

10 Greene Street 74-711 Special Permit CEQR #17DCP062M

Revised Environmental Assessment Statement

March 31, 2017

10 Greene Street
Block: 230 Lot 13
Manhattan, NY

Prepared for:
10 Greene Owner LLC

Prepared by:
Equity Environmental Engineering
500 International Drive, Suite 150
Mount Olive, NJ 07828





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 10 Greene Street					
1. Reference Numbers					
CEQR REFERENCE NUMBER (to be assigned by lead agency) 17DCP062M*			BSA REFERENCE NUMBER (if applicable)		
ULURP REFERENCE NUMBER (if applicable) 170137ZSM			OTHER REFERENCE NUMBER(S) (if applicable) (e.g., legislative intro, CAPA)		
2a. Lead Agency Information			2b. Applicant Information		
NAME OF LEAD AGENCY Department of City Planning			NAME OF APPLICANT 10 Greene Owner LLC		
NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Equity Environmental Engineering		
ADDRESS 120 Broadway, 31 st floor			ADDRESS 500 International Drive, Suite 150		
CITY Manhattan	STATE NY	ZIP 10271	CITY Mount Olive	STATE NJ	ZIP 07828
TELEPHONE 212-720-3480	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 9735277451	EMAIL merry.barrieres@equityenvironmental.com	
3. Action Classification and Type					
SEQRA Classification					
<input type="checkbox"/> UNLISTED <input checked="" type="checkbox"/> TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended):					
Action Type (refer to Chapter 2 , "Establishing the Analysis Framework" for guidance)					
<input checked="" type="checkbox"/> LOCALIZED ACTION, SITE SPECIFIC <input type="checkbox"/> LOCALIZED ACTION, SMALL AREA <input type="checkbox"/> GENERIC ACTION					
4. Project Description					
The applicant seeks approval of a special permit pursuant to section 74-711 to modify the use regulations of Section 42-10 and Section 42-14(D) (Manufacturing District- Uses permitted as-of-right) to allow Use Group 6 commercial retail on the ground floor and portion of the cellar level and Use Group 2 residential uses on the second through proposed penthouse floors and portion of the cellar level of a vacant building located in the SoHo Cast Iron Historic District. The applicant proposes to enlarge the existing building to add a 6th floor with a mezzanine level of about 1,622 zoning square feet (1,922 gross square feet) on top of the fifth floor. The penthouse addition is as-of-right but is not being pursued absent the requested modifications. The building will maintain its existing street wall height of 82'-1", from which the proposed added 6th floor plus mezzanine would setback for 20' and rise to a height of about 106 feet. With the enlargement, the building would contain a total floor area of 16,948 gsf (4.86 FAR), including 3,177 gsf for retail use on the ground floor and 13,771 gsf for residential use (a residential lobby on the ground floor, four units on floors two through six and mezzanine). The cellar would be used as accessory space for the proposed retail use and residential use.**					
Project Location					
BOROUGH Manhattan	COMMUNITY DISTRICT(S) 2		STREET ADDRESS 10 Greene Street		
TAX BLOCK(S) AND LOT(S) Block 230 Lot 13			ZIP CODE 10012		
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The site is bounded by Greene St to the West, Mercer St to the East, Canal St to the South and Grand St to the North. It is located on the East side of Greene Street 130 feet north of Canal Street					
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-5B			ZONING SECTIONAL MAP NUMBER 12A		

*This revised EAS supersedes the Original EAS dated December 9, 2016 prepared in connection with the original ULURP application certified on December 12, 2016

**Since Certification of the proposal on December 12, 2016, the Applicant has revised the With-Action Scenario as a component of the Reasonable Worst Case Development Scenario (RWCDS). The original With-Action Scenario accounted for 11 dwelling units while the revised With-Action Scenario accounts for 9 dwelling units. This Revised EAS is reflective of the revised With-Action Scenario, as described in this document. It was found that the With-Action Scenario assumptions originally identified in the EAS had not accounted for two means for egress for each unit.

5. Required Actions or Approvals (check all that apply)			
City Planning Commission: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNIFORM LAND USE REVIEW PROCEDURE (ULURP)			
<input type="checkbox"/> CITY MAP AMENDMENT	<input type="checkbox"/> ZONING CERTIFICATION	<input type="checkbox"/> CONCESSION	
<input type="checkbox"/> ZONING MAP AMENDMENT	<input type="checkbox"/> ZONING AUTHORIZATION	<input type="checkbox"/> UDAAP	
<input type="checkbox"/> ZONING TEXT AMENDMENT	<input type="checkbox"/> ACQUISITION—REAL PROPERTY	<input type="checkbox"/> REVOCABLE CONSENT	
<input type="checkbox"/> SITE SELECTION—PUBLIC FACILITY	<input type="checkbox"/> DISPOSITION—REAL PROPERTY	<input type="checkbox"/> FRANCHISE	
<input type="checkbox"/> HOUSING PLAN & PROJECT	<input type="checkbox"/> OTHER, explain:		
<input checked="" type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input checked="" type="checkbox"/> other); EXPIRATION DATE:			
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION 42-10 and 42-14(D)			
Board of Standards and Appeals: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
<input type="checkbox"/> VARIANCE (use)			
<input type="checkbox"/> VARIANCE (bulk)			
<input type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE:			
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION			
Department of Environmental Protection: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:			
Other City Approvals Subject to CEQR (check all that apply)			
<input type="checkbox"/> LEGISLATION	<input type="checkbox"/> FUNDING OF CONSTRUCTION, specify:		
<input type="checkbox"/> RULEMAKING	<input type="checkbox"/> POLICY OR PLAN, specify:		
<input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES	<input type="checkbox"/> FUNDING OF PROGRAMS, specify:		
<input type="checkbox"/> 384(b)(4) APPROVAL	<input checked="" type="checkbox"/> PERMITS, specify: 74-711		
<input type="checkbox"/> OTHER, explain:			
Other City Approvals Not Subject to CEQR (check all that apply)			
<input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)		<input checked="" type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL	
<input type="checkbox"/> OTHER, explain:			
State or Federal Actions/Approvals/Funding: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:			
6. Site Description: <i>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.</i>			
Graphics: <i>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.</i>			
<input checked="" type="checkbox"/> SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP	<input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP	
<input checked="" type="checkbox"/> TAX MAP	<input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)		
<input checked="" type="checkbox"/> 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.): 2,813		Waterbody area (sq. ft.) and type: 0	
Roads, buildings, and other paved surfaces (sq. ft.): 2,813		Other, describe (sq. ft.):	
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): 16,948			
NUMBER OF BUILDINGS: 1		GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 16,948	
HEIGHT OF EACH BUILDING (ft.): 106		NUMBER OF STORIES OF EACH BUILDING: 6	
Does the proposed project involve changes in zoning on one or more sites? <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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? <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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			
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF MULTIPLE PHASES, HOW MANY?			

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: The proposed action would facilitate the enlargement of the building at 10 Greene Street with a 6th floor and mezzanine above the 5th floor. The approval of the Special Permit would allow Floors 2 through the proposed penthouse addition to be converted to Use Group 2 residential use. The ground floor use would be modified to Use Group 6 commercial retail (clothing boutiques, hair salons, and art galleries). The applicant intends to develop a total of four residential units .

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

- RESIDENTIAL MANUFACTURING COMMERCIAL PARK/FOREST/OPEN SPACE OTHER, specify:

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	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
If "yes," specify the following:							
Describe type of residential structures					Use Group 2 Residential		
No. of dwelling units					9		9
No. of low- to moderate-income units					0		
Gross floor area (sq. ft.)					13,771		13,771
Commercial	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
If "yes," specify the following:							
Describe type (retail, office, other)					Use Group 6 Commercial		
Gross floor area (sq. ft.)					3,177		3,177
Manufacturing/Industrial	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify the following:							
Type of use	Industrial (currently vacant)		Industrial				
Gross floor area (sq. ft.)	14,956		14,956		0		-14,956
Open storage area (sq. ft.)							
If any unenclosed activities, specify:							
Community Facility	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify the following:							
Type							
Gross floor area (sq. ft.)							
Vacant Land	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," describe:							
Publicly Accessible Open Space	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):							
Other Land Uses	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," describe:							
PARKING							
Garages	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify the following:							
No. of public spaces							
No. of accessory spaces							
Operating hours							
Attended or non-attended							
Lots	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify the following:							
No. of public spaces							
No. of accessory spaces							
Operating hours							
Other (includes street parking)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," describe:							
POPULATION							
Residents	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
If "yes," specify number:					17		17
Briefly explain how the number of residents	1.96 2010 Census Avg Household Size for CD2 in Manhattan						

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
was calculated:				
Businesses	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. and type			1 UG6 retail, clothing boutique	1 UG6 retail
No. and type of workers by business			12 salesperson	12 salesperson
No. and type of non-residents who are not workers			25 patrons	25 patrons
Briefly explain how the number of businesses was calculated:	Assume 1,000 sf for typical minimum retail use in SoHo Area; due to small ground floor retail space it is unlikely that more than one store would occupy the space			
Other (students, visitors, concert-goers, etc.)	<input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	M1-5B	M1-5B	M1-5B	M1-5B
Maximum amount of floor area that can be developed	FAR 5.0; 14,956 sf	FAR 5.0; 14,956 sf	FAR 5.0; 16,948 sf	FAR 5.0; 1,992 sf
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Commercial and residential	Commercial and residential	Commercial and residential	Commercial and residential
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.

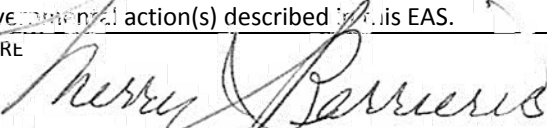
- If the proposed project can be demonstrated not to meet or exceed the threshold, check the “no” box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the “yes” box.
- For each “yes” response, provide additional analyses (and, if needed, attach supporting 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If “yes,” to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” complete the Consistency Assessment Form .		
2. SOCIOECONOMIC CONDITIONS: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of more than 200 residential units or 200,000 square feet of commercial space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer both questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ 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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
ii. Indirect Residential Displacement		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	<input type="checkbox"/>	<input type="checkbox"/>
o If “yes:”		
▪ Would the population of the primary study area increase by more than 10 percent?	<input type="checkbox"/>	<input type="checkbox"/>
▪ 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?	<input type="checkbox"/>	<input type="checkbox"/>
o If “yes” to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
enhance, or otherwise protect it?	<input type="checkbox"/>	<input type="checkbox"/>
iv. Indirect Business Displacement		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
iv. Health Care Facilities		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of health care facilities in the area?	<input type="checkbox"/>	<input type="checkbox"/>
v. Fire and Police Protection		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of fire or police protection in the area?	<input type="checkbox"/>	<input type="checkbox"/>
4. OPEN SPACE: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Is the project located within an under-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Is the project located within a well-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
percent?		
<ul style="list-style-type: none"> o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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.		
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(c) If the proposed project located in a separately sewerred area , would it result in the same or greater development than that listed in Table 13-1 in Chapter 13 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewerred or currently unsewerred?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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): 2,806		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>
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): 12,431,970.8		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. TRANSPORTATION: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**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.</i>	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
14. AIR QUALITY: CEQR Technical Manual Chapter 17		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project result in the development of 350,000 square feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18 ?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008 ; § 24-	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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.		
19. CONSTRUCTION: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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.		
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 Merry Barrieres, Equity Environmental Engineering, LLC	SIGNATURE 	DATE 31 March 2017
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.

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

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.

	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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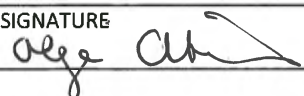
3. Check determination to be issued by the lead agency:

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

<p>TITLE Deputy Director, Environmental Assessment & Review Division</p>	<p>LEAD AGENCY New York City Department of City Planning</p>
<p>Olga Abinader</p>	<p>March 31, 2017</p>
<p>SIGNATURE </p>	

NEGATIVE DECLARATION (Use of this form is optional)**Statement of No Significant Effect**

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, _____ assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which that finds the proposed project:

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

FIGURE A
Land Use/Area Map
 10 Greene Street, Manhattan
 Block 230, Lot 13

Project Information

- 600' Radius
- Project Area
- Zoning Districts
- Special Districts
- Historic Districts

Existing Commercial Overlays

C1-1	C1-2	C1-3	C1-4	C1-5
C2-1	C2-2	C2-3	C2-4	C2-5

- Subway Entries
- 5037 Block Numbers
- Property Lines
- 5 Number of Floors
- Retail Frontage (existing and confirmed*)
- Retail Frontage (existing, unconfirmed*)
- Retail Use (per CO or approval, but not observed*)
- Building Containing JMWQA (per CO)
- Building Containing Upper Floor Residential Units (per CO)
- Building Listed on Loft Board List of Buildings With IMD Status (that have neither JMWQA or upper floor residential units on their CO)

Land Uses

- One & Two Family Residential Buildings
- Multi-Family Residential Buildings (Walk-up)
- Multi-Family Residential Buildings (Elevator)
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space (Public)
- Open Space (Private)
- Parking Facilities
- Vacant Land

*The location of ground floor retail uses was identified by an in-person survey of the area. The ground floor retail uses were researched by reference to Certificates of Occupancy, DCP/CPC Approvals, and BSA Approvals. Where shown by red asterisks, the retail use was confirmed by one of those three sources. Where shown by gray asterisks, the retail use was not shown on one of those sources and may be legally non-conforming or may not be legal. A single black asterisk on a site indicates that our research indicated retail use, but none was observed during our in-person survey of the area.

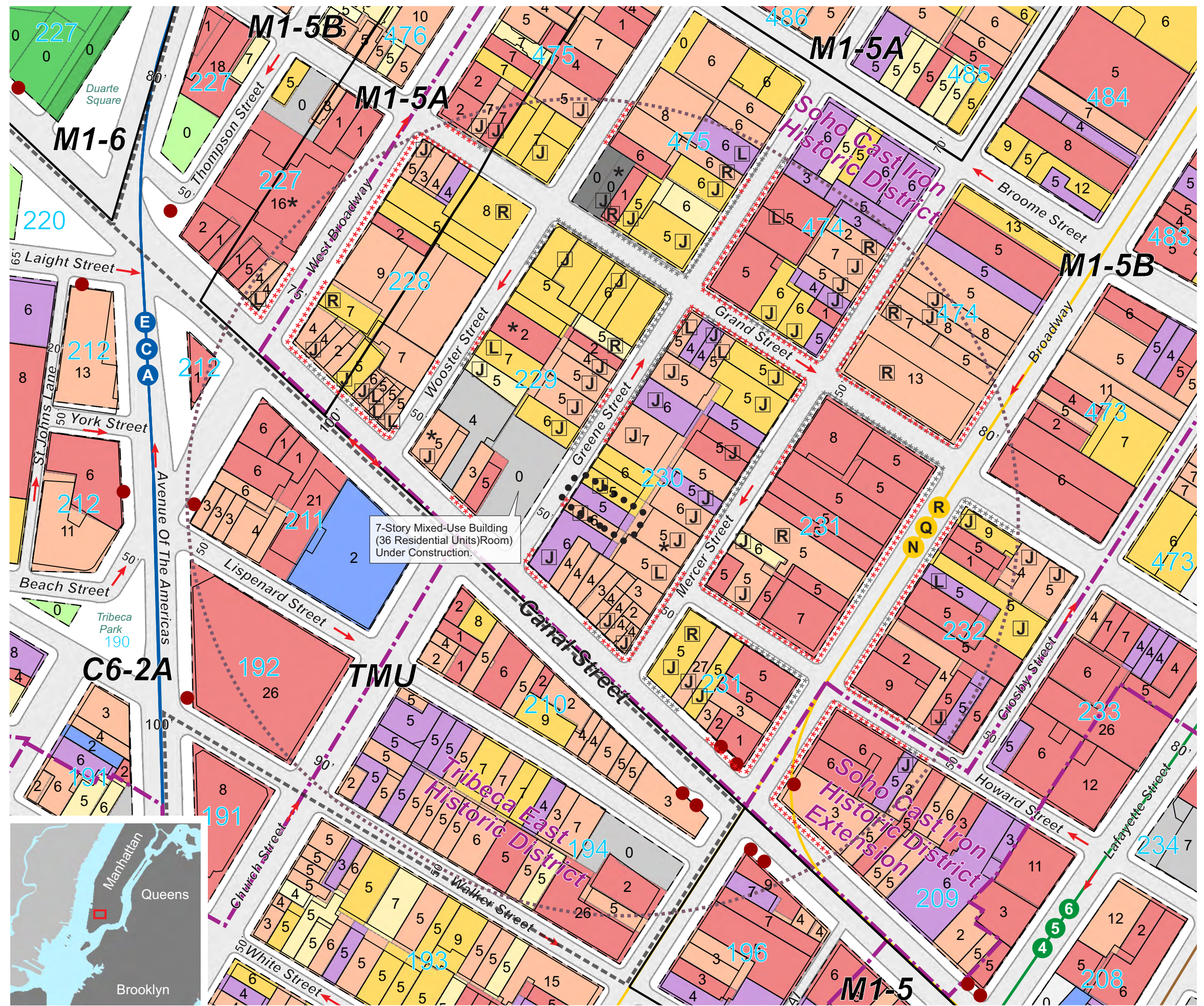


FIGURE B TAX MAP
Manhattan Block: 230
10 Greene Street

Legend

- Streets
- Tax Block Polygon
- Tax Lot Polygon
- Development Site
- Condo Number



FIGURE C



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R - RESIDENTIAL DISTRICT
- C - COMMERCIAL DISTRICT
- M - MANUFACTURING DISTRICT
- SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.
- AREA(S) REZONED

Effective Date(s) of Rezoning:

03-20-2013 C 120360 ZVM

Special Requirements:

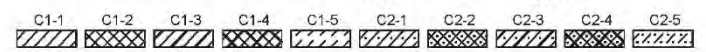
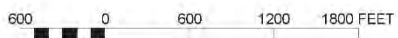
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
 For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
 For Inclusionary Housing designated areas on this map, see APPENDIX F.

Site

MAP KEY

	8b	8d
	12a	12c
	12b	12d

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NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

ZONING MAP 12a



10 GREENE



10 GREENE



10 GREENE



10 GREENE



10 GREENE



10 GREENE



1 10 GREENE STREET VIEWS



GRAND STREET

10 GREENE

341 CANAL: NEW

CANAL STREET

2 EXISTING GREENE STREET ELEVATION (WEST)

REVISIONS:

02 REVISED PRE-APPLICATION SUBMISSION 05.02.16

01 PRE-APPLICATION SUBMISSION 09.25.15

Number Date

N-PLUS ARCHITECTURE & DESIGN

68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC

68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-625-1948
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
10 GREENE

PROJECT LOCATION:
**10 GREENE STREET
NEW YORK, NY 10031**

OWNER:
**JAVERI CAPITAL
444 MADISON AVENUE (32ND FL)
NEW YORK, NY 10022**

MEP ENGINEER:
**EP ENGINEERING, LLC
110 WILLIAM STREET, 32ND FLOOR
New York, NY 10038 Tel: 212-257-6190**

STRUCTURAL ENGINEER:
**OLD STRUCTURES ENGINEERING,
PC
111 BROADWAY, 14TH FLOOR
New York, NY 10006 Tel: 212-244-4546**

DCP Project ID No. P2015M0502

ISSUED FOR CITY PLANNING
COMMISSION REVIEW

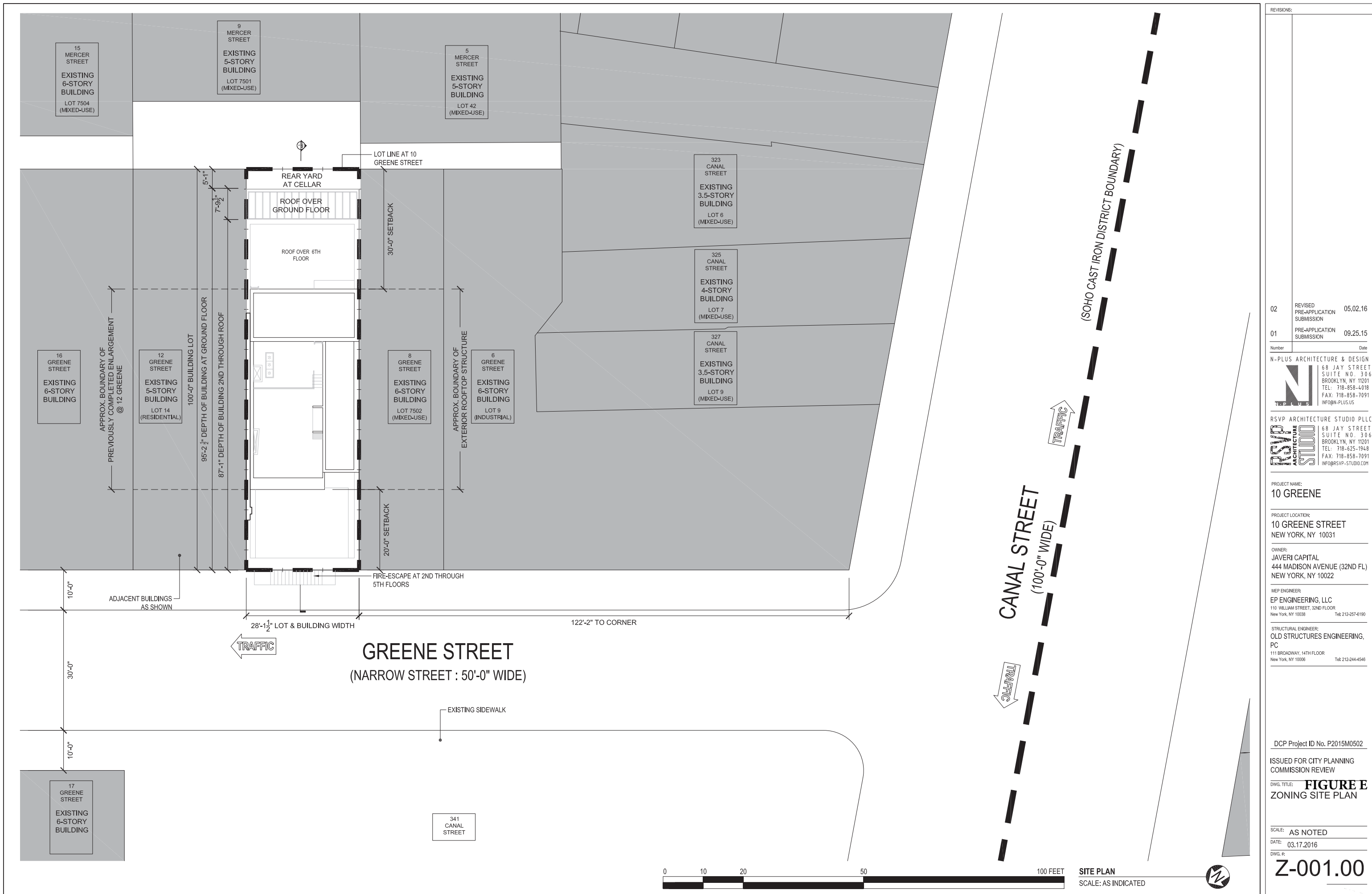
DWG. TITLE: **FIGURE D
SITE PHOTOS**

SCALE: AS NOTED

DATE: 03.17.2016

DWG. #:

G-002.00



REVISIONS:

Number	Date
02	05.02.16
01	09.25.15

REVISED PRE-APPLICATION SUBMISSION
 PRE-APPLICATION SUBMISSION

N-PLUS ARCHITECTURE & DESIGN
 68 JAY STREET
 SUITE NO. 306
 BROOKLYN, NY 11201
 TEL: 718-858-4018
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STRUCTURAL ENGINEER:
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 111 BROADWAY, 14TH FLOOR
 New York, NY 10006 Tel: 212-244-4546**

DCP Project ID No. P2015M0502

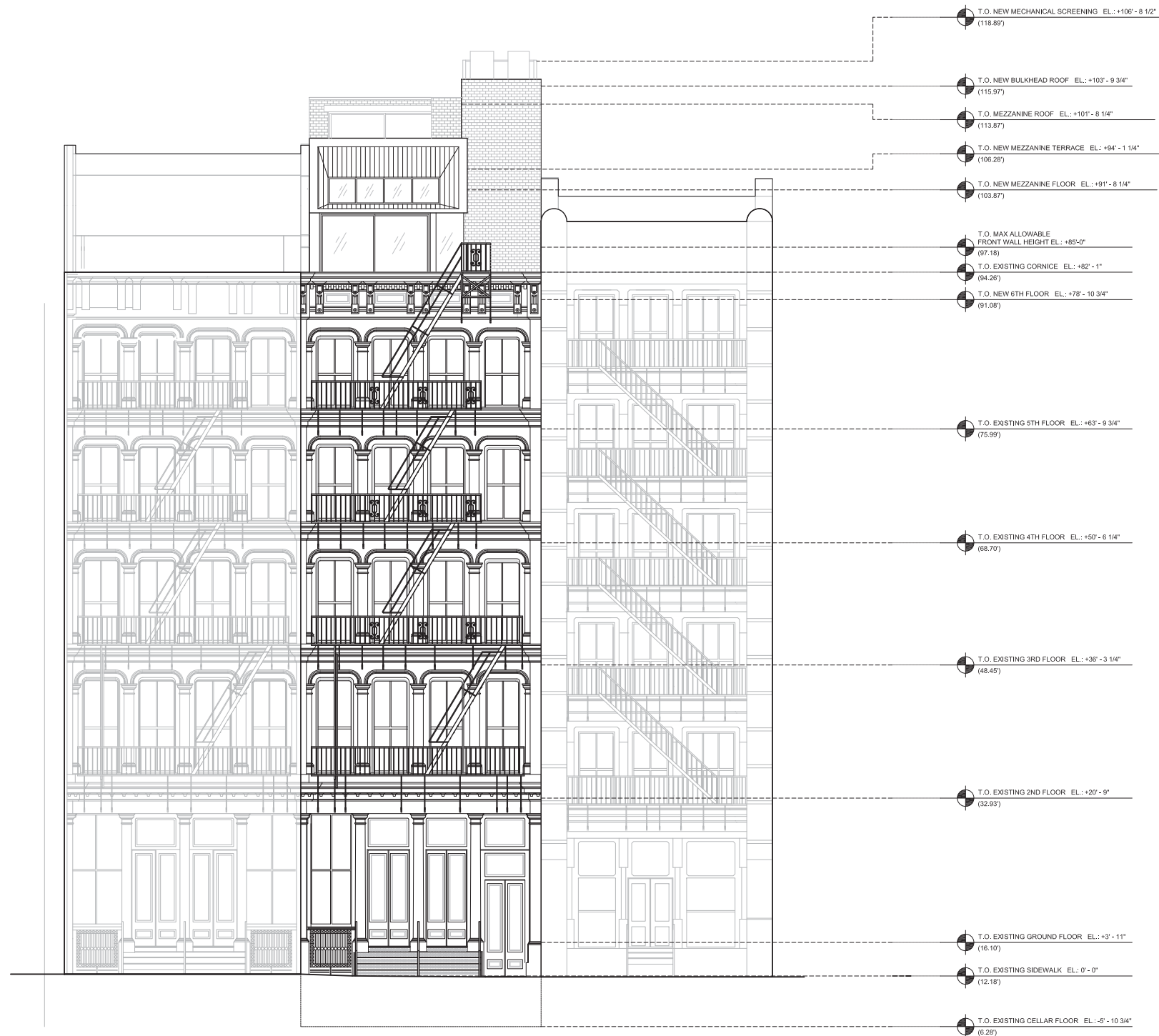
ISSUED FOR CITY PLANNING COMMISSION REVIEW

