5.4)		✓
32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)	✓	
33. Would the action result in any construction activities that would lead to erosion? (6)		✓
34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)		✓
35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)		✓
36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)		✓
37. Would the proposed project affect a non-renewable source of sand ? (6.3)		✓
38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)		✓
39. Would the action affect any sites that have been used as landfills? (7.1)		✓
40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)	✓	
41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)		✓
42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)		✓
43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)	✓	
44. Would the action result in the provision of open space without provision for its maintenance? (8.1)		✓
45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)		✓
46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)		✓
47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)		✓
48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)		✓
49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)		✓
50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)		✓

Policy Questions cont'd	Yes	No
51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)		✓
52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)	✓	

D. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent Name: Bridge Land Vestry LLC / Agent: Philip Habib, Philip Habib & Associates

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Applicant/Agent Signature: _____ Date: _____