DWG. TITLE: **FIGURE E
 ZONING SITE PLAN**

SCALE: AS NOTED
 DATE: 03.17.2016
 DWG. #:

Z-001.00

SITE PLAN
 SCALE: AS INDICATED



1 PROPOSED GREENE STREET ELEVATION
SCALE: 1/8" = 1'-0"

REVISIONS:

Number	Date
02	03.14.16
01	09.25.15

N-PLUS ARCHITECTURE & DESIGN
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TEL: 718-625-1948
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
10 GREENE

PROJECT LOCATION:
**10 GREENE STREET
NEW YORK, NY 10031**

OWNER:
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444 MADISON AVENUE (32ND FL)
NEW YORK, NY 10022**

MEP ENGINEER:
**EP ENGINEERING, LLC
110 WILLIAM STREET, 32ND FLOOR
New York, NY 10038 Tel: 212-257-6190**

STRUCTURAL ENGINEER:
**OLD STRUCTURES ENGINEERING,
PC
111 BROADWAY, 14TH FLOOR
New York, NY 10006 Tel: 212-244-4546**

DCP Project ID No. P2015M0502

ISSUED FOR CITY PLANNING
COMMISSION REVIEW

DWG. TITLE: **FIGURE F
PROPOSED FRONT
BUILDING ELEVATION**

SCALE: AS NOTED

DATE: 03.17.2016

DWG. #:

A-600.00

REVISIONS:

Number	Date
04	10.19.16
03	07.22.16
02	05.02.16
01	09.25.15

N-PLUS ARCHITECTURE & DESIGN
 68 JAY STREET
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 FAX: 718-858-7091
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PROJECT NAME:
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PROJECT LOCATION:
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 NEW YORK, NY 10031**

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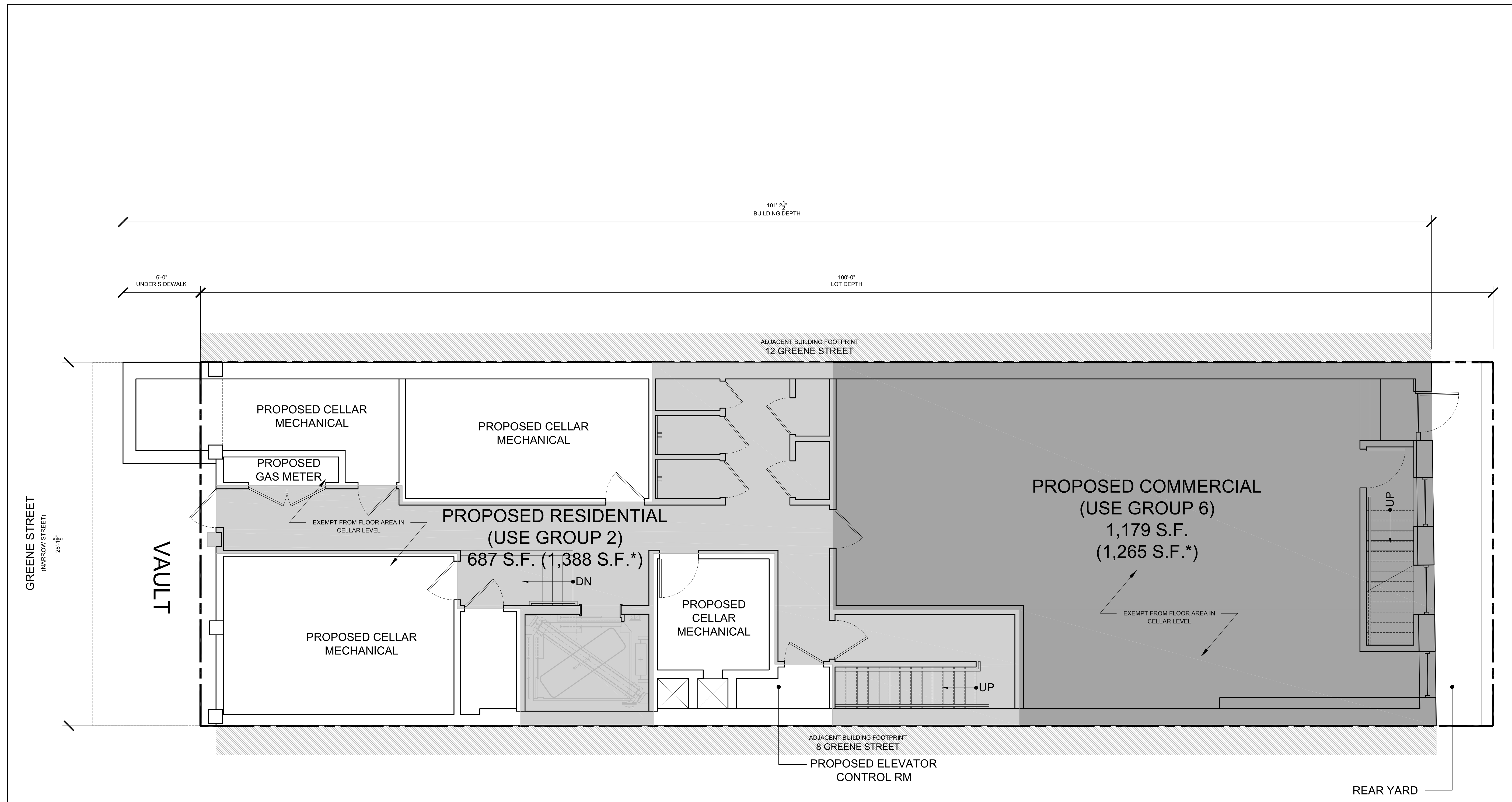
DCP Project ID No. P2015M0502

ISSUED FOR CITY PLANNING
 COMMISSION REVIEW

DWG. TITLE:
**PROPOSED CELLAR
 FLOOR PLAN**

SCALE: AS NOTED
 DATE: 03.17.2016
 DWG. #:

A-200.00

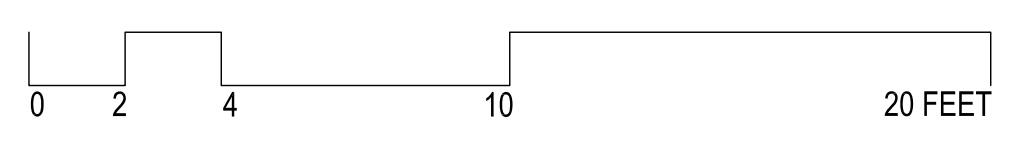


LEGEND	NET ZONING FLOOR AREA	GROSS S.F. (CELLAR ONLY)
	N / A	1,388 S.F.*
	N / A	1,265 S.F.*
		2,653 S.F. (TOTAL)

NOTE: * * * INCLUDES PORTION OF BASE BUILDING MECHANICAL RELATIVE TO RESIDENTIAL/RETAIL USE. RETAIL SHARE THE GAS METER ROOM, FIRE PUMP ROOM, SUMP PUMP ROOM AND ELEC. ROOM WITH 4 RESIDENTIAL UNITS, AS 1 OF 5 UNITS (20%).

PORTION FOR RETAIL: 20% X (GAS METER ROOM + FIRE PUMP + ELEC. + SUMP PUMP) = 86 S.F.
 PORTION FOR RESIDENTIAL: 80% X (GAS METER ROOM + FIRE PUMP + ELEC. + SUMP PUMP) + 100% X (BOILER + TRASH) = 701 S.F.

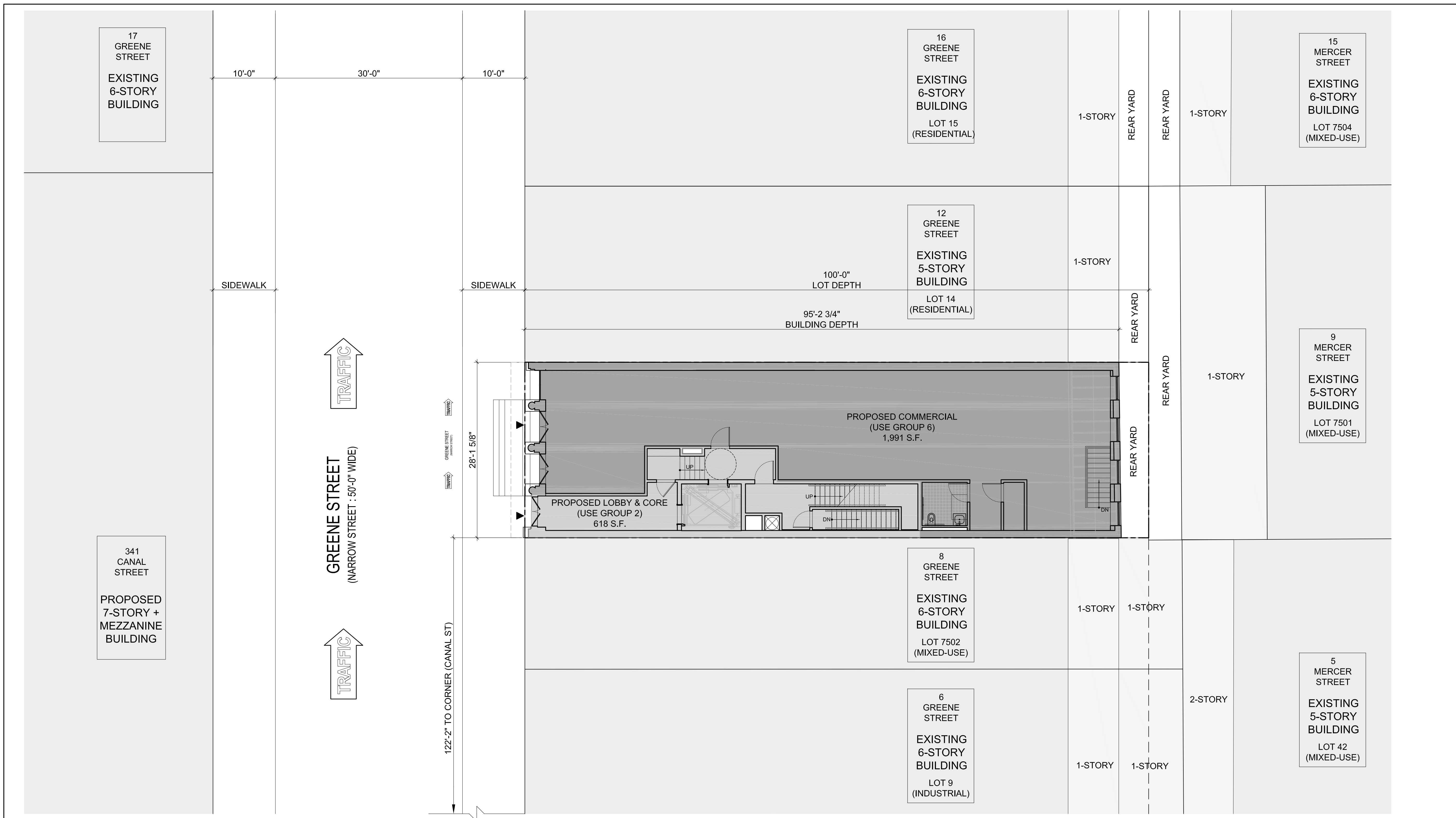
NOTE: INTERIOR PARTITIONS/LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY



LEGEND
 - - - - - ZONING LOT
 _____ DEVELOPMENT LOT

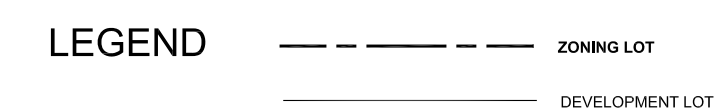
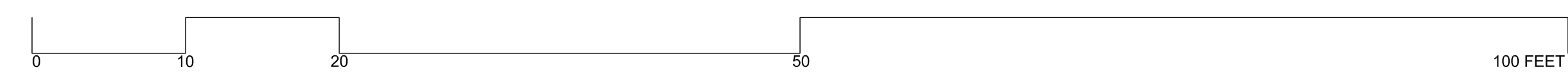
NOTE: INFORMATION OUTSIDE OF THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND MAY NOT BE EXACT. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT INFORMATION ON SURROUNDING PROPERTIES.

1 PROPOSED CELLAR FLOOR PLAN
 SCALE: 1/4" = 1'-0"



LEGEND	NET ZONING FLOOR AREA
	AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 2 IN M1-5B ZONING DISTRICT 618 S.F.
	AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 6 IN M1-5B ZONING DISTRICT 1,991 S.F.
	2,609 S.F. (TOTAL)

NOTE 1: INTERIOR PARTITIONS/LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY
 NOTE 2: FOR NEIGHBORING PROPERTY INFORMATION & ADDITIONAL SITE CONTEXT - SEE SHEET Z-001



1 PROPOSED GROUND FLOOR PLAN
 SCALE: 1/8" = 1'-0"

NOTE: INFORMATION OUTSIDE OF THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND MAY NOT BE EXACT. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT INFORMATION ON SURROUNDING PROPERTIES.

REVISIONS:

Number	Date
04	REVISOR PRE-APPLICATION SUBMISSION 10.19.16
03	REVISOR PRE-APPLICATION SUBMISSION 07.22.16
02	REVISOR PRE-APPLICATION SUBMISSION 05.02.16
01	PRE-APPLICATION SUBMISSION 09.25.15

N-PLUS ARCHITECTURE & DESIGN
 68 JAY STREET
 SUITE NO. 306
 BROOKLYN, NY 11201
 TEL: 718-858-4018
 FAX: 718-858-7091
 INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
 68 JAY STREET
 SUITE NO. 306
 BROOKLYN, NY 11201
 TEL: 718-625-1948
 FAX: 718-858-7091
 INFO@RSVP-STUDIO.COM

PROJECT NAME:
10 GREENE

PROJECT LOCATION:
**10 GREENE STREET
 NEW YORK, NY 10031**

OWNER:
**JAVERI CAPITAL
 444 MADISON AVENUE (32ND FL)
 NEW YORK, NY 10022**

MEP ENGINEER:
**EP ENGINEERING, LLC
 110 WILLIAM STREET, 32ND FLOOR
 New York, NY 10038 Tel: 212-257-6190**

STRUCTURAL ENGINEER:
**OLD STRUCTURES ENGINEERING,
 PC
 111 BROADWAY, 14TH FLOOR
 New York, NY 10006 Tel: 212-244-4546**

DCP Project ID No. P2015M0502

ISSUED FOR CITY PLANNING COMMISSION REVIEW

DWG. TITLE:
PROPOSED GROUND FLOOR PLAN

SCALE: AS NOTED
 DATE: 03.17.2016

DWG. #:
A-201.00

REVISIONS:

04	REVISED PRE-APPLICATION SUBMISSION	10.19.16
03	REVISED PRE-APPLICATION SUBMISSION	07.22.16
02	REVISED PRE-APPLICATION SUBMISSION	05.02.16
01	PRE-APPLICATION SUBMISSION	09.25.15

Number Date

N-PLUS ARCHITECTURE & DESIGN
 68 JAY STREET
 SUITE NO. 306
 BROOKLYN, NY 11201
 TEL: 718-858-4018
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 INFO@N-PLUS.US

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 68 JAY STREET
 SUITE NO. 306
 BROOKLYN, NY 11201
 TEL: 718-625-1948
 FAX: 718-858-7091
 INFO@RSVP-STUDIO.COM

PROJECT NAME:
10 GREENE

PROJECT LOCATION:
**10 GREENE STREET
 NEW YORK, NY 10031**

OWNER:
**JAVERI CAPITAL
 444 MADISON AVENUE (32ND FL)
 NEW YORK, NY 10022**

MEP ENGINEER:
EP ENGINEERING, LLC
 110 WILLIAM STREET, 32ND FLOOR
 New York, NY 10038 Tel: 212-257-6190

STRUCTURAL ENGINEER:
OLD STRUCTURES ENGINEERING, PC
 111 BROADWAY, 14TH FLOOR
 New York, NY 10006 Tel: 212-244-4546

DCP Project ID No. P2015M0502

ISSUED FOR CITY PLANNING COMMISSION REVIEW

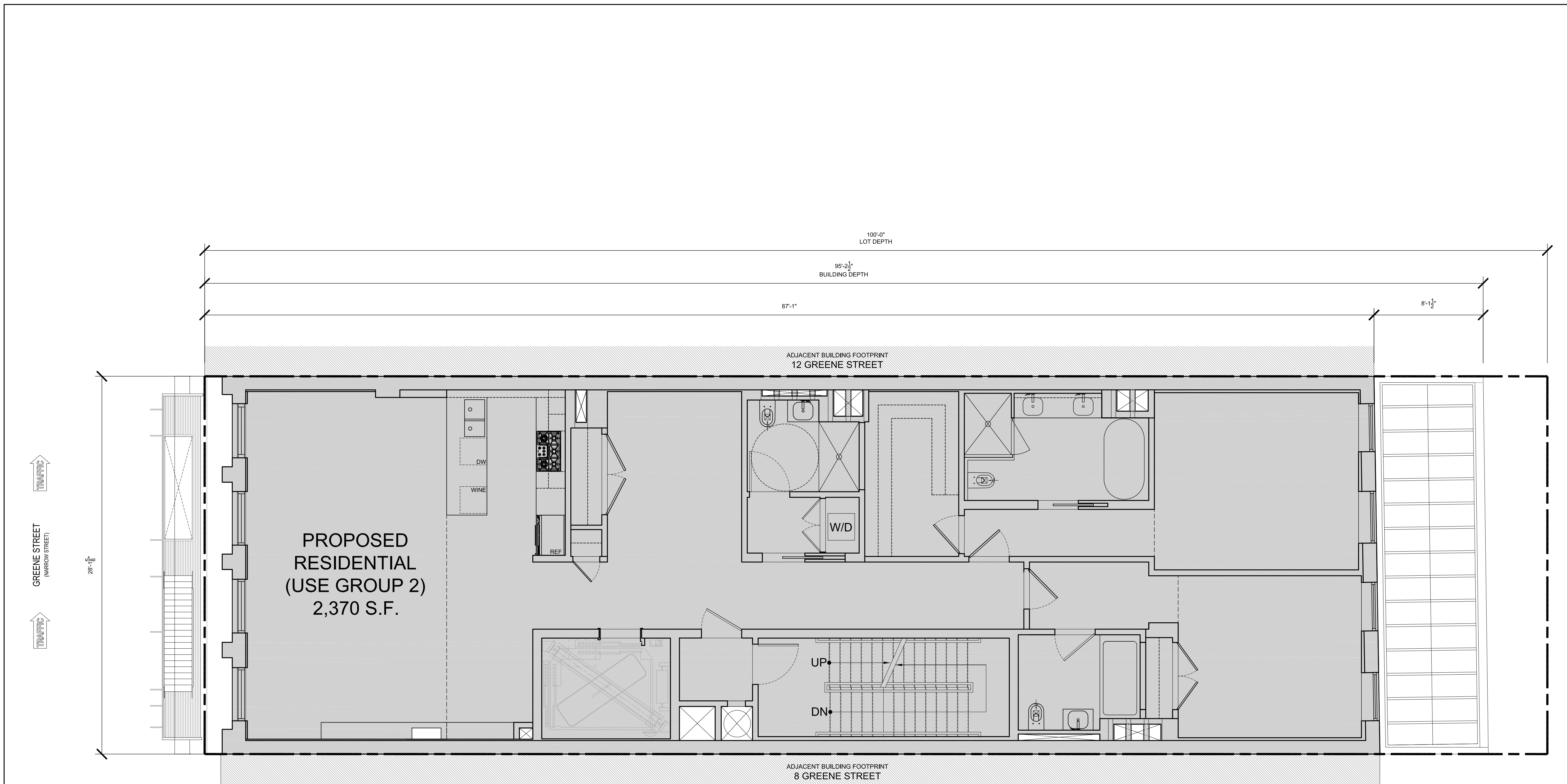
DWG. TITLE:
PROPOSED 2ND & 3RD & 4TH FLOOR PLAN

SCALE: AS NOTED

DATE: 03.17.2016

DWG. #:

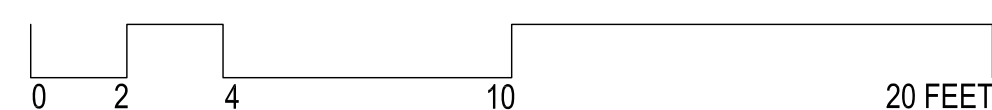
A-202.00



LEGEND	NET ZONING FLOOR AREA
[Light Gray Box] AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 2 IN M1-5B ZONING DISTRICT	2,370 S.F.
[Dark Gray Box] AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 6 IN M1-5B ZONING DISTRICT	0 S.F.
	2,370 S.F. (TOTAL)

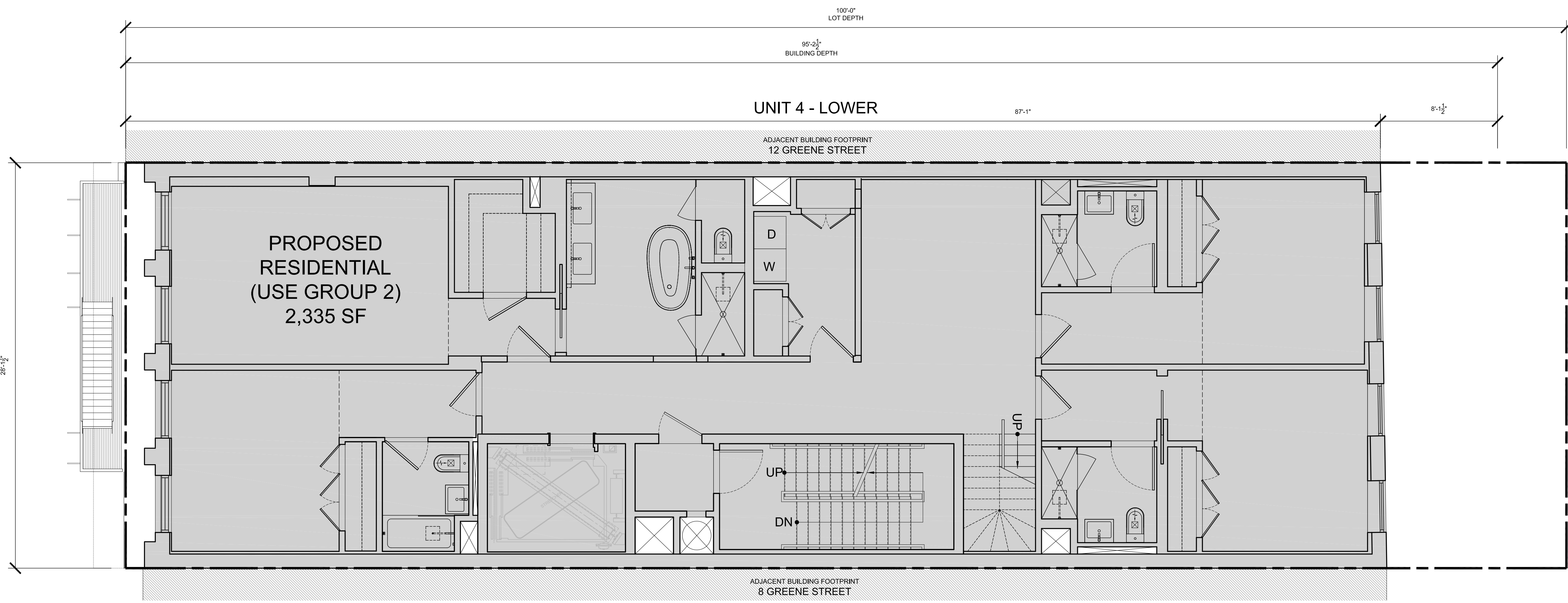
NOTE: INTERIOR PARTITIONS/LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY

1 PROPOSED 2ND & 3RD & 4TH FLOOR PLAN
 SCALE: 1/4" = 1'-0"



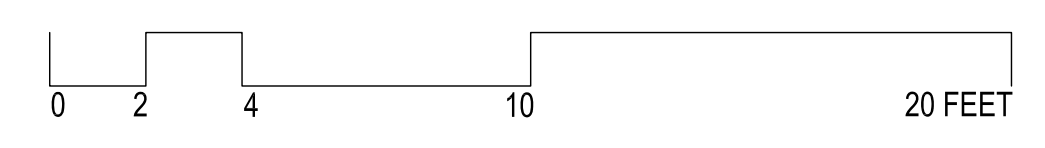
LEGEND
 - - - - - ZONING LOT
 _____ DEVELOPMENT LOT

NOTE: INFORMATION OUTSIDE OF THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND MAY NOT BE EXACT. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT INFORMATION ON SURROUNDING PROPERTIES.



LEGEND	NET ZONING FLOOR AREA
AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 2 IN M1-5B ZONING DISTRICT	2,335 S.F.
AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 6 IN M1-5B ZONING DISTRICT	0 S.F.
	2,335 S.F. (TOTAL)

NOTE: INTERIOR PARTITIONS/LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY



LEGEND
 - - - - - ZONING LOT
 _____ DEVELOPMENT LOT

NOTE: INFORMATION OUTSIDE OF THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND MAY NOT BE EXACT. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT INFORMATION ON SURROUNDING PROPERTIES.

1 PROPOSED FIFTH FLOOR PLAN
 SCALE: 1/4" = 1'-0"

REVISIONS:

Number	Date
04	REVISD PRE-APPLICATION SUBMISSION 10.19.16
03	REVISD PRE-APPLICATION SUBMISSION 07.22.16
02	REVISD PRE-APPLICATION SUBMISSION 05.02.16
01	PRE-APPLICATION SUBMISSION 09.25.15

N-PLUS ARCHITECTURE & DESIGN
 68 JAY STREET
 SUITE NO. 306
 BROOKLYN, NY 11201
 TEL: 718-858-4018
 FAX: 718-858-7091
 INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
 68 JAY STREET
 SUITE NO. 306
 BROOKLYN, NY 11201
 TEL: 718-625-1948
 FAX: 718-858-7091
 INFO@RSVP-STUDIO.COM

PROJECT NAME:
10 GREENE

PROJECT LOCATION:
**10 GREENE STREET
 NEW YORK, NY 10031**

OWNER:
**JAVERI CAPITAL
 444 MADISON AVENUE (32ND FL)
 NEW YORK, NY 10022**

MEP ENGINEER:
**EP ENGINEERING, LLC
 110 WILLIAM STREET, 32ND FLOOR
 New York, NY 10038 Tel: 212-257-6190**

STRUCTURAL ENGINEER:
**OLD STRUCTURES ENGINEERING,
 PC
 111 BROADWAY, 14TH FLOOR
 New York, NY 10006 Tel: 212-244-4546**

DCP Project ID No. P2015M0502

ISSUED FOR CITY PLANNING COMMISSION REVIEW

DWG. TITLE:
PROPOSED FIFTH FLOOR PLAN

SCALE: AS NOTED
 DATE: 03.17.2016
 DWG. #:
A-203.00

18 OF 24

REVISIONS:

04	REVISED PRE-APPLICATION SUBMISSION	10.19.16
03	REVISED PRE-APPLICATION SUBMISSION	07.22.16
02	REVISED PRE-APPLICATION SUBMISSION	05.02.16
01	PRE-APPLICATION SUBMISSION	09.25.15

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PROJECT NAME:
10 GREENE

PROJECT LOCATION:
 10 GREENE STREET
 NEW YORK, NY 10031

OWNER:
 JAVERI CAPITAL
 444 MADISON AVENUE (32ND FL)
 NEW YORK, NY 10022

MEP ENGINEER:
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 New York, NY 10038 Tel: 212-257-6190

STRUCTURAL ENGINEER:
 OLD STRUCTURES ENGINEERING, PC
 111 BROADWAY, 14TH FLOOR
 New York, NY 10006 Tel: 212-244-4546

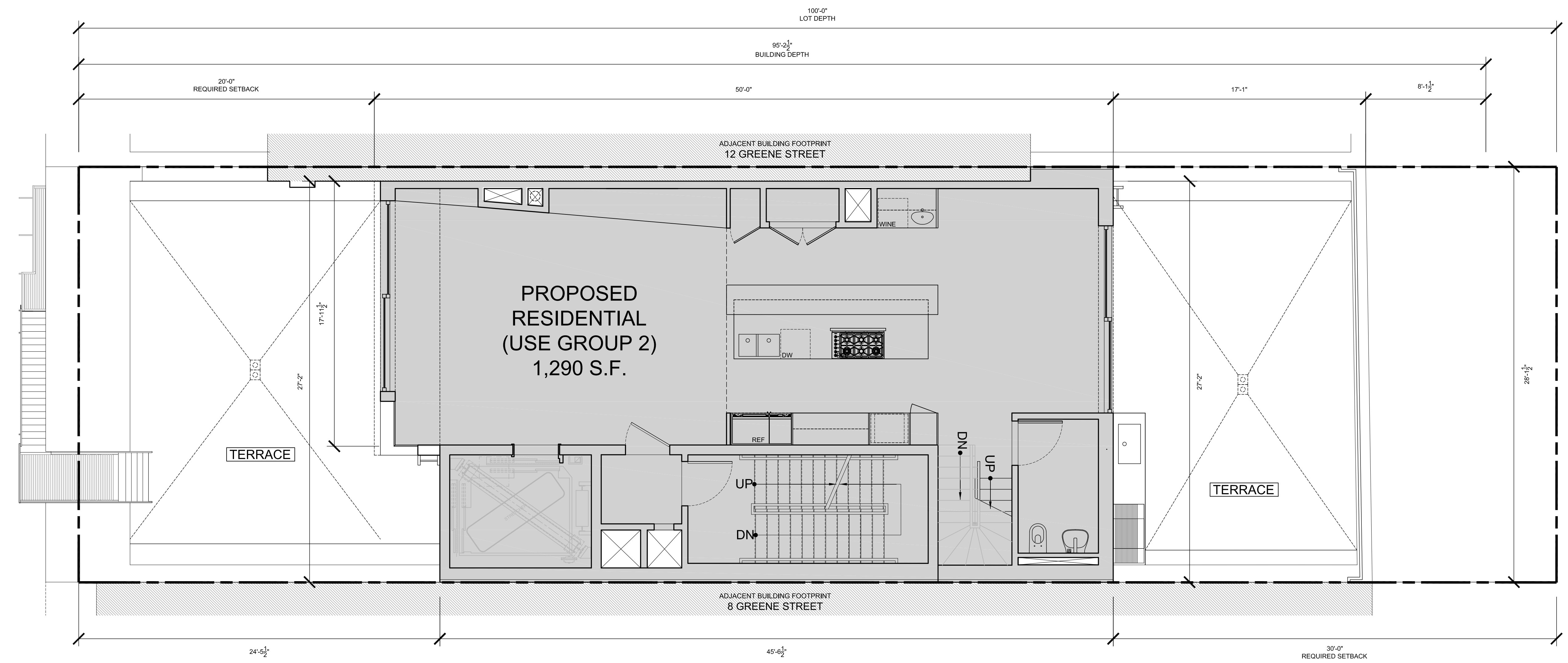
DCP Project ID No. P2015M0502

ISSUED FOR CITY PLANNING COMMISSION REVIEW

DWG. TITLE:
PROPOSED SIXTH FLOOR PLAN

SCALE: AS NOTED
 DATE: 03.17.2016
 DWG. #:

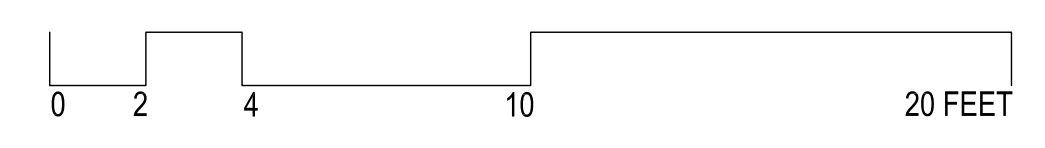
A-204.00



LEGEND	NET ZONING FLOOR AREA
	AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 2 IN M1-5B ZONING DISTRICT
	AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 6 IN M1-5B ZONING DISTRICT
	1,290 S.F. (TOTAL)

NOTE: INTERIOR PARTITIONS/LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY

1 PROPOSED SIXTH FLOOR PLAN
 SCALE: 1/4" = 1'-0"



LEGEND
 - - - - - ZONING LOT
 _____ DEVELOPMENT LOT

NOTE: INFORMATION OUTSIDE OF THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND MAY NOT BE EXACT. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT INFORMATION ON SURROUNDING PROPERTIES.

REVISIONS:

04	REVISED PRE-APPLICATION SUBMISSION	10.19.16
03	REVISED PRE-APPLICATION SUBMISSION	07.22.16
02	REVISED PRE-APPLICATION SUBMISSION	05.02.16
01	PRE-APPLICATION SUBMISSION	09.25.15

Number Date

N-PLUS ARCHITECTURE & DESIGN
 68 JAY STREET
 SUITE NO. 306
 BROOKLYN, NY 11201
 TEL: 718-858-4018
 FAX: 718-858-7091
 INFO@N-PLUS.US

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 TEL: 718-625-1948
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 INFO@RSVP-STUDIO.COM

PROJECT NAME:
10 GREENE

PROJECT LOCATION:
**10 GREENE STREET
 NEW YORK, NY 10031**

OWNER:
**JAVERI CAPITAL
 444 MADISON AVENUE (32ND FL)
 NEW YORK, NY 10022**

MEP ENGINEER:
**EP ENGINEERING, LLC
 110 WILLIAM STREET, 32ND FLOOR
 New York, NY 10038 Tel: 212-257-6190**

STRUCTURAL ENGINEER:
**OLD STRUCTURES ENGINEERING,
 PC
 111 BROADWAY, 14TH FLOOR
 New York, NY 10006 Tel: 212-244-4546**

DCP Project ID No. P2015M0502

ISSUED FOR CITY PLANNING
 COMMISSION REVIEW

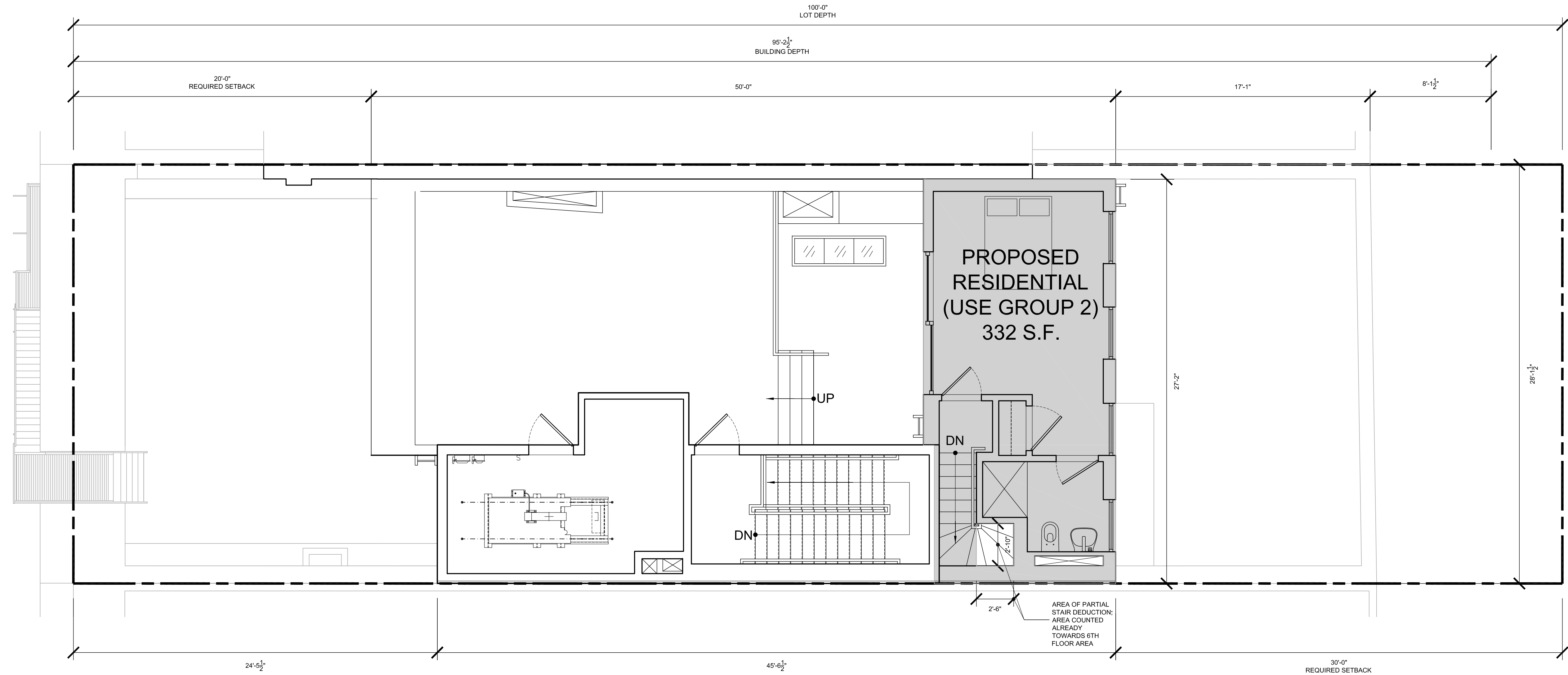
DWG. TITLE:
**PROPOSED
 MEZZANINE FLOOR
 PLAN**

SCALE: AS NOTED

DATE: 03.17.2016

DWG. #:

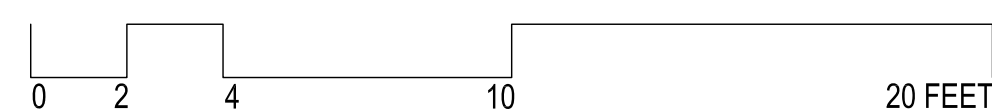
A-205.00



LEGEND	NET ZONING FLOOR AREA
	AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 2 IN M1-5B ZONING DISTRICT
	AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 6 IN M1-5B ZONING DISTRICT
	332 S.F. (TOTAL)

NOTE: INTERIOR PARTITIONS/LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY

1 PROPOSED MEZZANINE FLOOR PLAN
 SCALE: 1/4" = 1'-0"



LEGEND
 - - - - - ZONING LOT
 _____ DEVELOPMENT LOT

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REVISIONS:

04	REVISED PRE-APPLICATION SUBMISSION	10.19.16
03	REVISED PRE-APPLICATION SUBMISSION	07.22.16
02	REVISED PRE-APPLICATION SUBMISSION	05.02.16
01	PRE-APPLICATION SUBMISSION	09.25.15

Number Date

N-PLUS ARCHITECTURE & DESIGN
 68 JAY STREET
 SUITE NO. 306
 BROOKLYN, NY 11201
 TEL: 718-858-4018
 FAX: 718-858-7091
 INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
 68 JAY STREET
 SUITE NO. 306
 BROOKLYN, NY 11201
 TEL: 718-625-1948
 FAX: 718-858-7091
 INFO@RSVP-STUDIO.COM

PROJECT NAME:
10 GREENE

PROJECT LOCATION:
**10 GREENE STREET
 NEW YORK, NY 10031**

OWNER:
**JAVERI CAPITAL
 444 MADISON AVENUE (32ND FL)
 NEW YORK, NY 10022**

MEP ENGINEER:
EP ENGINEERING, LLC
 110 WILLIAM STREET, 32ND FLOOR
 New York, NY 10038 Tel: 212-257-6190

STRUCTURAL ENGINEER:
**OLD STRUCTURES ENGINEERING,
 PC**
 111 BROADWAY, 14TH FLOOR
 New York, NY 10006 Tel: 212-244-4546

DCP Project ID No. P2015M0502

ISSUED FOR CITY PLANNING
 COMMISSION REVIEW

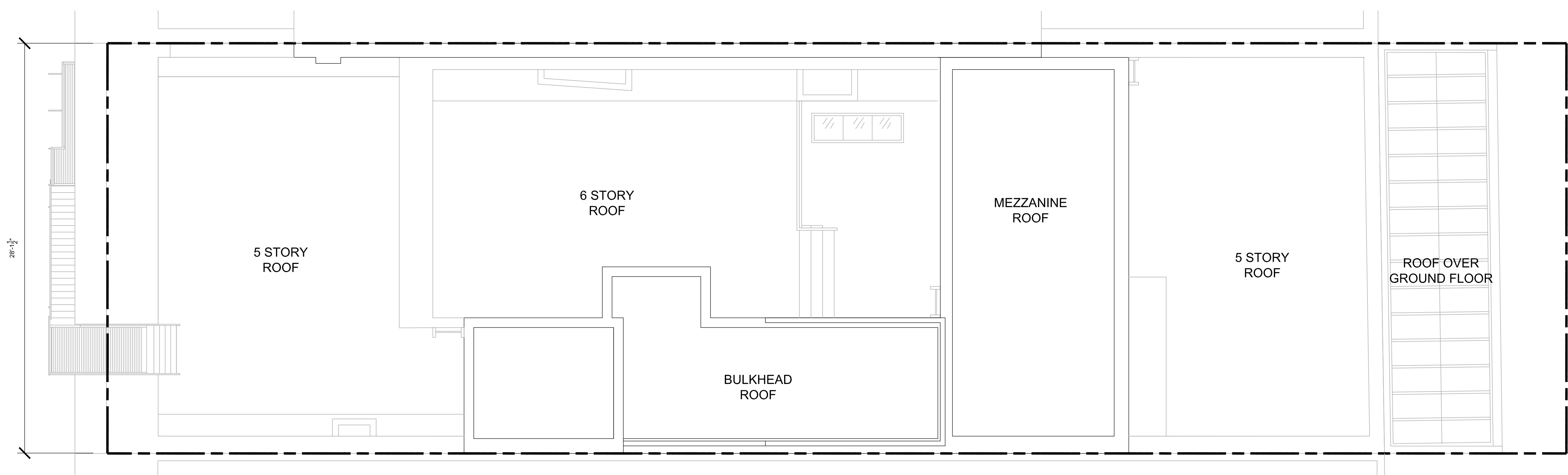
DWG. TITLE:
**PROPOSED
 ROOF/BULKHEAD
 PLAN**

SCALE: AS NOTED

DATE: 03.17.2016

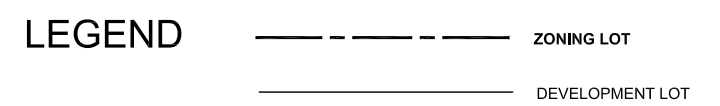
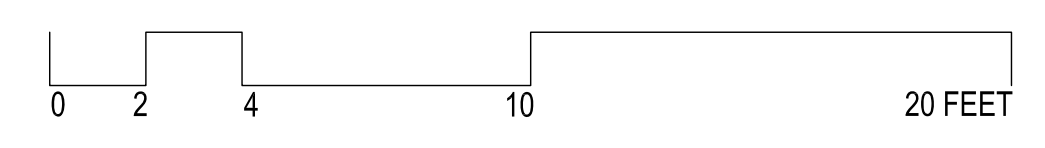
DWG. #:

A-206.00



LEGEND	NET ZONING FLOOR AREA
[Light Gray Box] AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 2 IN M1-5B ZONING DISTRICT	N / A
[Dark Gray Box] AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 6 IN M1-5B ZONING DISTRICT	N / A

NOTE: INTERIOR PARTITIONS/LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY



NOTE: INFORMATION OUTSIDE OF THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND MAY NOT BE EXACT. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT INFORMATION ON SURROUNDING PROPERTIES.

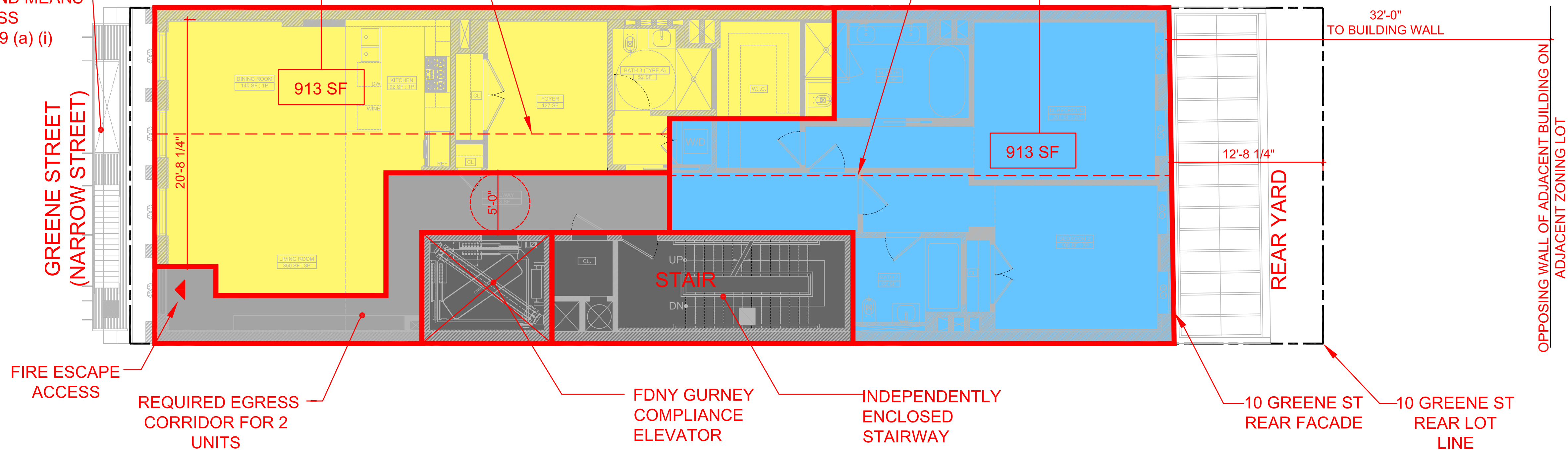
1 PROPOSED ROOF PLAN
 SCALE: 1/4" = 1'-0"



STREET FACING UNITS		COMPLIANCE
PER ZR 15-024 (1): "The minimum size of a dwelling unit,...may be no less than 415 square feet of floor area,...the following requirements are met:		YES
REQUIREMENTS	(i) the unit or quarters shall contain one or more windows that open onto a street or thirty foot yard;	YES
	(ii) the area of such required window shall be not less than eight percent of the floor area of the unit or quarters and 50 percent of the area of such required window shall be openable; and	YES
	(iii) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width; or	NO

REAR FACING UNITS		COMPLIANCE
PER ZR 15-024 (2): "The minimum size of a dwelling unit,...may be no less than 600 square feet of floor area,...the following requirements are met:		YES
REQUIREMENTS	(i) the unit or quarters shall contain one or more windows that open onto either: (a) a ten foot yard, where the window sill of such required window is at least 23 feet above curb level; (b) a 15 foot yard, where the window sill of such required window is less than 23 feet above curb level; (c) a court with a minimum dimension of 15 feet perpendicular to such required window and 375 square feet or more in area; or (d) a street;	YES
	(ii) the minimum horizontal distance between such required window opening onto a yard and any wall opposite such window on the same or another zoning lot shall be at least 15 feet;	YES
	(iii) the area of such required window shall be no less than five percent of the floor area of the unit or quarters, and 50 percent of the area of such required window shall be openable;	YES
	(iv) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width;	YES
	(v) the average width of such unit or quarters shall be no less than 14 feet; and	YES
	(vi) not less than two-thirds of the #floor area# of the unit or quarters shall have a floor-to-ceiling height of nine feet or more.	YES

FIRE ESCAPE
REQUIRED SECOND MEANS
OF EGRESS
PER MDL 277-9 (a) (i)



SUBDIVISION NOT PERMITTED

SUBDIVISION NOT PERMITTED

1 10 GREENE STREET : PROPOSED TYPICAL (FLOORS 2 & 3 & 4 & 5) FLOOR PLAN
SCALE: 1/4" = 1'-0"

MAXIMUM 2 DWELLING UNITS

Number	Date

N-PLUS ARCHITECTURE & DESIGN
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-625-1948
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
10 GREENE

PROJECT LOCATION:
**10 GREENE STREET
NEW YORK, NY 10031**

OWNER:
**10 GREENE OWNER, LLC
444 MADISON AVENUE (32ND FL)
NEW YORK, NY 10022**

MEP ENGINEER:
**EP ENGINEERING, LLC
110 WILLIAM STREET, 32ND FLOOR
New York, NY 10038 Tel: 212-257-6190**

STRUCTURAL ENGINEER:
**OLD STRUCTURES ENGINEERING,
PC
111 BROADWAY, 14TH FLOOR
New York, NY 10006 Tel: 212-244-4546**

FILING SET - ISSUED FOR
DOB REVIEW

DWG. TITLE:
TYPICAL FLOOR PLAN

SCALE:
DATE: 12.14.2016
DWG. #:

A-202.00

REVISIONS:

Number Date

N-PLUS ARCHITECTURE & DESIGN
 68 JAY STREET
 SUITE NO. 306
 BROOKLYN, NY 11201
 TEL: 718-858-4018
 FAX: 718-858-7091
 INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
 68 JAY STREET
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PROJECT NAME:
10 GREENE

PROJECT LOCATION:
**10 GREENE STREET
 NEW YORK, NY 10031**

OWNER:
**10 GREENE OWNER, LLC
 444 MADISON AVENUE (32ND FL)
 NEW YORK, NY 10022**

MEP ENGINEER:
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 110 WILLIAM STREET, 32ND FLOOR
 New York, NY 10038 Tel: 212-257-6190**

STRUCTURAL ENGINEER:
**OLD STRUCTURES ENGINEERING,
 PC
 111 BROADWAY, 14TH FLOOR
 New York, NY 10006 Tel: 212-244-4546**

FILING SET - ISSUED FOR
 DOB REVIEW

DWG. TITLE:
SIX FLOOR PLAN

SCALE:

DATE: 12.14.2016

DWG. #:

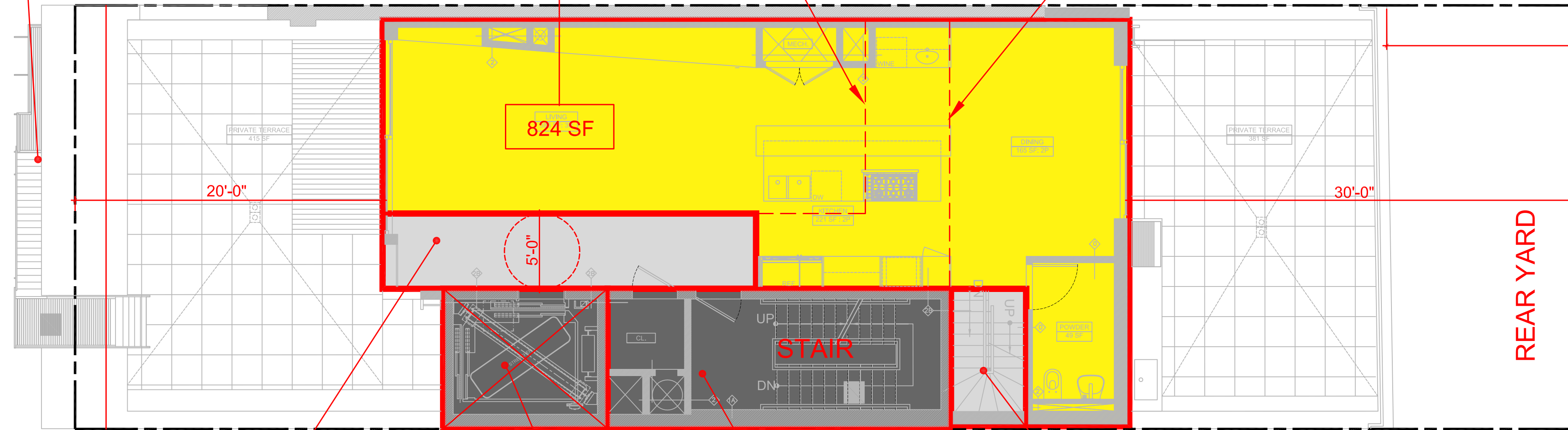
A-204.00

STREET FACING UNITS		COMPLIANCE
PER ZR 15-024 (1): "The minimum size of a dwelling unit,...may be no less than 415 square feet of floor area,...the following requirements are met:		NO
REQUIREMENTS	(i) the unit or quarters shall contain one or more windows that open onto a street or thirty foot yard;	YES
	(ii) the area of such required window shall be not less than eight percent of the floor area of the unit or quarters and 50 percent of the area of such required window shall be openable; and	YES
	(iii) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width; or	YES

SUBDIVISION NOT PERMITTED

FIRE ESCAPE
 REQUIRED SECOND MEANS
 OF EGRESS
 PER MDL 277-9 (a) (i)

GREENE STREET
 (NARROW STREET)



LINE OF MEZZANINE ABOVE
 "NO MEZZANINE SHALL BE
 INCLUDED ... FOR CALCULATING
 FLOOR AREA.."
 PER MDL 277-7 (d)

32'-0"
 TO BUILDING WALL

OPPOSING WALL OF ADJACENT BUILDING ON
 ADJACENT ZONING LOT

REAR YARD

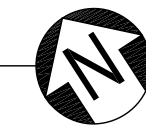
REQUIRED EGRESS
 CORRIDOR

FDNY GURNEY
 COMPLIANCE
 ELEVATOR

INDEPENDENTLY
 ENCLOSED STAIRWAY
 REQUIRED
 PRIMARY MEANS OF
 EGRESS PER MDL 277-9
 (a) (i)

STAIR TO MEZZANINE

1 10 GREENE STREET : PROPOSED SIX FLOOR PLAN
 SCALE: 1/4" = 1'-0"



MAXIMUM 1 DWELLING UNIT

Introduction

The applicant, 10 Greene LLC, seeks approval of a special permit pursuant to Section 74-711 of the Zoning Resolution, to modify the use regulations of Section 42-10 to allow UG 2 residential use on the 2nd through 5th floor plus penthouse, and Section 42-14(D) to allow UG 6 retail use on the ground floor of an existing five-story building located at 10 Greene Street (Block 230, Lot 13), in an M1-5B Zoning District, within the SoHo Cast-Iron Historic District, Manhattan Community District 2 (Figure A).

Description of Surrounding Area

The project site is located in the SoHo Cast Iron Historic District, of Manhattan Community District 2 within an M1-5B zoning district (Figure C) that is developed predominantly with 5- to 7-story loft buildings, many of which have been converted to residential use or contain JLWQA, with ground floor retail including clothing boutiques, art and home décor galleries, and furniture showrooms.

Once characterized primarily by manufacturing uses, the surrounding SoHo and Tribeca neighborhoods have evolved into mixed-use districts. The predominant uses within these districts are ground floor commercial or retail with offices and/or dwelling units above, including Joint Live Work Quarters for Artists (“JLWQA”) and IMDs and Use Group 2 residential from previous conversions (CPC and BSA).

Description of the Project Site:

The project site is improved with a five-story plus cellar building. The building has an approximate 28’ of frontage on Greene Street and rises to a height of 82 feet 1 inch. The lot has dimensions of 28.13 feet by 100 feet with a lot area of 2,813 square feet and a total built floor area of 12,248 zoning square feet. The building is built to a Floor Area Ratio (FAR) of approximately 4.37. The existing building has 14,956 gross square feet of floor area. The building’s existing height is 82 feet 1 inch.

The site’s M1-5B zoning permits a maximum FAR of 5.0 and light manufacturing including Use Groups 4-14, 16 and 17. Residential Use Group 2 are not permitted as-of-right and Use Group 6 commercial retail uses are not permitted below the second story. A portion of the building’s ground floor was formerly occupied by an illegal nonconforming retail establishment, but is currently vacant. The upper floors of the building are also vacant.

The building has no Certificate of Occupancy. According to the applicant, the building has only been used as a manufacturing and commercial building in the past. According to the Loft Board record, the building does not contain any Interim Multiple Dwellings (IMDs). The building is currently vacant. Occupancy history of the building is provided in Table 1.

Table 1: Occupancy History

10 Greene Street Occupancy History (2007 to 2016)

Floor	Unit	1951	Year																	
			-	1995	-	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Ground	Front	Owner Occupied		Snook Studios (Antiques)							Cloak				Acne			Opening Ceremony	The Real McCoy's	Vacant
Ground	Rear	Owner Occupied													Shamir Shah Design - Commerical Architecture Firm					Vacant
2nd	Entire	Owner Occupied												Don Paul Philippe - Commercial Art Studio	Third Streaming Inc - Commerical Art Gallery/ Event Space					Vacant
3rd	Entire	Owner Occupied												Fernando Santangelo Inc - Commerical Architecture Firm					Vacant	
4th	Entire	Owner Occupied												Cristina Grajales Gallery - Commercial Art Gallery					Vacant	
5th	Front 1	Owner Occupied												Owner's Personal Office					Vacant	
5th	Front 2	Owner Occupied												Daniel Amaral - Commercial Art Studio/Storage Space					Vacant	
5th	Rear	Owner Occupied												Office Occupancy and Partial Bed & Breakfast					Vacant	

Use Key:

Manufacturing
Retail
Commercial
Residential

Description of Proposed Development

The applicant proposes to enlarge the existing building to add a rooftop penthouse addition, including mezzanine, of about 1,731 square feet on top of the fifth floor. The proposed bulk addition is as-of-right within M1-5B district regulations; however, the proposed use is not permitted, thus part of the subject for this 74-711 special permit application. The building will maintain its existing street wall height of 82’1”, from which the proposed penthouse would setback for 20’ and rise to a height of about 106 feet. With the enlargement, the building would contain a total floor area of 16,948 gsf (4.86 FAR), including 3,177 gsf for retail use on the ground floor and 13,771 gsf for residential use (a residential lobby on the ground floor, four units on floors two through penthouse). The cellar would be used as accessory space for the proposed retail use and accessory residential use (Figures G-1 through G- 9).

This enlargement and modification of use would be performed pursuant to amended Landmarks Preservation Commission (LPC) Certificate of Appropriateness (C of A) 18-2925 and Modification of Use (MOU), issued on March 4, 2016. Upon approval of the Special Permit, the applicant will record a Restrictive Declaration with LPC requiring the owner and any successor in interest to provide for the continuing maintenance of the proposed building, resulting in its preservation in perpetuity and will provide a plan (the ‘Plan’) for the same.

Action(s) Necessary to Facilitate the Project

The proposed residential and commercial uses are not permitted as of right in M1-5B districts. The applicant is requesting a Special Permit pursuant to Zoning Resolution (the ‘Z.R.’) section 74-711 to modify the use regulations of Section 42-10 to allow 13,771 gsf of residential use (Use Group 2) on the existing 2nd through 5th floor plus a rooftop penthouse addition, including mezzanine, and Section 42- 14(D) to allow 3,177 gsf of retail use (Use Group 6) on the ground floor of an existing building located at 10 Greene Street (Block 230, Lot 13) in the SoHo section of Manhattan Community District 2. The proposed enlargement and modification would result in a design that is compatible with the surrounding development, including a new building located at 341 Canal Street, and has been determined by the Landmarks Preservation Commission to be appropriate for its location within the SoHo Cast Iron Historic District. The proposed Special Permit would incorporate a preservation and maintenance plan that would

ensure that the building is maintained in a sound, first class condition. The project applicant would enter into a Restrictive Declaration, binding the applicant to completion of the work as specified in C of A 18-2925 and to preclude potential for significant adverse noise impacts, upon approval of the Proposed Action. It is the intent of the applicant that the conversion of the ground floor to commercial retail use and upper floor area to residential occupancy would be consistent with surrounding land use patterns and would provide a viable development that would be able to support the ongoing maintenance.

Analysis Framework

This environmental assessment considers the potential effects of the proposed action compared to future conditions without the approvals sought by the project sponsor.

Build Year

Factoring the CPC special permit ULURP process and an 18-month construction schedule, the projected Build year will be 2018.

Existing Conditions

The subject property is located at 10 Greene Street, in a M1-5B zoning district and is improved with a five-story plus cellar building. The building is currently vacant with former manufacturing and commercial uses. In anticipation of occupancy, interior renovation work has been completed as-of-right and is not subject to CEQR review. The existing building has 14,956 gross square feet of floor area. The building's existing height is 82 feet 1 inch.

No-Action Condition

The proposed uses are not permitted as of right in M1-5B districts. The building could be enlarged as-of-right for conforming uses, although no such development is anticipated. The building has no current certificate of occupancy. Therefore, the building would remain vacant.

With-Action Condition¹

With the approval of the proposed Special Permit, the building at 10 Greene Street would be enlarged with a one story, including mezzanine, penthouse rooftop addition. Floors 2 through 6 would be occupied by Use Group 2 residential use. The ground floor use would be occupied by Use Group 6 commercial retail (clothing boutiques, hair salons, and art galleries). The applicant intends to develop a total of four residential units but will analyze 9 residential units for the With-Action condition.

The impact analysis considers the incremental difference between the No-action and With-Action Scenario (collectively the Reasonable Worst Case Development Scenario) for the project site. The zoning analysis for the proposed building indicates that 13,771 square feet of

¹ An Environmental Assessment Statement (EAS) was completed on December 9, 2016 and a Negative Declaration issued on December 12, 2016 for the Applicant's original application. The original application includes the assumption of 11 dwelling units based on the average size unit of 1,200 sf. Subsequent to Certification of the proposed action, the Applicant determined 9 dwelling units to be a more feasible plan based on requirements for two means for egress for each unit and limitation of the building floor area.

This Revised EAS considers the proposed revision to the With-Action scenario assumptions, which now consists of 9 dwelling units, two units per floor on each of floors two through five, and a single unit in the penthouse addition. Conclusions of this Revised EAS are consistent with the conclusions of the previous environmental review.

residential floor area would be made available on the Project Site. The building's ground floor would be occupied by 3,177 sf of commercial retail use and 618 sf of residential use (lobby). Cellar space would be used as ancillary residential and commercial space.

The building has two means of egress from the upper floors – a front exterior fire escape and an interior stairway located along the southern party wall of the building approximately halfway back. As a practical matter given the building's narrowness, creating a second stairway core would make for impractical floor layouts, particularly on the ground floor where access to a second stairway would significantly cut into an already limited floor area available for ground floor retail use. Additionally, adding a second stairway would require a significant modification of the historic Greene Street façade which would run contrary to our Landmarks Draft Certificate of Appropriateness and Final MOU (made part of our ULURP Application). Legally, all dwelling units must have two means of egress, so therefore all dwelling units must have access to both the front fire escape and the stairway. This imposes a feasible limit of two units per floor on each of floors two through five, and a single unit in the penthouse addition, for a total of nine dwelling units.

Summary of Environmental Assessment

Based on the answers to the questions contained in the attached Environmental Assessment Statement (EAS) Form, the following issues were found to require additional information and analysis:

- **Land Use, Zoning, and Public Policy:** The proposed addition is within the applicable zoning envelope which is governed by the maximum base height and applicable sky exposure planes. The surrounding area is a mix of lower and medium-density residential, commercial and institutional uses. The introduction of a mixed-use building with commercial retail and residential uses would serve local residents. The proposed action would not create a significant adverse impact.
- **Open Space:** The proposed action would not create a significant adverse impact. The approval of the proposed action would introduce new residents into an underserved area, however the incremental difference between the No-Action and With-Action scenarios does not exceed the threshold defined in *2014 CEQR Technical Manual*, therefore no significant negative impact is anticipated.
- **Historic and Cultural Resources:** The subject property is located in the SoHo Historic District. The changes requested support and are warranted by the significant restorative and historic preservation work that has been approved by the Landmarks Preservation Commission. The Applicant has received a Certificate of Appropriateness and an approved Modification of Use letter from LPC, therefore not significant adverse impacts are anticipated on Historic Resources.
- **Hazardous Materials:** The Proposed Development Site was the subject of a Phase I Environmental Site Assessment that cited no Recognized Environmental Conditions at the site. The proposed project would have no significant adverse impacts from hazardous materials.

- **Air Quality:** A screening analysis conducted using Figure 17-3 of the *2014 CEQR Technical Manual* demonstrates that development under the proposed action would not create significant impacts related to HVAC emissions. In addition, the proposed action would not result in significant increases in tailpipe emissions from vehicular traffic and there are no nearby emissions sources that would adversely affect project occupants. The proposed project would have no significant adverse impacts on air quality.
- **Noise:** The subject property is located near Canal Street, a heavily trafficked street, therefore additional analysis is warranted. Based on noise monitoring conducted by AKRF at 11 Greene Street in December of 2014, a window/wall attenuation of 35 dB(A) with the provision of an alternate means of ventilation would be required to attain the CEQR interior noise level goal. An (E) Designation would be incorporated into the Special Permit to preclude potential for significant adverse noise impacts.
- **Neighborhood Character:** The proposed action would not create significant impacts to any of the aspects of the environment that contribute to Neighborhood Character such that, alone or cumulatively, they would result in significant adverse impacts to Neighborhood Character.
- **Construction:** Construction resulting from the proposed action would not last longer than two years or occur in a Central Business District or on a major arterial, or result in narrowing or obstructing of pedestrian or vehicular routes in proximity to critical land uses. No significant adverse impacts would result from the approval of the proposed project.

Land Use, Zoning, and Public Policy

This analysis of land use, zoning, and public policy follows the guidelines set forth in the City Environmental Quality Review (CEQR) Technical Manual (2014 Edition). It characterizes the existing conditions in the area surrounding the project site and addresses potential impacts to land use, zoning, and public policy that would be associated with the proposed action.

Methodology

According to the 2014 CEQR Technical Manual, a preliminary land use and zoning assessment includes a basic description of existing and future land uses and zoning information, and describes any changes in zoning that could cause changes in land use. It also characterizes the land use development trends in the area surrounding the project site that might be affected by the proposed action, and determines whether the proposed project is compatible with those trends or may affect them. This preliminary assessment includes a basic description of the proposed project that would be facilitated by the proposed action in order to determine whether a more detailed assessment would be appropriate.

For public policy, the 2014 CEQR Technical Manual stipulates that a preliminary assessment should identify and describe any public policies (formal plans, published reports) that pertain to the study area, and should determine whether the proposed project could alter or conflict with identified policies. If so, a detailed assessment should be conducted. Otherwise no further assessment is needed.

The following land use, zoning, and public policy assessment follows this guidance and provides a description of existing conditions of the project site and surrounding area. This is followed by an assessment of the future without and with the proposed action (future No-Action and With-Action conditions, respectively), and a determination that no further analysis is needed.

The land use study area is typically defined as the area within 600 feet of the project site which, for this project, is generally bounded by Greene Street to the west, Grand Street to the north, Mercer Street to the east, and Canal Street to the south (Figure A). This is the area in which the proposed action would be most likely to have effects in terms of land use, zoning, or public policy

Land Use

With the approval of the proposed Special Permit, the building at 10 Greene Street (block 230, Lot 13) would be enlarged with a one story, including mezzanine, penthouse rooftop addition. Floors 2 through 6 would be occupied by Use Group 2 residential use. The ground floor use would be occupied by Use Group 6 commercial retail (clothing boutiques, hair salons, and art galleries). The applicant intends to develop a total of four residential units. For CEQR analysis purposes, the analysis will consider 9 residential dwelling units. The subject property is located in an M1-5B district which allows Use Groups (UG) 4-14, 16 and 17. Residential uses are permitted by Special Permit.

The subject property is located within the SoHo- Cast Iron Historic District. The area contains one of the largest collections of cast-iron buildings. The area is designated as manufacturing but in fact has very few industrial or manufacturing uses. The buildings are mainly mixed use with ground floor retail use predominantly occupied by clothing, home furnishings, and decorative arts retailers. Residential and JLWQA uses, as well as commercial offices and studios, are found on upper floors of buildings within the study area including those on the subject block. SoHo is known for its variety of commercial retail shops ranging from boutiques to national chain store outlets.

No-Action Condition

The existing building is currently vacant with former manufacturing and commercial uses. The proposed uses are not permitted as of right in M1-5B districts. The building could be enlarged as-of-right for conforming uses; however, no such development is anticipated. The building has no current certificate of occupancy. Therefore, the building would remain vacant.

With-Action Condition

With the approval of the proposed Special Permit, the building at 10 Greene Street would be enlarged with a one story, including mezzanine, penthouse rooftop addition. Floors 2 through 6 would be converted to Use Group 2 residential use. The ground floor use would be occupied by Use Group 6 commercial retail (clothing boutiques, hair salons, and art galleries). The applicant intends to develop a total of four residential units but will analyze 9 units for CEQR purposes.

Retail uses occupy many ground floor spaces in the study area, and contribute to the area's vitality and pedestrian ambience. The SoHo area has gradually changed from a manufacturing district to a mixed-use district. As the manufacturing activities declined the buildings have been converted for retail use with upper floor residential or JLQWA. The proposed mixture of ground floor retail and upper residences would be consistent with established and ongoing land use patterns in SoHo and would not result in adverse impacts on Land Use.

Zoning

The proposed action would vary use regulations of the Zoning Resolution to allow UG 2 residential use within the M1-5B district, and to allow retail use (UG 6) on the ground floor of an existing building. Such uses are permitted pursuant to ZR 74-711 subject to conditions that the proposed modifications of use, along with a continuing maintenance program, would serve a preservation purpose, and that the use modification would have minimal adverse effects on conforming uses within the building and the surrounding area.

M1-5B districts have a maximum FAR of 5.0, building heights cannot penetrate the sky exposure (85 feet), and have a minimum rear yard requirement of 20 feet. Zoning regulations allow UG 4 - 14 (community facilities, transient hotels, retail and service establishments, home maintenance and repair, amusement establishments, services to business, large retail, custom manufacturing, large entertainment facilities, low coverage or open uses and facilities for boating related activities),¹⁶ (semi-industrial uses) and ¹⁷ (light industrial uses). The proposed UG 2 residential is not permitted in M1-5B zoning district and commercial uses are not permitted below the second floor. The approval of the Special Permit would vary the use regulations to allow the

UG2 residential uses on the second through sixth floor and also allow UG6 retail on the ground floor. There are no parking requirements in the M1-5B zoning district.

No-Action Condition

The existing building is located in a M1-5B district. The building is five stories with a floor area of 12,248 zoning square feet (zsf), a FAR of 4.37 and a height of 82 feet 1 inches. The lot has dimensions of 28.13 feet by 100 feet with a lot area of 2,813 square feet and a total gross floor area of 14,956 square feet. There is a rear yard of 12 feet 11 inches deep to the rear lot line. The building has no current certificate of occupancy. Therefore, the building would remain vacant.

With-Action Condition

With the approval of the proposed Special Permit, the building at 10 Greene Street would be enlarged with a one story, including mezzanine, penthouse rooftop addition. The Special Permit would allow for Floors 2 through 6 to be occupied by Use Group 2 residential use (11,680 zoning square feet (zsf) for a FAR of 4.16). The approval would also allow the ground floor to be occupied by Use Group 6 commercial retail such as clothing boutiques, hair salons, and art galleries (1,991 zsf for a FAR of 0.7). The building will retain its existing street wall elevation of 82 feet 1 inch. The new penthouse addition will have a setback of 20 feet and will raise the rooftop to 106 feet 8.25 inches.

The proposed project would meet the requirements of the Special Permit. Pursuant to Z.R. 43-43, the proposed addition is within the applicable zoning envelope which is governed by maximum base height of 85' and applicable sky exposure planes of 1 to 1. It would not create a conflict with established zoning patterns or the intent of the zoning resolution, and would not adversely affect surrounding uses. A significant adverse zoning impact would not occur with the approval of the Special Permit.

Public Policy

Public policy for the subject site is defined by both the NYC Zoning Resolution and the NYC Landmarks Regulations. Public policy includes the ability of the City Planning Commission to grant modifications of use regulations under ZR 74-711 where conditions are met with regard to LPC approval of the proposed modifications and the establishment of a maintenance program for the historic resource, and findings are met with regard to effect on surrounding uses. Modification of the site's use regulations under this section would not create conflicts with surrounding land uses. The proposed modification would allow for the enlargement and modification of the existing building and would result in a design that is compatible with the surrounding development. The proposed Special Permit would incorporate a preservation and maintenance plan that would ensure that the building is maintained in a sound, first class condition. The LPC has determined that the proposed development would be appropriate for its location within the SoHo Cast Iron Historic District and would be consistent with the goals and intent of the historic district designation. Therefore, the proposed action would be consistent with public policy, and would not result in significant adverse impacts.

Open Space

An open space assessment is generally required if the proposed action would have a direct or indirect effect on open space resources. Direct effects would occur if the proposed action would result in the physical loss of a public open space; change of use of an open space so that it no longer serves the same user population; limit public access to an open space; or cause increased noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness, whether temporary or permanent.

Methodology

This preliminary analysis of open space policy follows the guidelines set forth in the 2014 CEQR Technical Manual for a preliminary assessment (Section 320). According to the 2014 CEQR Technical Manual, a preliminary open space assessment includes determining if the proposed project will have a direct effect, indirect effect on open space or alienate any parkland. The preliminary assessment is started by defining and mapping the study area and identifying all open space in that area that fall within a ½ mile of the subject property. The percentage of change in total population relative to total open space in the area determines whether the elimination of open space and/or increase in user population would significantly reduce the amount of available open space for area's population. If the open space ratio would increase or remain substantially the same in the With-Action condition compared to the No-Action condition, no further analysis is required. Decreases in the open space ration would generally warrant a more detailed analysis.

The following open space assessment follows this guidance and provides a description of existing conditions of the project site and surrounding area. This is followed by an assessment of the future without and with the proposed action (future No-Action and With-Action conditions, respectively), and a determination that no further analysis is needed.

Analysis

No-Action Condition

The subject property is improved with a five-story plus cellar building. The building is currently vacant with former manufacturing and commercial uses. The existing building has 12,248 gross square feet of floor area. The building's existing height is 82 feet 1 inch. Although the building could be enlarged as-of-right for conforming uses, no such development is anticipated. The building has no current certificate of occupancy. Therefore, the building would remain vacant.

With-Action Condition:

With the approval of the proposed Special Permit, the building at 10 Greene Street would be enlarged with a one story, including mezzanine, penthouse rooftop addition. The Special Permit would allow for Floors 2 through 6 to be occupied by Use Group 2 residential use (11,680 zoning square feet (zsf) for a FAR of 4.16). The approval would also allow the ground floor to be occupied by Use Group 6 commercial retail such as clothing boutiques, hair salons, and art galleries (1,991 zsf for a FAR of 0.7). The building will retain its existing street wall elevation

of 82 feet 1 inch. The new penthouse addition will have a setback of 20 feet and will raise the rooftop to 106 feet 8.25 inches.

The zoning analysis for the proposed building indicates that there would be 13,771 square feet of residential floor area with 4 dwelling units and 8 residents.² For conservative analysis purposes, 9 dwelling units and 17 residents will be considered.

The proposed action would allow for the rooftop addition of a partial 6th floor on an already developed lot. The addition would setback for 20', keeping the existing street wall height of 82'-1" and the 12.5 feet of rear yard. There would be no physical loss or change in open space as a result of this development. The approval of the proposed action would have no direct effect on open space.

The subject property is located in an area considered underserved by open space. Therefore, the indirect effects the proposed action would have on open space must be considered. The approval of the proposed action would allow for the conversion of manufacturing floor area to residential and for retail uses to be introduced into the area. There will be 17 new residents and 25 new workers introduced which would not exceed the thresholds outlined in *2014 CEQR Technical Manual*. Therefore, no significant adverse impacts on open space is anticipated and no further assessment is warranted.

² 2010 Census Avg Household Size for CD2 in Manhattan =1.96

Shadows

Per the *2014 CEQR Technical Manual*, the shadow assessment considers projects that result in new shadows long enough to reach a sunlight-sensitive resource. Therefore, a shadow assessment is required only if the project would either (a) result in a new structure (or addition to existing structure including the addition of rooftop mechanical equipment) of 50 feet or more or (b) be located adjacent to, or across the street from a sunlight-sensitive resource.

Methodology

This preliminary analysis of shadows follows the guidelines set forth in the *2014 CEQR Technical Manual* for a preliminary assessment (Section 310). According to the *2014 CEQR Technical Manual*, a preliminary shadow assessment includes the development of a base map showing the site location in relationship to any sunlight-sensitive resources as per guidelines provided in the *2014 CEQR Technical Manual*. Following these guidelines, the longest shadow study area is determined and a Tier 1 screening assessment is conducted to determine if any sunlight-sensitive resources fall within the study area. If no resources are identified, no further analysis would be required. If sunlight-sensitive resources lay within the longest shadow study area, the next tier of screening assessment should be conducted. This preliminary assessment includes a basic description of the proposed project that would be facilitated by the proposed action in order to determine whether a more detailed assessment would be appropriate.

The following shadow assessment follows this guidance and provides a description of existing conditions of the project site and surrounding area. This is followed by an assessment of the future without and with the proposed action (future No-Action and With-Action conditions, respectively), and a determination that no further analysis is needed.

Analysis

No-Action Condition

The subject property is improved with a five-story plus cellar building. The building is currently vacant with former manufacturing and commercial uses. The existing building has 12,248 gross square feet of floor area. The building's existing height is 82 feet 1 inch.

With-Action Condition:

With the approval of the proposed Special Permit, the building at 10 Greene Street (Block 230, Lot 13) would be enlarged with a one story, including mezzanine, penthouse rooftop addition. The addition would setback for 20', keeping the existing street wall height of 82'-1" and the 12.5 feet of rear yard. The addition and mechanicals would increase the height of the existing building by 24 feet to 106 feet.

The subject property is located within the SoHo Historic District. A survey of the surrounding area did not identify any sunlight-sensitive resources as identified in the *2014 CEQR Technical Manual*. In addition, the incremental difference in height between the No-Action and With-Action conditions is less than 50', below the threshold that would require further analysis.

Therefore, the approval of the proposed action would not have a significant negative impact on Shadows and no further analysis is required.

Historic and Cultural Resources

According to the *2014 CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a proposed action affects those characteristics that make a resource eligible for LPC designation or State/National Register listing. The assessment would determine (a) whether there would be a physical change to any designated resource or its setting, 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). The subject property is located on Block 230, Lot 13 within the So-Ho Historic District. Therefore, further analysis is required.

Methodology

In general, potential impacts to architectural resources can include both direct, physical impacts and indirect, contextual impacts. Direct impacts include demolition of a resource and alterations to a resource that cause it to become a different visual entity. Contextual impacts can include the isolation of a property from its surrounding environment, or the introduction of visual, audible, or atmospheric elements that are out of character with a property or that alter its setting. The study area for architectural resources is, therefore, larger than the archaeological resources study area to account for any potential impacts that may occur where proposed activities could physically alter architectural resources or be close enough to them to potentially cause physical damage or visual or contextual impacts.

Following the guidelines of the 2014 CEQR Technical Manual, the architectural resources study area for this project is defined as being within an approximately 400-foot radius of the project site. Within the study area, architectural resources that were analyzed include known architectural resources, defined as National Historic Landmarks (NHLs); properties listed in the State or National Register of Historic Places (S/NR) or determined eligible for such listing (S/NR-eligible); and New York City Landmarks (NYCLs), Interior Landmarks, Scenic Landmarks, Historic Districts, and properties calendared for landmark designation by the Landmarks Preservation Commission (LPC).

Analysis

No-Action Condition

The proposed uses are not permitted as of right in M1-5B districts, the building could be enlarged as-of-right for conforming uses, although no such development is anticipated. The building has no current certificate of occupancy. Therefore, the building would remain vacant.

With-Action Condition

With the approval of the proposed Special Permit, the building at 10 Greene Street would be enlarged with a one story, including mezzanine, penthouse rooftop addition. Floors 2 through 6 would be occupied by Use Group 2 residential use. The ground floor use would be occupied by Use Group 6 commercial retail (clothing boutiques, hair salons, and art galleries). The applicant intends to develop a total of four residential units.

The project site is identified as 10 Greene Street, and is located on the east side of Greene Street approximately 100 feet north of the intersection of Canal and Greene Streets in the SoHo Cast Iron Historic District (Figure 1). SoHo is an area of Manhattan bounded by Houston Street on the northern side, Canal Street on the south side, Crosby Street on the east side and Sixth Avenue to the west. The area was rural until the 1850s when it grew into a fashionable district lined with stores, theaters and posh hotels. By 1870s, factories replaced the entertainment. As the industries declined the area became filled with empty industrial buildings. In the 1960s, artists began to take over the industrial lofts and converted them into studios. Gentrification soon followed and the neighborhood is now populated with luxury condos, high-end retailers, art galleries and popular restaurants.

The subject property is a store and warehouse building designed by John B. Snook and built in 1869. Based on the findings of the NYC Landmarks Preservation Commission designation report, this building appears to be the earliest cast iron building on this block of Greene Street. The building formerly contained a mixture of office space, artist galleries and commercial retail. The building's style, scale, materials and details are among the features that contribute to the special architectural and historic character of the SoHo-Cast Iron Historic District.

Archaeological Resources

Archeological resources are physical remains, usually buried, of past activities on a site. The *CEQR Technical Manual* requires an evaluation of an action's potential for impacts on archaeological resources if it would result in a new or additional in-ground disturbance to an area. For any actions that would result in new ground disturbance, assessment of both prehistoric and historic archaeological resources is generally appropriate.

The subject property is located on a site that is already developed with a vacant building. No further ground disturbance will be taking place in the no-action and with-action scenarios since the amount of lot coverage would remain the same for the development of a partial 6th floor and mezzanine level. It is assumed that the proposed development would have no archaeological remains as the lot had been previously excavated to build the currently existing building. A request for an environmental review was sent to Landmark Preservation Commission and a determination of "acceptable for historic and cultural resources" was returned (Appendix A). Therefore, the proposed action is not expected to result in significant adverse archaeological impacts.

Architectural Resources

Historic resources could be directly affected by physical destruction, demolition, damage, alteration, or neglect. The applicant proposes to enlarge the existing building to add a rooftop penthouse addition, including mezzanine, of about 1,731 square feet on top of the fifth floor. The proposed bulk addition is as-of-right within M1-5B district regulations. The building will maintain its existing street wall height of 82'1", from which the proposed penthouse would setback for 20' and rise to a height of about 106 feet. With the enlargement, the building would contain a total floor area of 16,948 gsf (4.86 FAR), including 3,177 gsf for retail use on the ground floor and 13,771 gsf for residential use (a residential lobby on the ground floor, four units on floors two through penthouse). The cellar would be used as accessory space for the proposed retail use and accessory residential use.

There are no landmarked buildings adjacent to or within the project area, however the subject site is within the SoHo Cast Iron Historic District, designated in 1973 by the New York City Landmarks Preservation Commission (LPC), which is also listed on the National Register of Historic Places. The area is characterized by loft-style buildings typically built to a height of five to twelve stories, covering the entire lot width and with a cast iron façade. Development of the district began in the late 18th century as a few businesses and wealthy residents moved in. The latter half of the 19th century saw the district evolve into a center of commerce and entertainment, and the majority of the cast-iron buildings were constructed during this period. The use of cast-iron allowed for ornate facades that were much cheaper alternative to granite and marble. The district began to decline in early 20th century leaving many of the industrial spaces vacant for decades. In the late 1960s, artists became attracted to the area because the large, unoccupied loft spaces made affordable studios. Many of those who moved into the area lived in their workspaces. The area has become a model for repurposing an industrial district for mixed use, both commercial and residential, while preserving much of the existing structural integrity. It is known for its unique cast-iron architecture, desirable loft living and upscale boutiques.

The proposed action would allow construction of a new penthouse plus mezzanine, as well as the conversion of the second through sixth floors to residential uses. The building is currently vacant and has no current certificate of occupancy, in the future without the proposed action; the building would remain vacant (Figure 2).

The enlarged building would be consistent in scale and built form to surrounding buildings. On March 4, 2016, LPC issued Certificate of Appropriateness #18-2925 approving the proposed construction of partial 6th floor and mezzanine (Appendix B). On March 4, 2016, LPC issued MOU #18-2929, confirming that a program has been established for continuing maintenance that will result in the preservation of the building, and that the bulk modification and restorative work, under the continuing maintenance program, contribute to a preservation purpose. Implementation of the ongoing maintenance program specified in this MOU would ensure preservation of this historic resource. The project applicant would enter into a Restrictive Declaration, binding the applicant to completion of the work as specified in C of A 18-2925, upon approval of the Proposed Action. The relevant LPC documents are included in Appendix A.

Granting the of the Special Permit would allow for the conversion of floors 2 through 6 to residential use and the ground floor to commercial retail. The as-of-right addition of a partial 6th floor with mezzanine would result in a building with the architectural character of the surrounding buildings within the SoHo Cast Iron Historic District. Thus, no significant adverse impacts are anticipated with the approval of the proposed Action and the subsequent development of the subject property pursuant to the Certificate of Appropriateness issued by LPC. No additional analysis is required and no impacts would occur.

Figure 1- Historic Resources Study Area

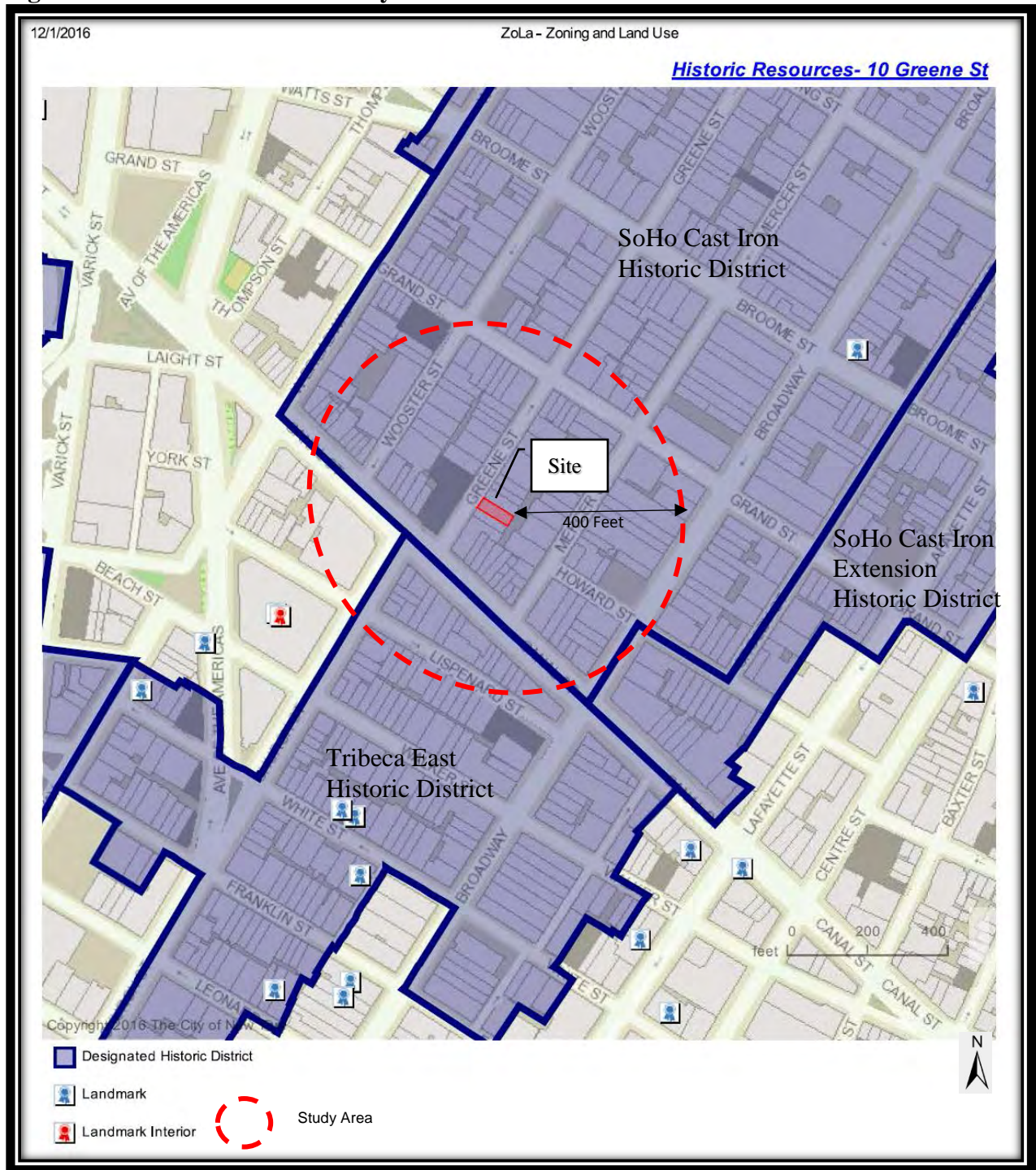
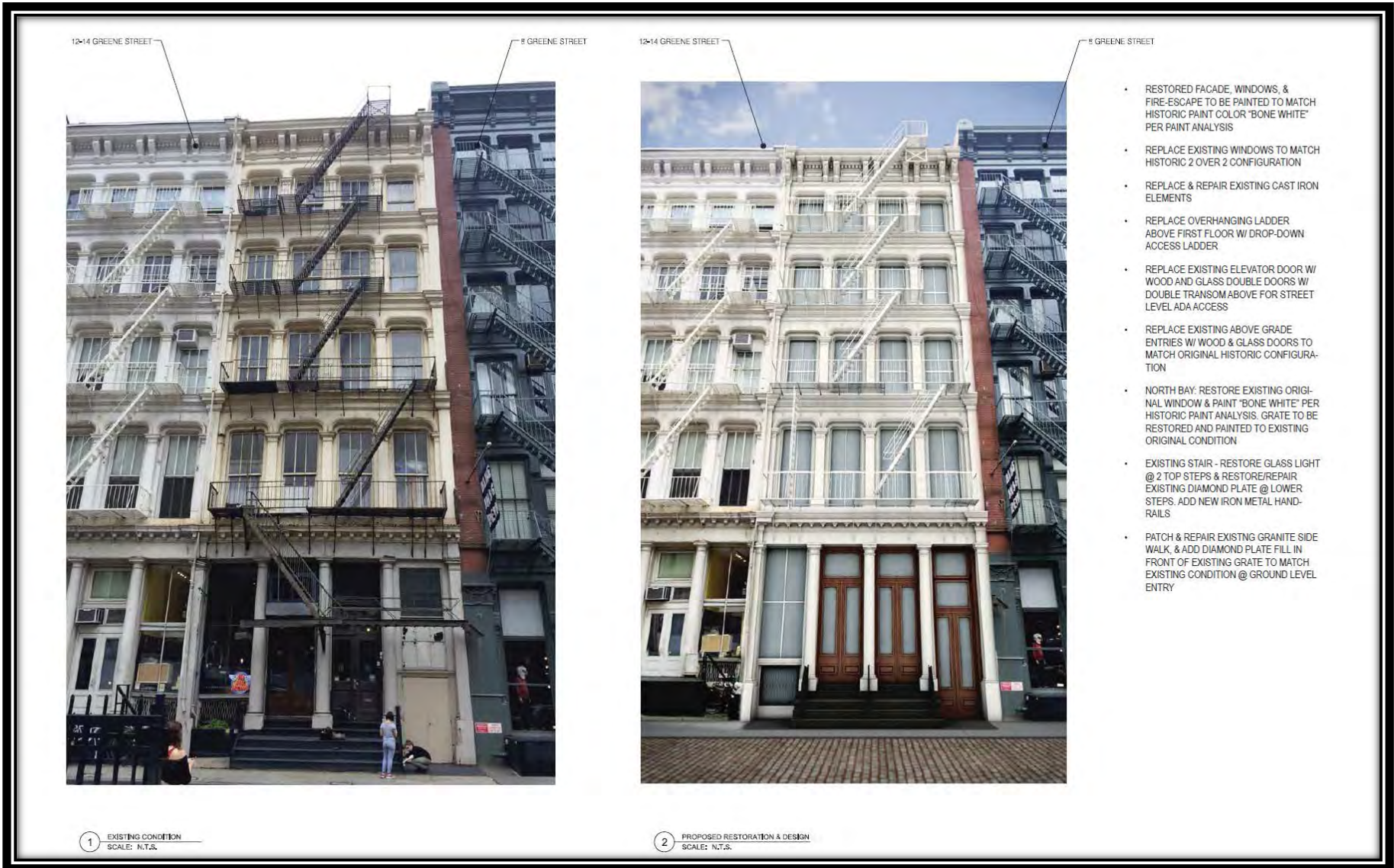


Figure 2- With-Action/No-Action Condition



Urban Design and Visual Resources

According to the *2014 CEQR Technical Manual*, an assessment of urban design is needed when the project may alter the arrangement, appearance and functionality of the built environment from the pedestrian's perspective. A preliminary assessment of urban design may be required when there is the potential for a pedestrian to observe from the street level, an enlargement beyond that allowed by existing zoning regulations. The proposed project will include a rooftop addition that is within the applicable zoning envelope, which is governed by maximum base height of 85 feet and applicable sky exposure planes of 1 to 1, as permitted in M1-5B district.

A visual resource is any significant natural or built feature that is enjoyed by the public at large, including views of the waterfront, public parks, landmarks or other distinct buildings or natural resources. There are no historic resources listed within the 400-foot study area. There are a few resources that are eligible for landmark status but views of these resources from the project site are limited or distant and are not significant visual corridors to the resources. Therefore, the proposed action would not result in any significant adverse impacts to visual resources, and no further analysis is warranted.

Methodology

In accordance with the *2014 CEQR Technical Manual* guidelines, the following preliminary urban design assessment considers a 400-foot radius study area where the proposed action would be most likely to influence the built environment. The purpose of the preliminary assessment is to determine whether any physical changes proposed by the project would significantly impact elements of urban design, the following information, if known, is included in a preliminary assessment:

- A concise narrative of the existing project area and conditions under the future No-Action and With-Action conditions;
- Ground-level photographs of the site area with immediate context;
- Lot and tower coverage, and building heights; and
- A three-dimensional representation of the future With-Action and No-Action (if relevant) condition streetscapes.

If the preliminary assessment determines that a change to the pedestrian experience is minimal and unlikely to disturb the vitality, walkability or the visual character of the area, then no further assessment is necessary. However, if it shows that changes to the pedestrian environment are significant enough to require greater explanation and further study, then a detailed analysis may be appropriate.

The following preliminary urban design assessment follows these guidelines and provides a characterization of existing conditions followed by an description of urban design under the future No-Action and With-Action conditions, and an analysis determining the extent to which physical changes resulting from the proposed action would alter the pedestrian experience.

Analysis

The study area is defined as the area within 400 feet of the project site and is generally bounded by Mercer Street, Grand Street, Canal Street and Greene Street. This is the area in which the proposed action would be most likely to have effects in terms of urban design.

No-Action Condition

The proposed uses are not permitted as of right in M1-5B districts, the building could be enlarged as-of-right for conforming uses, although no such development is anticipated. The existing building is five stories with a height of 82 feet 1 inches (Figure 3 A). There is a rear yard of 12 feet 11 inches deep to the rear lot line.

With-Action Condition

With the approval of the proposed Special Permit, the building at 10 Greene Street would be enlarged with a one story, including mezzanine, penthouse rooftop addition. The Proposed Building will have a total of five stories plus a Rooftop Addition. It will retain its existing street wall elevation of 82 feet 1 inches, to the top of the cornice. At this elevation, the Rooftop Addition will set back 20 feet from the street line. The top of the Rooftop Addition will be 101 feet 8.25 inches tall and will not be visible from the sidewalk across from the Development Site. The top of the elevator bulkhead will be 103 feet 9.5 inches with adjacent mechanical screening at 106 feet 8.5 inches. The proposed Rooftop Addition is within the applicable zoning envelope, which is governed by maximum base height and applicable sky exposure planes, as permitted in an M1-5B district.

The Project Site is located at 10 Greene Street in the SoHo Historic District. The Development Site is improved with a five-story building that was constructed in approximately 1869; there is no Certificate of Occupancy. The five-story building is 82 feet 1 inches tall, built to party walls, and has a legally non-conforming rear yard that is 12 feet 11 inches deep to the rear lot line above the first floor.

The urban fabric of SoHo was established with the construction of multi-story loft buildings in the second half of the nineteenth century along the neighborhood's narrow streets. The surrounding area is developed predominantly with full-coverage loft buildings ranging in size from five to six stories and characterized by high ceiling heights (Figure 3). The building immediately north of the subject site at 12 Greene Street is 6-stories in height. Many of these buildings feature the ornate cast iron facades that distinguish the area. Ground floor space is predominantly occupied by retail uses particularly clothing, décor and home furnishings, and art galleries. Many buildings' upper floors contain joint living-work quarters for artists or commercial offices and studios, or have been converted to residential use. The built form of the project block and surrounding areas is shown in the photo log included in this document.

Figure 3- Street Elevations



The following renderings show the existing and proposed building's relationship to surrounding buildings. The proposed action would be compatible with the area's urban design. The proposed building's height and rooftop structures would be similar to adjacent buildings to the south. (Figures 3A & 3B).

The proposed rooftop addition will be setback 20 feet from the street wall height, keeping the original height of the building unchanged (Figure 3B). The penthouse addition will add 19 feet 7.25 inches for a total of 101 feet 8.25 inches but will not be visible from the sidewalk across from the Development Site. Figures 4A & 4B show the proposed building elevations from various directions of the surrounding streets. The proposed enlargement of the project site building would take place on an existing building on an existing block and would therefore not alter street orientation or street patterns in the study area. The proposed enlargement would not change the total building coverage on the site. The enlarged building would be consistent in scale and built form to surrounding buildings.

On March 4, 2016, LPC issued Certificate of Appropriateness #18-2925 approving the proposed construction of partial 6th floor and mezzanine. On March 4, 2016, LPC issued MOU #18-2929, confirming that a program has been established for continuing maintenance that will result in the preservation of the building, and that the bulk modification and restorative work, under the continuing maintenance program, contribute to a preservation purpose. Implementation of the ongoing maintenance program specified in this MOU would ensure preservation of this historic resource. The project applicant would enter into a Restrictive Declaration, binding the applicant to completion of the work as specified in C of A 18-2925, upon approval of the Proposed Action.

Overall, the proposed project would be compatible with the retail and residential character of the surrounding area. The proposed enlargement would reflect and enhance the existing urban design character found in the study area, primarily defined by boutique and upscale retail shopping with residential uses. The enlargement would conform with the zoning governing urban design in the area. The building's style, scale, materials and details are among the features that contribute to the special architectural and historic character of the SoHo-Cast Iron Historic District. Therefore, the proposed project would not have a significant adverse impact on Urban Design and no further analysis is warranted.

Figure 3A- No-Action Massing Diagram

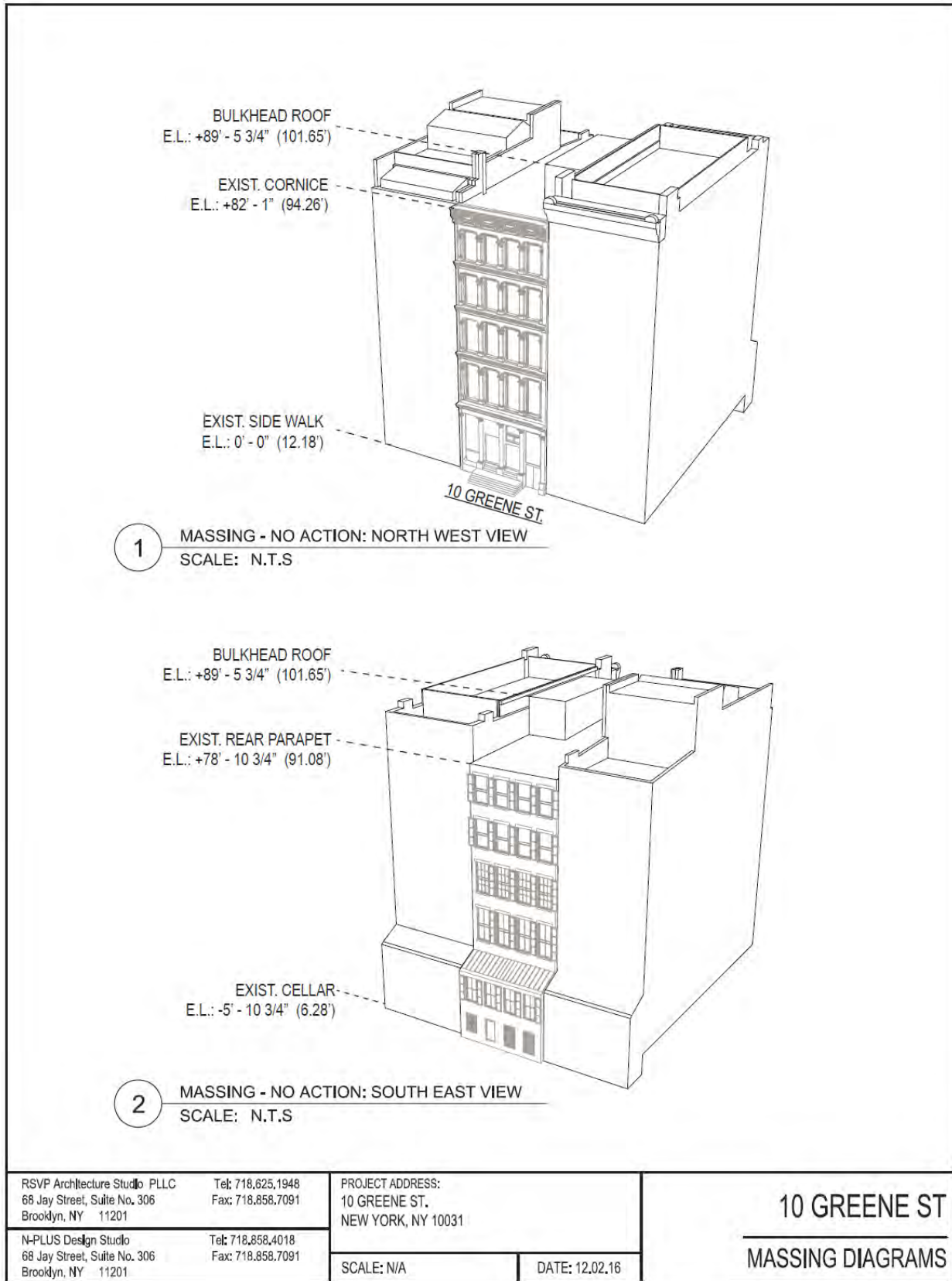


Figure 3B- With-Action Massing Diagram

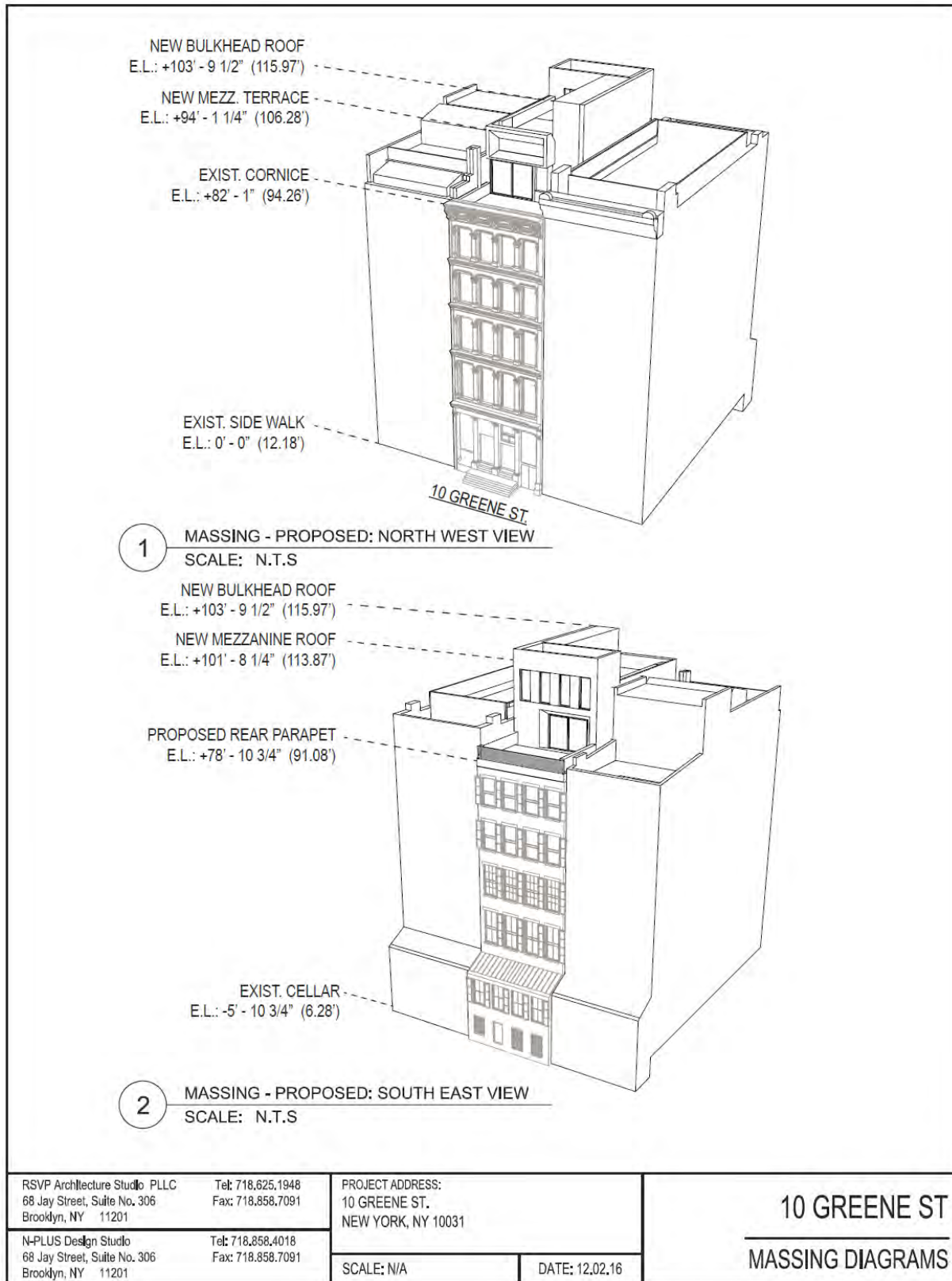


Figure 4A- Street Views



Figure 4B- Street Views

<p>VIEW 11</p>	<p>VIEW 12 WITH MOCK-UP</p>	<p>VIEW 13 WITH MOCK-UP</p>	<p>VIEW 13 WITH RENDERING</p>	<p>SCHEMATIC</p> <p>DATE: 1/14/15</p> <p>BY: N+PLUS ARCHITECTURE & DESIGN 55 JAY STREET SUITE 402 BROOKLYN, NY 11201 TEL: 718-624-4276 FAX: 718-624-1751 WWW.NPLUS.COM</p> <p>BY: BVV ARCHITECTURE STUDIO P.L.L.C. 100 NASSAU ST. 12TH FLOOR BROOKLYN, NY 11201 TEL: 718-425-2648 FAX: 718-425-1051 WWW.BVVARCHITECT.COM</p> <p>PROJECT NAME: 10 GREENE</p> <p>PROJECT LOCATION: 10 GREENE STREET NEW YORK, NY 10001</p> <p>OWNER: 10 GREENE OWNER LLC 444 MADISON AVENUE (30ND FL) NEW YORK, NY 10022</p> <p>ARCHITECT: BVV ARCHITECTURE & DESIGN 100 NASSAU STREET, 12ND FLOOR BROOKLYN, NY 11201 TEL: 718-425-2648</p> <p>STRUCTURAL ENGINEER: OLD STRUCTURES ENGINEERING, PC 100 WASHINGTON STREET, 10TH FLOOR NEW YORK, NY 10038 TEL: 212-694-4444</p> <p>MECHANICAL ENGINEER: BUILDING CONSERVATION ASSOCIATES 40 EAST 57TH STREET NEW YORK, NY 10022 TEL: 212-477-1100</p> <p>LANDMARKS - LPC 74-711 SPECIAL PERMIT</p> <p>DATE: 1/14/15</p> <p>SITE PHOTOS</p> <p>DATE: 1/14/15</p> <p>EXISTING STREET VIEWS WITH MOCK-UP</p> <p>DATE: AS NOTED</p> <p>DATE: 11/04/2015</p> <p>G-002 3 OF 18</p>
<p>VIEW 14 WITH MOCK-UP</p>	<p>KEY PLAN</p>			

Hazardous Materials

According to the CEQR Technical Manual, the potential for significant impacts from hazardous materials can occur when: (a) hazardous material exists 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. Since the proposed action would allow new development for residential and local retail use, no new activities or processes using hazardous materials would be introduced to the site or increase pathways to a hazardous materials exposure.

Methodology

The hazardous materials assessment generally begins with a Phase 1 ESA, which is a qualitative evaluation of the environmental conditions present at a site, based on a review of available information site observations, and interviews. Pursuant to the *2014 CEQR Technical Manual*, the Phase 1 ESA is conducted in accordance with the standards established by the current ASTM Phase 1 ESA Standard and includes research and field observations to determine whether the site may contain contamination from either past or present activities on the site or as a result of activities on adjacent or nearby properties. If a potential REC is identified during this assessment, then building any subsurface investigations are usually conducted as part of a Phase II ESA to confirm the presence and extent of the contamination.

Analysis

No-Action Condition

The subject property is improved with a five-story plus cellar building. The building is currently vacant with former manufacturing and commercial uses. The existing building has 12,248 gross square feet of floor area. The building's existing height is 82 feet 1 inch. Although the building could be enlarged as-of-right for conforming uses, no such development is anticipated. The building has no current certificate of occupancy. Therefore, the building would remain vacant.

With-Action Condition:

With the approval of the proposed Special Permit, the building at 10 Greene Street would be enlarged with a one story, including mezzanine, penthouse rooftop addition. Floors 2 through 6 would be occupied by Use Group 2 residential use. The ground floor use would be occupied by Use Group 6 commercial retail (clothing boutiques, hair salons, and art galleries). The applicant intends to develop a total of four residential units.

The impact analysis considers the incremental difference between the No-action and a reasonable worse case development scenario for the project site. The zoning analysis for the proposed building indicates that there would be 13,771 square feet of residential floor area. The building's ground floor would be occupied by 3,177 sf of commercial retail use and 618 sf of residential use (lobby). Cellar space would be used as ancillary residential and commercial space.

The building has two means of egress from the upper floors – a front exterior fire escape and an interior stairway located along the southern party wall of the building approximately halfway back. As a practical matter given the building's narrowness, creating a second stairway core

would make for impractical floor layouts, particularly on the ground floor where access to a second stairway would significantly cut into an already limited floor area available for ground floor retail use. Additionally, adding a second stairway would require a significant modification of the historic Greene Street façade which would run contrary to our Landmarks Draft Certificate of Appropriateness and Final MOU (made part of our ULURP Application). Legally, all dwelling units must have two means of egress, so therefore all dwelling units must have access to both the front fire escape and the stairway. This imposes a feasible limit of two units per floor on each of floors two through five, and a single unit in the penthouse addition, for a total of nine dwelling units.

Conditions at the project site resulting from previous and existing uses and those in surrounding areas were determined from a review of a Phase 1 Environmental Site Assessment (ESA) prepared by Environmental Affiliates Inc. in February 2013. This ESA was performed pursuant to ASTM Standard E-1527-05. The purpose of the Phase I ESA was to evaluate the current and historical conditions of the subject property in an effort to identify recognized environmental conditions (RECs) in connection with the subject property (Appendix C). The review was conducted in October 2014 by Merritt Environmental Consulting and found no discrepancies with the results of the Phase 1 ESA as described below. The Department of Environmental Protection reviewed the Phase 1 and has determined the proposed project acceptable (Appendix A).

Through a visual inspection and interviews the EAI Inspector, accompanied by Mike Fussell, Property Manager, has confirmed that there is one (1) active registered 1,500-gallon aboveground (AST) heating oil tank (oil #2) in the basement of the subject property. No leaks or spills were noted in the immediate vicinity. One aboveground fill pipe and one (1) vent pipe are located in front of the subject building, servicing the active 1,500-gallon aboveground heating oil storage tank (AST)

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release, or a material threat of a release into structures on the property or into the ground, groundwater or surface waters of the property. De minimis RECs are those that do not present a threat to health or the environment, and would not be the subject of an enforcement action by a government agency. All RECs, excluding de minimis RECs were considered in the Phase I.

According to the EAI Report no Recognized Environmental Conditions were identified at the site or in its immediate vicinity that could adversely impact upon its environment quality. No releases of chemicals were noted during the site inspection, nor were any documented releases identified in records maintained by any public agencies having jurisdiction over the subject property. The approval of the Special Permit to allow residential and commercial uses in a manufacturing zone will have no negative impacts from Hazardous Materials. No further assessment work is necessary in order to evaluate the environmental condition of the property.

Air Quality

Air quality impacts can be either direct or indirect. Direct impacts are impacts that result from emissions generated by stationary sources at a development site, or emissions from parking garage ventilation systems. Indirect impacts are caused by emissions from nearby existing stationary sources or from on-road vehicle trips generated by an action or other changes to future traffic conditions due to the action.

Methodology

In accordance with the guidance provided in the *2014 CEQR Technical Manual*, the first step in performing air quality analyses is to determine the appropriate study area. The study area encompasses the region or locations where there is the potential for a significant air quality impact resulting directly or indirectly from the project. Thus, the extent of the study area depends on the project proposed and the pollutants of concern. When a proposed project would result in a new stationary source, the following general guidelines may apply:

- If a project would result in a single building that would use fossil fuels for heating/hot water, ventilation, and air conditioning systems, first perform the screening analysis presented in Subsection 322.1 of the *2014 CEQR Technical Manual* to determine whether further analyses are required. If required, the study area should generally include nearby buildings with heights similar to or greater than the stack.
- If a project would include operation of manufacturing or processing facilities, or medical, chemical, or research labs, the area within at least a 400-foot radius from the emission source should be included in the analysis.

Generally, a preliminary analysis is performed for the locations chosen using the above criteria. If significant impacts are predicted at all it may be appropriate to expand the study area to determine whether potential significant impacts may also occur at more distant locations.

Analysis

No-Action Condition

The subject property is improved with a five-story plus cellar building. The building is currently vacant with former manufacturing and commercial uses. The existing building has 12,248 gross square feet of floor area. The building's existing height is 82 feet 1 inch. Although the building could be enlarged as-of-right for conforming uses, no such development is anticipated. The building has no current certificate of occupancy. Therefore, the building would remain vacant.

With-Action Condition:

With the approval of the proposed Special Permit, the building at 10 Greene Street would be enlarged with a one story, including mezzanine, penthouse rooftop addition. Floors 2 through 6 would be occupied by Use Group 2 residential use. The ground floor use would be occupied by Use Group 6 commercial retail (clothing boutiques, hair salons, and art galleries). The applicant intends to develop a total of four residential units.

The impact analysis considers the incremental difference between the No-action and With-Action Scenario (collectively the Reasonable Worst Case Development Scenario) for the project

site. The zoning analysis for the proposed building indicates that there would be 13,771 square feet of residential floor area. The building's ground floor would be occupied by 3,177 sf of commercial retail use and 618 sf of residential use (lobby). Cellar space would be used as ancillary residential and commercial space.

The building has two means of egress from the upper floors – a front exterior fire escape and an interior stairway located along the southern party wall of the building approximately halfway back. As a practical matter given the building's narrowness, creating a second stairway core would make for impractical floor layouts, particularly on the ground floor where access to a second stairway would significantly cut into an already limited floor area available for ground floor retail use. Additionally, adding a second stairway would require a significant modification of the historic Greene Street façade which would run contrary to our Landmarks Draft Certificate of Appropriateness and Final MOU (made part of our ULURP Application). Legally, all dwelling units must have two means of egress, so therefore all dwelling units must have access to both the front fire escape and the stairway. This imposes a feasible limit of two units per floor on each of floors two through five, and a single unit in the penthouse addition, for a total of nine dwelling units and 17 new residents.

The proposed development would introduce a new residential and commercial population located at 10 Green Street. Therefore, the potential that nearby emission sources could adversely affect the incremental difference between the No-Action Condition and With-Action Condition must be considered. Additionally, the proposed project would result in the development of a new building that would have an HVAC system that would be an emission source. Potential impacts on existing buildings must also be evaluated.

Mobile Source (Tailpipe)

Projects may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile sources of pollutants or add new uses near mobile sources. The proposed development would not be located within 200 feet of a vehicular pollutants source; nor would it result in a covered roadway. A preliminary evaluation was carried out to assess whether the project would exceed any of the threshold criteria listed in the *2014 CEQR Technical Manual* to determine whether detailed analysis of potential mobile source impacts is warranted for the proposed action. As the proposed action would not potentially meet or exceed the criteria listed above, a detailed analysis is not required.

Stationary Sources

According to the CEQR Technical Manual, the potential of stationary source air quality impacts exists when actions create:

- New stationary sources of pollutants
- Add uses near existing (or planned) emissions stacks
- Add new uses that might be affected by the emissions from the stacks
- Add structures near such stacks and those structures can change the dispersion of emissions from the stacks so that they begin to affect surrounding uses

The proposed development would consist of a six-story building located at 10 Greene Street. The proposed development would provide additional residential floor area, as compared to a no-

action building without the additional building height that the special permit would accommodate. The development of the project site would have a maximum height of 106 feet within the M1-5B zoning district. With the additional one story, including mezzanine, penthouse rooftop addition the building would contain a total floor area of 16,948 gsf. There are buildings of equal or greater height within a 400 foot radius of the proposed site. Therefore, a preliminary screening was conducted to determine if the proposed development would have an impact on neighboring buildings.

The nearest sensitive receptor is a building located adjacent to the subject property (8 Greene Street) a 6-story commercial use building that is approximately 84 feet high. The building has a green roof that is used by the residents of the building, therefore potential impacts must be considered. The proposed development would have a new boiler and HWH vent located along the southern side of the roof top that will terminate 3 feet above the nearest obstructions within 10 feet. The proposed development of penthouse will increase the building height to 106 feet, with the vents extending above. The height of the proposed addition plus the vent height is greater than the adjacent 6-story building and therefore would have no impact on the building (Figure 17A & Figure 17B).

To preclude potential for significant adverse air quality impacts, an (E) Designation would be incorporated into the special permit for Block 230, Lot 13. The text for the (E) Designation is as follows:

Block 230, Lot 13

Any new development on the above referenced property must ensure that the HVAC stack is located at least 107 feet above grade to avoid any potential significant adverse air quality impacts.

A new 7-story mixed use building is under construction across Greene Street at 335 Canal Street. Impacts from the new development should be considered. The new development is on a lot 11, 245 square feet with a FAR of 5.0. For analysis purposes, it is assumed the new development will be built to maximum allowable floor area of 56, 225 square feet. The building is 78 feet from subject property. An analysis of impacts from the proposed development on the new construction was conducted using Figure 17-7. As shown, there would be no negative impacts on air quality from stationary sources.

Industrial Emissions

The proposed action would introduce a sensitive land use into the area. Accordingly, a preliminary screening was conducted to determine if there are any potential sources of industrial process emissions that could affect project residents. The project site is located in the SoHo section of Manhattan Community District 2 within an M1-5B zoning district that is developed predominantly with 5- to 7-story loft buildings, many of which have been converted to residential use or contain JLWQA. The surrounding area within a radius of 400 feet is zoned as primarily residential and commercial.

Reviews of DCP land use maps and field observations confirmed there are no industrial or manufacturing uses located within 400 feet of the subject property. The DEP boiler Information database (<https://a826-web01.nyc.gov/DEP.BoilerInformationExt/>) was searched to determine if active industrial process emissions permits are held by facilities operating within the search area. It was confirmed that there are no current industrial and/or manufacturing uses. Therefore, no significant adverse impacts related to industrial source air quality are expected to result from the proposed action and no further assessment is needed. Should the potential for adverse impacts related to air quality be identified during project review, the project sponsor commits to such project modifications as may be necessary to ensure no adverse impacts would occur.

REVISIONS:

05	REVISED PRE-APPLICATION SUBMISSION	11.21.16
04	REVISED PRE-APPLICATION SUBMISSION	10.28.16
03	REVISED PRE-APPLICATION SUBMISSION	07.22.16
02	REVISED PRE-APPLICATION SUBMISSION	05.02.16
01	PRE-APPLICATION SUBMISSION	09.25.15

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 BROOKLYN, NY 11201
 TEL: 718-625-1948
 FAX: 718-858-7091
 INFO@RSVP-STUDIO.COM

PROJECT NAME:
10 GREENE

PROJECT LOCATION:
 10 GREENE STREET
 NEW YORK, NY 10031

OWNER:
 JAVERI CAPITAL
 444 MADISON AVENUE (32ND FL)
 NEW YORK, NY 10022

MEP ENGINEER:
 EP ENGINEERING, LLC
 110 WILLIAM STREET, 32ND FLOOR
 New York, NY 10038 Tel: 212-257-6190

STRUCTURAL ENGINEER:
 OLD STRUCTURES ENGINEERING, PC
 111 BROADWAY, 14TH FLOOR
 New York, NY 10006 Tel: 212-244-4546

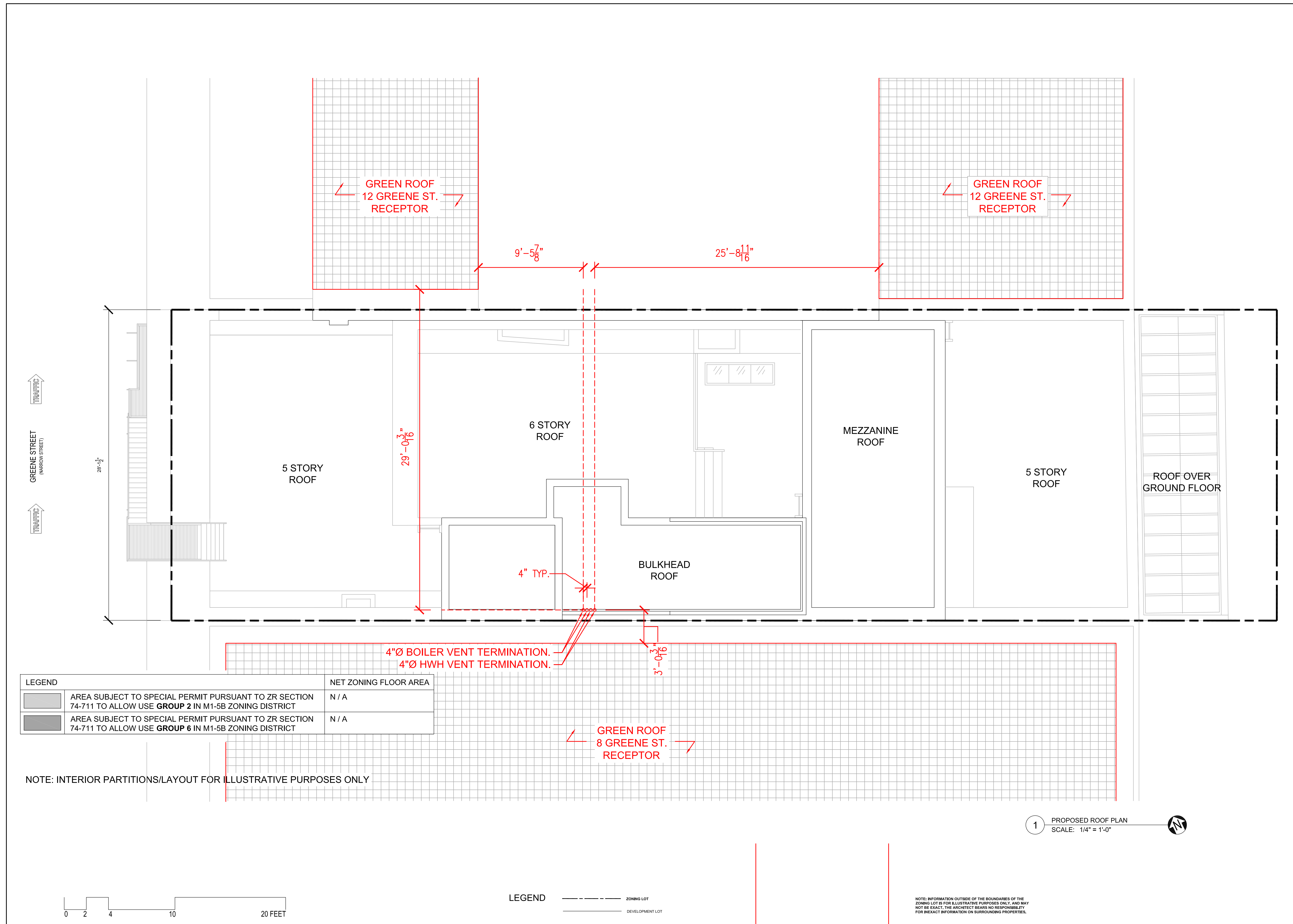
DCP Project ID No. P2015M0502

ISSUED FOR CITY PLANNING COMMISSION REVIEW

Figure 17A
PROPOSED ROOF/BULKHEAD PLAN

SCALE: AS NOTED
 DATE: 03.17.2016
 DWG. #:

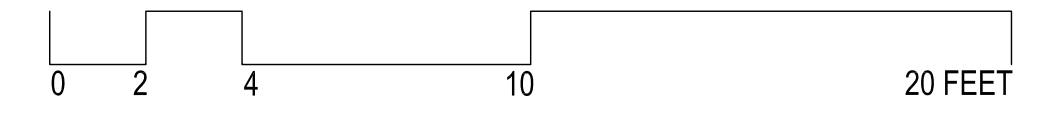
A-206.00



LEGEND	NET ZONING FLOOR AREA
[Light Gray Box]	AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 2 IN M1-5B ZONING DISTRICT
[Dark Gray Box]	AREA SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR SECTION 74-711 TO ALLOW USE GROUP 6 IN M1-5B ZONING DISTRICT
[Light Gray Box]	N / A
[Dark Gray Box]	N / A

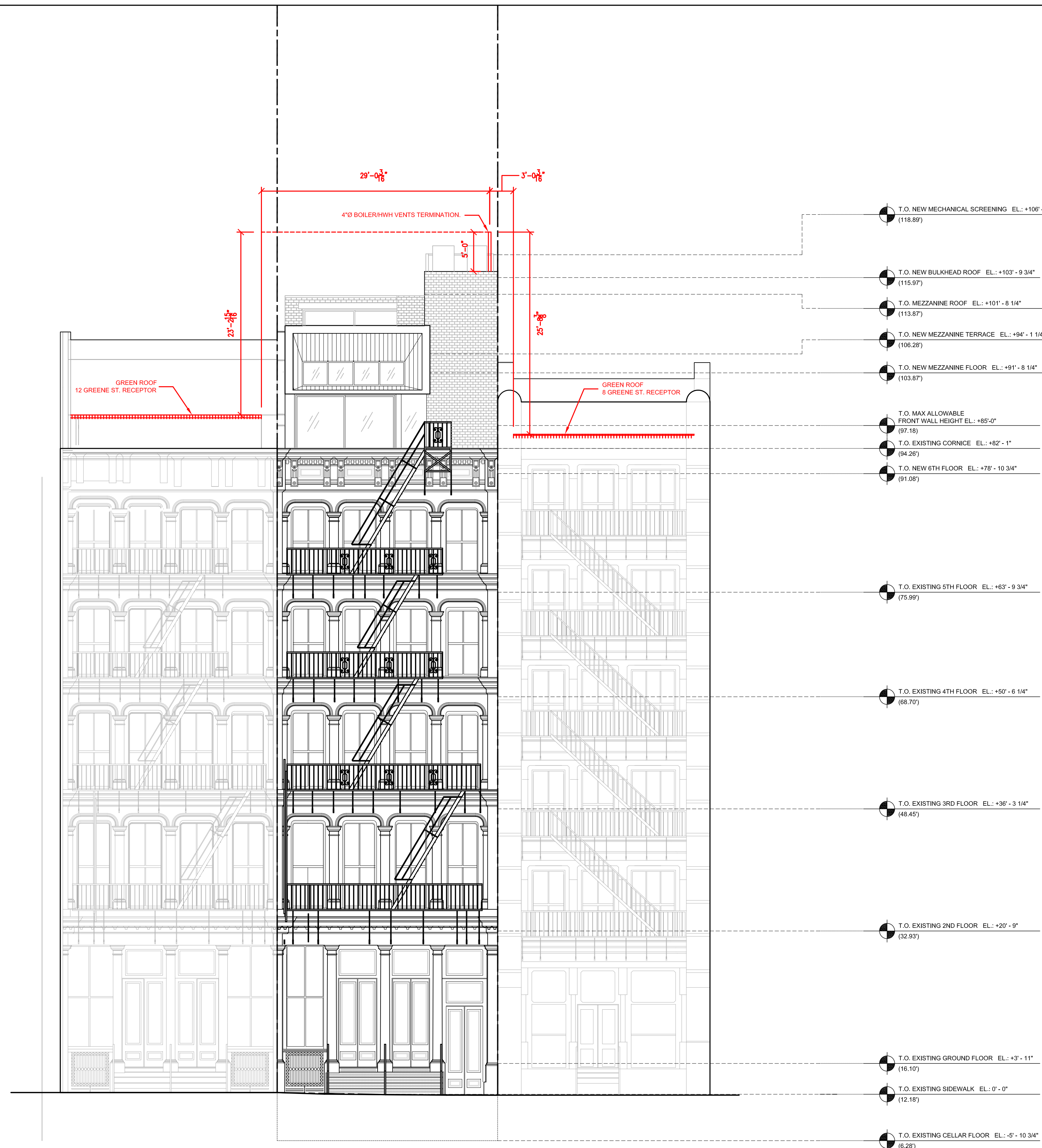
NOTE: INTERIOR PARTITIONS/LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY

1 PROPOSED ROOF PLAN
 SCALE: 1/4" = 1'-0"

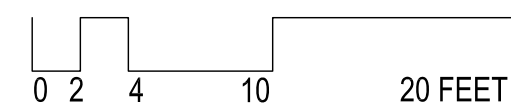


LEGEND
 - - - - - ZONING LOT
 _____ DEVELOPMENT LOT

NOTE: INFORMATION OUTSIDE OF THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND MAY NOT BE EXACT. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT INFORMATION ON SURROUNDING PROPERTIES.



1 PROPOSED GREENE STREET ELEVATION
SCALE: 1/8" = 1'-0"



LEGEND ——— ZONING LOT

NOTE: INFORMATION OUTSIDE OF THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND MAY NOT BE EXACT. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT INFORMATION ON SURROUNDING PROPERTIES.

REVISIONS:

Number	Date
05	11.21.16
04	10.28.16
03	07.22.16
02	05.02.16
01	09.25.15

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**EP ENGINEERING, LLC
110 WILLIAM STREET, 32ND FLOOR
New York, NY 10038 Tel: 212-257-6190**

STRUCTURAL ENGINEER:
**OLD STRUCTURES ENGINEERING,
PC
111 BROADWAY, 14TH FLOOR
New York, NY 10006 Tel: 212-244-4546**

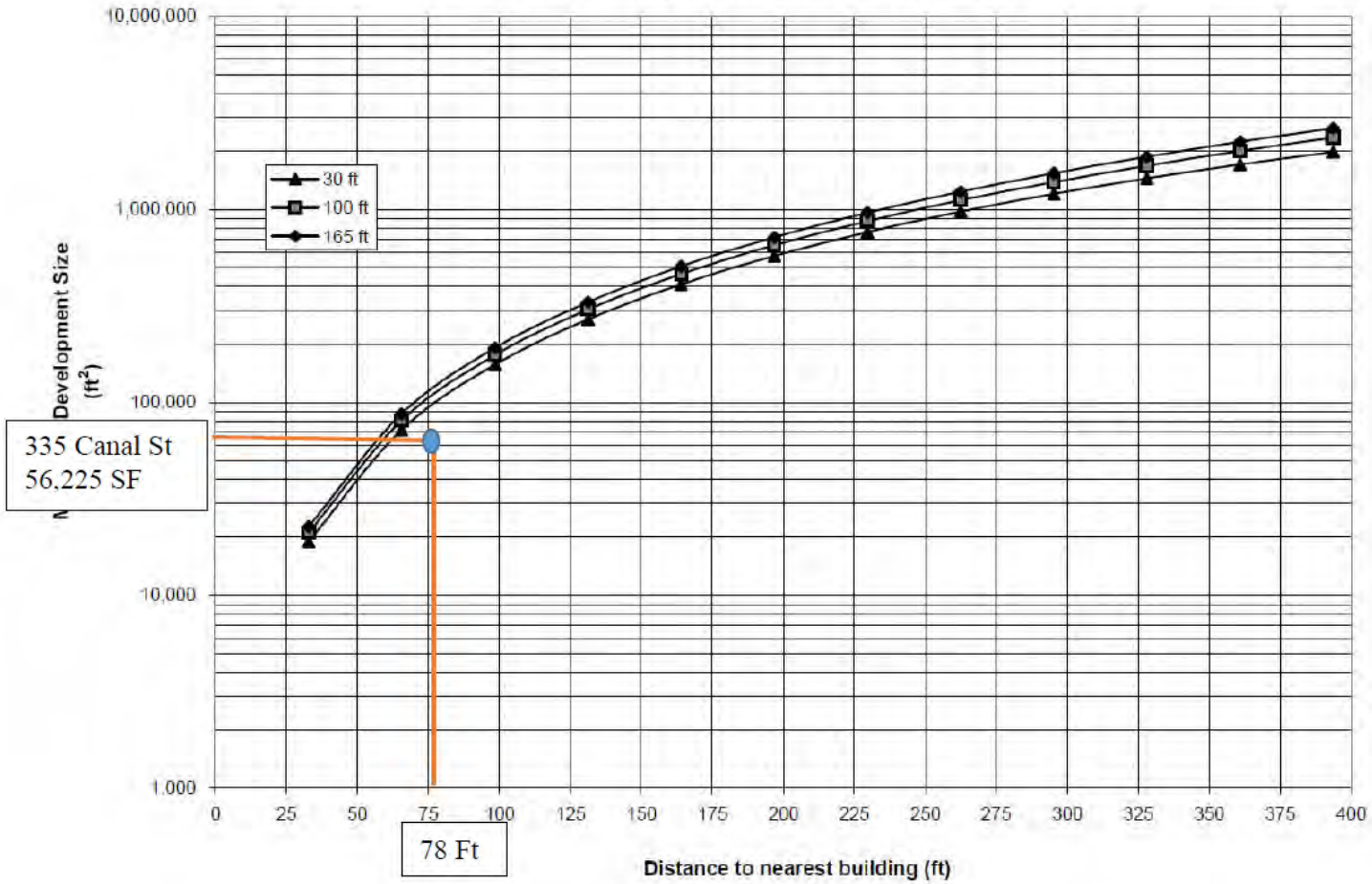
DCP Project ID No. P2015M0502

ISSUED FOR CITY PLANNING
COMMISSION REVIEW
**Figure 17B
PROPOSED FRONT
BUILDING ELEVATION**

SCALE: AS NOTED
DATE: 03.17.2016

DWG. #:
A-600.00

**FIGURE 17-7
NO₂ BOILER SCREEN
RESIDENTIAL DEVELOPMENT - NATURAL GAS**



Noise

According to the *2014 CEQR Technical Manual*, a noise analysis may be required if 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. The subject property is located near Canal Street, a heavily trafficked street, therefore additional analysis is warranted.

Methodology

Noise is defined as any unwanted sound, and sound is defined as any pressure variation that the human ear can detect. Humans can detect a large range of sound pressures, from 20 to 20 million micropascals, but only those air pressure variations occurring within a particular set of frequencies are experienced as sound. Air pressure changes that occur between 20 and 20,000 times a second, stated as units of Hertz (Hz), are registered as sound.

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents a sound pressure that is 10 times higher. However, humans do not perceive a 10-dB increase as 10 times louder. Instead, they perceive it as twice as loud. The following Table Noise-1 lists some noise levels for typical daily activities.

Table Noise-1: Noise Levels of Common Sources

Table 19-1 Noise Levels of Common Sources	
Sound Source	SPL (dB(A))
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
<p><i>Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A) is perceived as a doubling or halving in SPL.</i></p> <p><i>Source: 2014 CEQR Technical Manual</i></p>	

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise

measurements are often adjusted, or weighted, as a function of frequency to account for human perception and sensitivities. The most common weighting networks used are the A- and C-weighting networks. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighted network is the most commonly used, and sound levels measured using this weighting are denoted as dBA. The letter “A” indicates that the sound has been filtered to reduce the strength of very low and very high frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high frequency bands are significantly affected by C-weighting.

The following is typical of human response to relative changes in noise level:

- 3-dBA change is the threshold of change detectable by the human ear;
- 5-dBA change is readily noticeable; and
- 10-dBA change is perceived as a doubling or halving of the noise level.

The SPL that humans experience typically varies from moment to moment. Therefore, various descriptors are used to evaluate noise levels over time. Some typical descriptors are defined below.

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity, level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.
- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_x). Examples include L_{10} , L_{50} , and L_{90} . L_{10} is the A-weighted sound level that is exceeded 10% of the measurement period.

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law (i.e., the SPL changes in inverse proportion to the square of the distance from the sound source). In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For “line” sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

Analysis

No-Action Condition

The subject property is improved with a five-story plus cellar building. The building is currently vacant with former manufacturing and commercial uses. The existing building has 14,956 gross square feet of floor area. The building's existing height is 82 feet 1 inch. Although the building could be enlarged as-of-right for conforming uses, no such development is anticipated. The building has no current certificate of occupancy. Therefore, the building would remain vacant.

With-Action Condition:

With the approval of the proposed Special Permit, the building at 10 Greene Street would be enlarged with a one story, including mezzanine, penthouse rooftop addition. Floors 2 through 6 would be occupied by Use Group 2 residential use. The ground floor use would be occupied by Use Group 6 commercial retail (clothing boutiques, hair salons, and art galleries). The applicant intends to develop a total of four residential units.

The impact analysis considers the incremental difference between the No-action and With-Action Scenario (collectively the Reasonable Worst Case Development Scenario) for the project site. The zoning analysis for the proposed building indicates that there would be 13,771 square feet of residential floor area. The building's ground floor would be occupied by 3,177 sf of commercial retail use and 618 sf of residential use (lobby). Cellar space would be used as ancillary residential and commercial space.

The building has two means of egress from the upper floors – a front exterior fire escape and an interior stairway located along the southern party wall of the building approximately halfway back. As a practical matter given the building's narrowness, creating a second stairway core would make for impractical floor layouts, particularly on the ground floor where access to a second stairway would significantly cut into an already limited floor area available for ground floor retail use. Additionally, adding a second stairway would require a significant modification of the historic Greene Street façade which would run contrary to our Landmarks Draft Certificate of Appropriateness and Final MOU (made part of our ULURP Application). Legally, all dwelling units must have two means of egress, so therefore all dwelling units must have access to both the front fire escape and the stairway. This imposes a feasible limit of two units per floor on each of floors two through five, and a single unit in the penthouse addition, for a total of nine dwelling units and 17 residents.

The subject property is located at 10 Greene Street, Block 230, Lot 13, in the SoHo Historic District of Manhattan. This analysis is based on an EAS dated December 10, 2014 for a project at 11 Greene Street (aka 341 Canal Street- CEQR 07DCP038) located at the corner of Canal Street and Greene Street. 11 Greene Street is located directly across Greene Street from the subject property, on the north side of Canal Street. The Noise Survey was performed by Ruby Ventures, AKRF, Inc. and the results are provided in Appendix D.

The noise survey measurements were performed using Bruell & Kjaer (B&K) Sound Level Meters (SLM) Type 2260 B&K ½ inch microphones Type 4189, and a B&K Sound Level Calibrator Type 4231. The B&K SLMs are a Type I instrument according to ANSI Standard

S1.4-1983 (R2006). At the survey location the microphone was mounted at a height of 5 feet above the ground. The SLMs field calibration was checked before and after readings with a B&K Type 4231 Sound Level Calibrator using the appropriate adaptor. Measurements at the location were made on the A-scale. The data were digitally recorded by the SLM and displayed at the end of the measurement period in units of dB(A). All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

The 341 Canal Street EAS included an assessment of exterior noise levels to determine the necessary level of window/wall attenuation at the development site based on interior noise level criteria outlined in the *CEQR Technical Manual*. The manual recommended noise attenuation values for buildings, which are designed to maintain interior L10(1) noise levels of 45 dB(A) or lower for residential uses and 50 dB(A) or lower for commercial uses, are shown in Table 1.

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

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

The EAS includes measured maximum L_{10} noise levels at the project site along with recommended façade attenuation to provide acceptable interior noise levels according to *CEQR Technical Manual* noise exposure guidance. Noise surveys were conducted at 3 locations, Site 2- the southeast corner of 11 Greene Street (Greene Street at Canal Street), Site 2A- along Greene Street 58 feet north of first location and Site 2B- 97 feet north of the first location (Figure 5). At each of the locations, a 20-minute spot noise measurement was conducted during AM peak hour, which was the loudest hour at each of the noise survey locations. The maximum measured noise levels at the project site from the EAS are shown in Table 2.

Table 2- Noise Survey Results in dB(A)

Measurement Start Time	Site	Measured L_{10}
8:25 AM	2	78.1
	2A	74.5
8:47 AM	2	77.6
	2B	74.7

According to CEQR attenuation requirements for residential uses an attenuation of 31 dB(A) would be required to maintain an noise level of 45 dB(A) or lower.

To preclude potential for significant adverse noise impacts, an (E) Designation would be incorporated into the special permit for Block 230, Lot 13. The text for the (E) Designation is as follows:

Block 230, Lot 13

For all residential/commercial units in the building, a closed window condition with a minimum of 31 dB(A) window/wall attenuation must be provided in order to maintain an acceptable interior noise level.

With the above (E) designation, no significant adverse impacts related to noise would result from the proposed action. No further analysis is required at this time.

Figure 5- Noise Survey Locations



Legend:

- 2 Noise Survey Site

Neighborhood Character

According to the *2014 CEQR Technical Manual*, a neighborhood character assessment considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. Thus, to determine a project's effects on neighborhood character, the elements that contribute to a neighborhood's context and feeling are considered together. These elements may include land use, zoning, public policy, socioeconomic conditions, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise.

Methodology

According to the 2014 CEQR Technical Manual, the study area for a preliminary analysis of neighborhood character is typically consistent with the study areas of the relevant technical areas assessed under CEQR that contribute to the defining elements of the neighborhood. The study area should generally include at least the project site and the area within 400 feet of the project site boundaries.

A preliminary assessment determines whether changes expected in other technical areas may affect a contributing element of neighborhood character. The assessment should answer the following two questions:

1. What are the defining features of the neighborhood?
2. Does the project have the potential to affect the defining features of the neighborhood, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical areas?

Because a neighborhood's character is the result of the combination of various contributing elements, the salient features of the neighborhood should be identified. The major characteristics of the neighborhood and how they related to the area's overall character should be discussed. After the defining features of a neighborhood are identified, the potential for the project to affect the defining features should be examined.

Analysis

No- Action Condition

The subject property is improved with a five-story plus cellar building. The building is currently vacant with former manufacturing and commercial uses. The existing building has 12,248 gross square feet of manufacturing floor area. The building's existing height is 82 feet 1 inch. Although the building could be enlarged as-of-right for conforming uses, no such development is anticipated. The building has no current certificate of occupancy. Therefore, it is likely that the building would remain vacant.

With – Action Condition

With the approval of the proposed Special Permit, floors 2 through 6 of the building at 10 Greene Street would be occupied by Use Group 2 residential use. The ground floor use would be occupied by Use Group 6 commercial retail (clothing boutiques, hair salons, and art galleries).

The building would be enlarged as-if-right with a one story, including mezzanine, penthouse rooftop addition. The applicant intends to develop a total of four residential units. The zoning analysis for the proposed building indicates that there would be 13,771 square feet of residential floor area with 4 residential dwelling units. The building's ground floor would be occupied by 3,177 sf of commercial retail use and 618 sf of residential use (lobby). Cellar space would be used as ancillary residential and commercial space.

The following elements of the CEQR assessment would have potential effects on the neighborhood character:

- **Land Use:** The proposed use is consistent with the surrounding land use pattern of high-density residences. The introduction of residential and commercial uses would not create conflicts with existing land uses, and would not alter the overall land use pattern in the area.
- **Zoning:** No zoning changes are anticipated in the zoning pattern in the project vicinity for the Future with Action Condition. The approval of the proposed Special Permit will not have a significant adverse impact on Zoning
- **Open Space:** The project site is located in an underserved area of Manhattan, but will introduce a small number of residents, well below the CEQR assessment threshold, therefore would have no impact on open space of the study area.
- **Historic & Cultural Resources:** The site is located with the SoHo-Cast Iron Historic District, but as part of the review process LPC has made a determination and issued a Certificate of Appropriateness, therefore no impact is anticipated.
- **Urban Design:** Building height and bulk on the Proposed Development sites would be within the existing range of building heights in the area. The proposed development would not encroach on public streets or sidewalks and no publicly accessible views to significant visual resources in the area would be affected. There would be no negative impact on urban design.
- **Shadows:** There are no sunlight-sensitive land uses within the study area that could be affected by new action-generated shadows. The proposed action would allow for the development of building 106 feet in height. The addition would setback for 20' from the front façade and 30' from the rear façade, keeping the existing street wall height of 82'-1" and the 12.5 feet of rear yard. The incremental difference attributable to the proposed Special Permit is only 23 feet and 11 inches, the preliminary screening indicates the proposed building will not create any significant shadows on any historic landmarks. Therefore, no impacts on historic and cultural resources will result from the proposed action.
- **Noise:** The would located within a manufacturing area, near a heavily trafficked street. Based on noise monitoring conducted in November 2014, window-wall attenuation achieving a 31 dB(A) reduction in interior noise levels would ensure an acceptable indoor noise environment for building occupants. An [e] designation would ensure this level of window-wall attenuation is incorporated in new development.

The SoHo Cast Iron Historic District is located in lower Manhattan and has been in transition from its historic industrial/manufacturing origins to a residential community as well as a shopping and sightseeing destination and an emerging business center. The district consists of

about 26 blocks and approximately 500 buildings with cast iron facades. Many of the buildings in the area are Joint Living-Work Quarters for Artists or have residential occupancy on the upper floors. Retail and commercial uses on the ground floors area common and may include furniture showrooms, wine shops, clothing shops and art galleries.

SoHo was designated as an Historic District by the New York City Landmarks Preservation commission in 1973 and extended in 2010. The SoHo Cast Iron Historic District was listed on the National Register of Historic Places in 1978.

The scope, size and location of the proposed project would not create a significant adverse change in any of the distinctive features noted above. The restoration and roof top addition of the building pursuant to the Certificate of Appropriateness issued by the Landmarks Preservation Commission would enhance the streetscape. The introduction of residential units above the ground floor would similar in occupancy to surrounding buildings and would be compatible with surrounding land use patterns in this mixed commercial, retail, and residential area. No significant adverse neighborhood character impacts are anticipated and additional assessments are required at this time.

The CEQR Technical Manual notes that neighborhood character impacts are rare. Only under unusual circumstances would a combination of moderate effects to the neighborhood result in in an impact to neighborhood character, in the absence of an impact in any of the relevant technical areas. A 'moderate' effect is generally defined as an effect that is reasonably close to the significant adverse impact threshold for a particular technical analysis area. As described elsewhere in this document, no significant adverse impacts or moderate effects related to these aspects of the environment are anticipated. Further the project sponsor commits to such project modifications as would be required to ensure that no such impacts occur. Therefore, no further analysis of neighborhood character is warranted and no impacts are anticipated.

Construction

According to the *2014 CEQR Technical Manual*, Construction impacts may be analyzed for any project that involves construction or could induce construction. For construction activities not related to in-ground disturbance, short-term construction generally does not warrant a detailed construction analysis. For example, the use of a property for construction staging activities is likely to only warrant analysis if this activity continues for a period of several years.

Methodology

Consideration of several factors, including the location and setting of the project in relation to other uses and intensity of construction activities are used to determine if a project's construction activities warrant analysis in one or more of the following technical areas:

- Transportation
- Air Quality or Noise
- Historic and Cultural Resources
- Hazardous Materials
- Natural Resources
- Open Space
- Socioeconomic Conditions
- Community Facilities
- Land Use and Public Policy
- Neighborhood Character
- Infrastructure

A preliminary assessment is generally not needed for these technical areas unless

- Construction activities are considered long-term (Last longer than two years); or.
- Short term construction activities would directly affect a technical area, such as impeding the operation
- Result in the closing, narrowing, impeding of traffic, transit, or obstruction of pedestrian or vehicular routes in proximity to critical land uses.
- 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.
- 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.

Analysis

The proposed action would result in activities within a designated historic district. Construction activities would be confined to the subject property, and all activities would be managed to ensure that there will not be any impact or physical damage created from falling objects from the

proposed construction site. The proposed project is not located within 400 feet of a historic or cultural resource that is NYC-landmark eligible, eligible for the State and National Register of Historic Places. Approval of the proposed action, will not have any significant adverse impacts, therefore no further analysis is warranted.

APPENDIX A

Agency Correspondence



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007
TEL: 212 669-7700 FAX: 212 669-7780



March 4, 2016

ISSUED TO:

Carl Weisbrod
Chair of City Planning Commission
120 Broadway
31st Floor
New York, NY 10271

Re: LPC - 172918
MOU 18-2929
10 GREENE STREET
HISTORIC DISTRICT
SOHO-CAST IRON
Borough of Manhattan
Block/Lot: 230 / 13

At the Public Meeting of November 24, 2015, following the Public Hearing of the same date, the New York City Landmarks Preservation Commission ("LPC") voted to issue a report to the City Planning Commission ("CPC") in support of an application for the issuance of a special permit, pursuant to Section 74-711 of the Zoning Resolution for a Modification of Use ("MOU"), seeking to modify Section 74-711 of the zoning resolution, at the building located at 10 Greene Street, Manhattan, Block 230, Lot 13 ("the Designated Building"), to allow use group 6 at the ground floor and use group 2 at the 2nd through penthouse floors. The Designated Building consists of a store and warehouse building designed by John B. Snook and built in 1869. The Designated Building is located in the SoHo-Cast Iron Historic District.

In voting to issue the report, the LPC found that the applicant has agreed to undertake facade work to restore the Designated Building and bring it up to a sound, first-class condition; that the applicant has agreed to establish and maintain a program for continuing maintenance to ensure that the Designated Building is maintained in a sound, first-class condition; that a Restrictive Declaration ("Declaration") will be filed against the property which will bind the applicants and all heirs, successors and assigns to maintain the continuing maintenance program in perpetuity.

Specifically, at the same Public Meeting, the Commission approved certain restorative work, as well as constructing a one-store penthouse addition and installing new storefront infill at the Greene Street facade, as described in Certificate of Appropriateness 18-2925 (LPC 18-2777), dated March 4, 2016. The restorative work included, at the Greene Street facade, installing new decorative cast iron elements at select locations; repainting the entire cast iron facade and fire escape off-white to match a paint finish analysis; installing new

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Issued: 03/4/16

DOCKET #: 172918

two-over-two double-hung wood windows with profiled brickmolds, finished off-white; restoring the existing four-light fixed wood display window at the northernmost bay and painting it off-white; restoring the two (2) cast iron vault light steps in kind; and at the non-visible rear façade, installing new double-hung wood windows; installing new metal shutters at select locations; reconstructing the historic sloped skylight at the 1st floor; and replacing brick and pointing mortar in kind at select locations.

In reaching a decision to grant the Certificate of Appropriateness, the Commission reviewed the proposed work and found that the construction of the proposed two-story rooftop addition will not result in loss of or damage to any significant architectural feature of the roof; that the scale and massing of the proposed rooftop addition and bulkhead, which will be set back from both facades, will not overwhelm the building; that the proposed rooftop addition will not be visible over the primary façade or street wall along Greene Street, and other views from further vantage points will generally be seen in context with foreground buildings and numerous other rooftop structures; that the form of the proposed rooftop addition, featuring a clerestory with a projecting metal and wood clad surround at the street facing façade and a setback mezzanine at the rear facing façade, will relate to the variety of forms traditionally found on rooftops, including bulkheads, water tanks, skylights and other rooftop accretions; that the materials of the proposed rooftop addition, featuring brick masonry, metal and wood cladding, and steel framed glazing, will be consistent with the materiality of various rooftop structures and installations in the historic district; that the reconstruction and modest raising of the rear façade parapet will not alter or eliminate any significant architectural features and will align with the top floor of the adjacent building; that the removal of the existing commercial entrances and elevator entrance will not eliminate any significant historic fabric; and that the installation of new entrance infill, featuring paneled wood double-doors with transoms all with clear glazing and a brown painted finish, will recall the former historic entry infill at this building and help to unify the base of the building, which currently features a varied mix of non-original entry infill from different eras; and that the proposed work will not detract from the special architectural and historic character of the building or the SoHo-Cast Iron Historic District.

In reaching a decision to issue a favorable report to the CPC, the LPC found that the proposed restorative work pursuant to Certificate of Appropriateness 18-2925 (LPC 18-2777) will help return the building closer to its original appearance, and will reinforce the architectural and historic character of the building, streetscape, and SoHo-Cast Iron Historic District; that the restorative work, including at the installing new decorative cast iron elements at select locations; repainting the entire cast iron façade and fire escape off-white (Benjamin Moore "Bone White") to match a paint finish analysis; installing sixteen (16) new two-over-two double-hung wood windows with profiled brickmolds, finished off-white (BM "Bone White"); restoring the existing four-light fixed wood display window at the northernmost bay and painting it off-white (BM "Bone White"); restoring the two (2) cast iron vault light steps in kind; and at the non-visible rear façade, installing twenty (20) new double-hung wood windows; installing new metal shutters at select locations; reconstructing the historic sloped skylight at the 1st floor; and replacing brick and pointing mortar in kind at select locations, will bring the building up to a sound first class condition and aid in its long term preservation; that the implementation of a cyclical maintenance plan will ensure the continued maintenance of the building in a sound, first class condition; and that the owners of the building have committed themselves to establishing a perpetual cyclical maintenance plan which will bind all heirs, successors and assigns and subsequent owners of the building and which will be legally enforceable by the Landmarks Preservation Commission under the provisions of a Restrictive Declaration, and will be recorded against the property.

The Declaration requires the Declarant to commission a qualified preservation professional, whose credentials are to be approved by LPC, to undertake inspections every five years of the Designated Building's exterior and such portions of the interior, which, if not properly maintained, would cause the Designated Building to deteriorate. The Declarant is required to perform all work identified in the resulting professional reports as

being necessary to maintain the Designated Building in a sound, first class condition, and shall make such repairs within time periods approved by the LPC.

Please note that the restoration work must be completed and approved by the Landmarks Preservation Commission before the owners may apply for or accept a temporary Certificate of Occupancy or a permanent Certificate of Occupancy from the Department of Buildings for the area of the buildings that is the subject of this special permit.

The staff of the Commission is available to assist you with these matters. Please direct inquiries to Victor Tomanek.



Meenakshi Srinivasan
Chair

cc: Cory Herrala, LPC Director of Technical Affairs, Sustainability and Resiliency
John Weiss, LPC Deputy Counsel

10 GREENE STREET
NEW YORK, NY

DECLARATION OF PRESERVATION, REPAIR AND MAINTENANCE

Dated: _____, 2016

Location: Block 230, Lot 13
New York County, New York

Record and Return to:

GoldmanHarris LLC
475 Park Avenue South
New York, New York 10016
Attn: Caroline G. Harris, Esq.

This DECLARATION made as of the ____ day of ____, 2016 by 10 Greene Owner LLC (the “Declarant”) having an address c/o Javeri Capital LLC, 444 Madison Avenue, 32nd Floor, New York, NY 10022 (“Declarant”).

WITNESSETH:

WHEREAS, Declarant is the owner in fee simple of certain real property located in the Borough of Manhattan, City, County and State of New York, which property is designated as Block 230, Lot 13 on the Tax Map of the City of New York and by the street address 10 Greene Street, and is more particularly described on Exhibit A attached hereto (the “Subject Property”) and on which is located a five-story building containing a cellar (the “Designated Structure”), retail use on the ground floor, and commercial use on the upper floors; and

WHEREAS, the Subject Property together with the Designated Structure constitutes the Subject Premises (the “Subject Premises”); and

WHEREAS, Declarant proposes to renovate, enlarge, and change the use of a portion of the Subject Property; and

WHEREAS, _____, a title company licensed in the State of New York, (“Title Company”) has certified as of _____, 2016, that Declarant and [“BANK”] (“_____”) are the sole parties-in-interest (each, a “Party-in-Interest”, collectively “Parties-In-Interest”), as that term is defined in the zoning lot definition in Section 12-10 of the Zoning Resolution of the City of New York (the “Zoning Resolution”), to the Subject Premises as of the date hereof, a copy of which certification is attached hereto as Exhibit B; and

WHEREAS, all Parties-in-Interest to the Subject Premises have either executed this Declaration or waived their right to execute, and subordinated their interest in the Subject Premises to, this Declaration by written instrument annexed hereto as Exhibit C and made a part hereof, which instrument is intended to be recorded simultaneously with this Declaration; and

WHEREAS, Title Company has determined that as of the date hereof there has been no change in the certification attached as Exhibit B, and Declarant represents and warrants that the Parties-in-Interest listed in Exhibit B are the only known Parties-in-Interest in the Subject Premises as of the date hereof; and

WHEREAS, pursuant to the provisions of Section 3020 of the New York City Charter and Title 25, Chapter 3 of the Administrative Code of the City of New York (the “Landmark Preservation Law”), the Landmarks Preservation Commission (the “LPC”) has designated an area which includes the Designated Structure as the SoHo-Cast Iron Historic District because of its special character or historical or aesthetic interest or value; and

WHEREAS, pursuant to Application No. [] ZSM, dated [] (the “Application”), Declarant has applied to the CPC for a special permit pursuant to Section 74-711 of the Zoning Resolution (the “Special Permit”) to (a) modify the use regulations of Section 42-10 of the Zoning Resolution to allow Use Group 2 residential use within floors 2 through 5 and the proposed two-story penthouse, with accessory residential uses on portions of the ground floor and cellar of the Designated Structure, and (b) the use regulations of Section 42-14(D)(2)(a) to allow Use Group 6 commercial use within portions of the ground floor and cellar of the Designated Structure; and any other uses permitted on an as-of-right basis at the Subject Premises; and

WHEREAS, Section 74-711 of the Zoning Resolution requires, inter alia, that a program has been established for continuing maintenance (the “Continuing Maintenance Program”) that will result in preservation of the Designated Structure by Declarant; and

WHEREAS, Declarant has agreed to certain obligations and restrictions contained in this Declaration for the protection, preservation, repair and maintenance of the Designated Structure; and

WHEREAS, Declarant desires to restrict the manner in which the Subject Premises may be developed, restored, and operated in order to assure the protection, preservation, repair and maintenance of the Designated Structure; and

WHEREAS, Declarant represents and warrants that there are no restrictions, liens, obligations, covenants, easements, limitations or encumbrances of any kind, the requirements of which have not been waived or subordinated, which would prevent or preclude, presently or potentially, the imposition of the restrictions, covenants, obligations, easements and agreements of this Declaration;

NOW, THEREFORE, Declarant does hereby declare and agree that the Subject Premises shall be held, sold, transferred, conveyed and occupied subject to the following restrictions, covenants, obligations, easements, and agreements, all of which are for the purpose of protecting the Subject Premises, which shall inure to the benefit of the City of New York, and which shall run with the Subject Premises and bind Declarant and its heirs, successors and assigns so long as they have a right, title or interest in the Subject Premises or any part thereof.

ARTICLE I. DEFINITIONS

The following words, when used in this Declaration, shall have the following meanings:

1.1 “Application” shall mean the application to the City Planning Commission for the Special Permit.

1.2 “Buildings Department” shall mean the New York City Department of Buildings, or any successor to the jurisdiction thereof.

1.3 “Chairperson of the CPC” shall mean the Chairperson of the City Planning Commission of the City of New York or any successor to the jurisdiction thereof.

1.4 “Chairperson of the LPC” shall mean the Chairperson of the Landmarks Preservation Commission of the City of New York or any successor to the jurisdiction thereof.

1.5 “City” shall mean the City of New York.

1.6 “City Council” shall mean the New York City Council or any successor to the jurisdiction thereof.

1.7 “CPC” shall mean the New York City Planning Commission, or any successor to the jurisdiction thereof.

1.8 “Declarant” shall mean the named Declarant and the heirs, successors and assigns of the named Declarant including, without limitation, any and all owners of a condominium unit within the Designated Structure, except that Declarant shall not be deemed to include (i) a mortgagee of all or any portion of the Subject Property until it succeeds to the interest or obligation of Declarant by purchase, assignment, foreclosure or otherwise, or (ii) a tenant of the Subject Premises, unless such tenant holds a lease to all or substantially all of the Subject Premises.

1.9 “DCP” shall mean the New York City Department of City Planning or any successor to the jurisdiction thereof.

1.10 “Designated Structure” shall mean the structure located on Tax Block 230, Lot 13 in Manhattan, which is a contributing structure in the SoHo-Cast Iron Historic District.

1.11 “Effective Date” is defined in Section 4.1(a) hereof.

1.12 “Force Majeure” shall mean: strike, lockout or labor dispute(s); inability to obtain materials or reasonable substitutes therefore unless due to any act or failure to act by Declarant; acts of God; unforeseen governmental restrictions, regulations, omissions or controls; enemy or hostile government actions; civil commotion, insurrection, revolution or sabotage; fire or other casualty; inclement weather of such a nature as to make performance or completion of the Landmark Work (hereinafter defined) not feasible unless due to any act or failure to act by Declarant; any damage to the Subject Premises of such a nature as to make completion of the Landmark Work not feasible; a taking of the Subject Premises, or a portion thereof, by condemnation or eminent domain; failure of a public utility to provide power, heat or light; unusual delay in transportation; material delays by the City, State or United States Government, or any agency or instrumentality thereof, in the performance of any work or processing or approval of any applications required in order to permit Declarant to carry out its obligations pursuant to this Declaration unless due to any act or failure to act by Declarant; denial to Declarant by any owner of an enforceable interest in adjoining real property, including any private fee owner or ground lessee of adjoining real property, or any agency of the City or State having an enforceable interest in adjoining real property, including sidewalk or streets, of a right to access to such adjoining real property, if such access is required to accomplish the obligations of the Declarant pursuant to this

Declaration; the pendency of a litigation not initiated by Declarant or similar proceeding which suspends or materially and adversely affects the ability of the Declarant to accomplish the obligations of the Declarant pursuant to this Declaration; or other conditions similar in character to the foregoing which are beyond the control of Declarant. No event shall constitute a Force Majeure unless Declarant complies with the procedures set forth in Sections 2.1 and 6.2 hereof.

1.13 “Landmark Work” shall refer to the restoration work on the Designated Structure as described in the CofA, attached hereto as Exhibit H;

1.14 “LPC” shall mean the Landmarks Preservation Commission of New York City or any successor to the jurisdiction thereof.

1.15 “Mortgagee” shall mean (a) the institutional first mortgagee of all or substantially all of the Subject Premises who has given written notice of its name and address to the CPC or the LPC, or (b) the first mortgagee of a condominium unit within the Designated Structure.

1.16 “Party(ies)-in-Interest” shall mean any party in interest listed in Exhibit B and any other party-in-interest to the Subject Premises who has given written notice of its name and address to the CPC and the LPC.

1.17 “PCO” is defined in Section 2.1(b) hereof.

1.18 “Special Permit” shall mean the special permit described in the eighth “Whereas” clause above.

1.19 “Special Permit Use” shall mean residential use (Use Group 2) on floors 2 through 5 and the proposed two-story penthouse, with accessory residential uses on portions of the ground

floor and cellar and commercial use (Use Group 6), on portions of the ground floor and cellar. Notwithstanding the foregoing, no use shall be deemed a Special Permit Use if it is permitted as-of-right within the Subject Premises by the terms of the Zoning Resolution then in effect.

1.20 “TCO” is defined in Section 2.1(b) hereof.

1.21 “Zoning Resolution” shall mean the Zoning Resolution of the City of New York.

ARTICLE II. DEVELOPMENT, PRESERVATION, REPAIR AND MAINTENANCE OF THE DESIGNATED STRUCTURE

2.1 Certificate of Occupancy.

(a) The issuance of the Special Permit is premised on, inter alia, the performance of the construction of the following restoration work on the Designated Structure in conformity with the CofA, as amended, and/or other approvals by the LPC and the requirements thereof (which restoration work shall be referred to as the “Landmark Work”):

CAST IRON FACADES

1. Remove paint from all cast iron surfaces for the purpose of repainting and to fully assess conditions of cast iron elements.
2. Remove all corrosion and prime and paint cast iron with paint color to match historic paint color based on a paint analysis.
3. Fill gaps between cast iron units with sealant.
4. Repair small holes and cracks in cast iron with metal-filled polymer patching compound.
5. Replace missing elements with new cast iron or steel elements
6. Repair or replace fractured units, either by welding or by mechanical means.

WINDOWS AND DOORS

1. Replace all hollow metal windows on the front façade with new wood windows matching the operation and configuration of the remaining original windows.
2. Restore the three remaining original double-hung wood windows on the upper floors on the front facade.
3. On the rear façade, replace all aluminum windows, at the 1st, 4th, and 5th floors, with new wood windows matching the operation and configuration of the windows as shown on the architect's original drawings of 14 Greene.
4. On the rear façade, restore the wood windows on the 3rd floor.
5. At the storefront, restore the large cast iron four-light fixed-sash window by stripping, preparing, and repainting the cast iron.
6. At the storefront, restore the two remaining original wood transom windows at the center bays and reinstall a new transom matching the original transom at the southernmost bay, replacing the existing double-hung window.
7. Replace the double-leaf wood doors at the center bays and metal door at southernmost bay with new doors matching the original wood doors as shown on the architect's original drawings of 14 Greene. At the southernmost bay the door will be located at grade and a second transom below the original transom window will be installed.
8. Retain the existing fire shutters and restore. Restoration would include removal to a shop, stripping the existing paint, preparing, priming, and painting to match historic appearance, and reforming deformed shutters.

REAR EXTERIOR MASONRY

1. Repoint deteriorated mortar joints with a replacement mortar compatible with the existing bedding mortar and appropriate for historic masonry.
2. Remove and replace cracked brick with new bricks, matching the existing in size, color and texture. A surface treatment can be used to match the new brick to existing brick.

SIDEWALK VAULT LIGHTS

1. Remove non-original steel diamond plate, temporary wood supports, concrete and asphalt patches at cast iron vault light sidewalk and vault light steps.

2. Restore and/or replace deteriorated and/or missing cast iron vault light sidewalk and steps as required.
3. Waterproof and paint as per paint analysis.

COMMERCIAL SPACE VAULT SKYLIGHT

1. Restore to original conditions.

WINDOWS

1. Replace existing windows on Greene Street facade with two-over-two double-hung wood windows.
2. Remove concrete blocks from first floor rear windows and restore openings to original configuration.
3. Reconfigure existing rear facade window openings and add new, all to be fitted with four-over-four aluminum windows.
4. Paint new windows as per paint analysis.

FIRE ESCAPE

1. Replace anchoring with alternative anchoring so as not to damage the cast iron.
2. Remove existing paint and corrosion, prepare, prime, and paint. Painting the fire escape the same color as the building façade is common within the historic district in order to minimize its visual impact. This is the case at 14 Greene. Tighten loose fasteners and weld loose connections. Replace corroded fasteners.
3. Remove the existing counter balanced stairway at the first floor and replace with a drop ladder, similar to 14 Greene, in order to lessen the visual impact of the fire escape at street level.

ROOF AND ROOF FEATURES

1. The party wall parapet should be flashed with membrane tied to the existing roofing membrane.
2. The stair bulkhead should be removed and rebuilt with new framing and new cladding. Site and Entrance Stoop.

SIDEWALK

1. Retain the steel diamond plate at the stoop and restore the existing historic panels and vault lights that remain at the top step.
2. Remove the existing concrete portion of sidewalk in front of the northernmost bay and install new granite flagstone to match the existing granite flagstone.
3. restore the metal plates or replace with diamond plate in front of southernmost bay as required.

(b) The Declarant shall provide written notice to the Chair of the LPC seven (7) days prior to applying to the Buildings Department for a temporary certificate of occupancy (“TCO”) or permanent certificate of occupancy (“PCO”) for the Special Permit Use. No TCO or PCO for the Special Permit Use shall be granted by the Buildings Department or accepted by Declarant until the Chairperson of the LPC shall have given written notice to the Buildings Department that the Landmark Work has been satisfactorily completed by Declarant or the Chairperson of the LPC has certified in writing, as provided in Section 2.1(d) hereof, that (a) a Force Majeure has occurred and (b) the Chairperson of the LPC has no objection to the issuance of a TCO or PCO for, as appropriate, all or part of the Subject Premises. The Chairperson of the LPC shall issue said notice in the exercise of his or her reasonable judgment and reasonably promptly after Declarant has made written request to the Chairperson of the LPC and has provided documentation to support such request, and the Chairperson of the LPC shall in all events endeavor to issue such written notice to the Buildings Department, or inform Declarant in writing of the reason for not issuing said notice, within fourteen (14) calendar days after Declarant has requested such written notice. Upon receipt of the written notice from the Chairperson of the LPC that (i) the Landmark Work has been satisfactorily completed or (ii) the Chairperson of the LPC has certified that a Force Majeure has occurred and that the Chairperson of the LPC has no objection to the issuance of a TCO or PCO, the Buildings Department may grant, and Declarant may accept, a TCO or PCO for

the Designated Structure. In the event that the Buildings Department shall grant to Declarant, or Declarant shall accept, a TCO or PCO for the Designated Structure in violation of the terms of this Declaration, the Declarant shall, at the request of the Chair of the LPC, immediately relinquish and forfeit such TCO or PCO. Notwithstanding anything to the contrary contained herein, the Chairperson of the LPC shall declare that the Landmark Work has been satisfactorily completed notwithstanding that minor and insubstantial details of construction or mechanical adjustment remain to be performed.

(c) Declarant shall permit inspection of the Designated Structure by the Chairperson of the LPC and representatives designated by the Chairperson of the LPC in connection with the notice described in Section 2.1(b) hereof.

(d) Upon application by Declarant, notwithstanding anything contained in any other provision of this Declaration, the Chairperson of the LPC, in the exercise of his or her reasonable judgment, may certify that the performance or completion of the Landmark Work is delayed due to a Force Majeure as provided in paragraph (e) below.

(e) In the event that Declarant reasonably believes that full performance of its obligations to complete the Landmark Work has been delayed as a result of a Force Majeure, Declarant shall so notify the Chairperson of the LPC as soon as Declarant learns of such circumstances. Declarant's written notice shall include a description of the condition or event, its cause (if known to Declarant), its probable duration, and in Declarant's reasonable judgment, the impact it is reasonably anticipated to have on the completion of the Landmark Work. The Chairperson of the LPC shall, within fourteen (14) calendar days of its receipt of Declarant's written notice, (A) certify in writing that a Force Majeure has occurred, including a determination

of the expected duration of such delay (the “Delay Notice”), and grant Declarant appropriate relief for such delay, including certifying in writing to the Buildings Department that the Chairperson of the LPC has no objection to the issuance of a TCO or PCO for, as appropriate, all or part of the Subject Premises, or (B) notify Declarant that it does not reasonably believe a Force Majeure has occurred. With respect to any claim that a Force Majeure has delayed the Declarant’s performance or completion of the Landmark Work, the LPC may require that Declarant post a bond or other security in a form and amount acceptable to the Chairperson of the LPC in order to ensure that the Landmark Work is completed. Such alternative security could include, without limitation, alternative or additional conditions on the issuance of any PCO or TCO. Any delay caused as the result of a Force Majeure shall be deemed to continue only as long as the Declarant shall be using reasonable efforts to minimize the effects thereof. Upon cessation of the events causing such delay, the Declarant shall promptly recommence the Landmark Work.

(f) Notwithstanding anything else to the contrary contained herein, this Declaration shall not be deemed to prohibit or restrict Declarant from (i) applying for or receiving a TCO or a PCO for any floor area in the Designated Structure which is not to be used for a Special Permit Use; or (ii) obtaining permits or building notices from the Buildings Department to perform work, including tenant work, in the Designated Structure prior to the completion of the Landmark Work; or (iii) entering into agreements affecting all or any portions of the space in the Designated Structure prior to completion of the Landmark Work.

2.2 Preservation, Repair and Maintenance. Declarant hereby covenants and agrees to preserve, repair and maintain the Designated Structure in sound first-class condition, at its own cost and expense, in accordance with this Declaration, the CofA (as amended) and the Landmarks Preservation Law. It is understood that certain obligations and duties set forth in this Declaration

are above and beyond the requirements of the Landmarks Preservation Law and do not in any way diminish Declarant's obligation and responsibility to comply with all provisions of the Landmarks Preservation Law.

2.3 Continuing Maintenance Program. Declarant shall comply with the obligations and restrictions of the continuing maintenance program (the "Continuing Maintenance Program") as set forth below:

(a) Periodic Inspections. Declarant shall establish and carry out a cyclical inspection and maintenance program for the Designated Structure which shall include, without limitation, the following:

- (1) At Declarant's expense, an inspection (the "Periodic Inspection") shall be made every five years, on or within thirty (30) days of the anniversary of the issuance by the LPC of the Notice of Compliance pursuant to the CofA, and thereafter, shall be made on or within thirty (30) days of the fifth anniversary of the date of such initial or subsequent inspection. In the event that Declarant has accepted a TCO or a PCO that permits a Special Permit Use without having first received the Notice of Compliance, the first periodic inspection shall be made on or within thirty (30) days of the fifth anniversary date of the issuance of such TCO or PCO and every five years thereafter. The Periodic Inspection shall be done by a preservation architect, engineer or other qualified person knowledgeable about the preservation of historic structures (the "Preservation Architect") selected by Declarant from a list prepared by Declarant and approved by the

Chairperson of the LPC as to their credentials, which approval shall not be unreasonably withheld or delayed. Declarant shall update such listing upon the request of the Chairperson of the LPC. In addition, Declarant may periodically supplement the list of Preservation Architects, subject to the reasonable approval of the Chairperson of the LPC as to their credentials. The Preservation Architect shall make a thorough inspection of the exterior of the Designated Structure and those portions of the interior, which, if not properly maintained, could affect the condition of the exterior, including, but not limited to, interior systems such as heating, plumbing and air conditioning. The Periodic Inspection shall include (but not be limited to) the following portions of the Designated Structure: all exterior portions of the Designated Structure including masonry, bays and storefronts, windows, cornice and roof, and mechanical systems.

- (2) The Preservation Architect shall, at the expense of Declarant, submit a report on each Periodic Inspection (the "Periodic Report") to Declarant and the LPC within forty-five (45) days after each Periodic Inspection. The Periodic Report shall outline the existing conditions of the Designated Structure and detail the work which should be performed in order to maintain the Designated Structure, including all architectural features and elements, in a sound first-class condition, including but not limited to caulking, painting, cleaning, repair of architectural features and elements, checking for rust and repointing of masonry.

- (3) Submission of Local Law 10 & 11 Facade Inspection Report. If the Designated Structure is subject to the Facade Inspection Report requirements of Title 1 RCNY §32-03 et seq., a copy of any such Facade Inspection Report which is submitted to the Buildings Department, shall also be provided at the same time to the LPC. In the event that the building is found to be unsafe pursuant to such inspection, the Declarant shall notify the LPC simultaneously with the Buildings Department, pursuant to Title 1 RCNY §32-03(b)(2)(vii).
- (4) Except as set forth below, Declarant shall perform all work which a Periodic Report, Facade Inspection Report or Emergency Incident Report (as defined below) identifies as necessary to maintain the Designated Structure, including architectural features and elements, in sound first-class condition. No work shall be performed except pursuant to a permit from the LPC if a permit is required under the Landmarks Preservation Law. If the LPC determines that a specific item of work or method of work as set forth in a Periodic Report, Facade Inspection Report or Emergency Incident Report would be inappropriate or inadequate, the determination of the LPC shall control and Declarant need not and shall not have such specific item performed. Declarant shall have the right to contest in a hearing before the LPC any work called for in a Periodic Report or Emergency Incident Report. Declarant's obligation to perform such contested work or to perform it by a method acceptable to the LPC shall be stayed pending a

decision in any such proceeding at the LPC. Declarant shall proceed with all work that is uncontested during the stay pursuant to a permit.

- (5) Unless Declarant has notified the LPC in writing that it contests any work as set forth in the preceding paragraph, Declarant shall apply for all necessary permits or certificates from the LPC within 45 days of receiving the completed report from the Preservation Architect. Declarant shall use its best efforts to assure that all repairs, rehabilitation, repointing and restoration work detailed in the Periodic Report or Emergency Incident Report shall be completed at the earliest possible date, but no later than within nine (9) months of the date of issue of the certificate or permit from the LPC, or, if no such certificate or permit is required, within nine months of the date of the Periodic Report or Emergency Incident Report. If for reasons beyond Declarant's control, as determined by the Chairperson of the LPC, in the exercise of his or her reasonable judgment, such work cannot be completed within nine months, Declarant shall apply to the LPC for an extension of time within which to complete such work. Such extensions shall be for a stated additional period of time to be related to the period of delay and shall not be unreasonably withheld.

(b) Emergency Protection Program. Declarant shall establish and be prepared to carry out an emergency protection program for the Designated Structure which shall include at the minimum, the following:

- (1) If a fire, the elements or any other cause whatsoever damages or destroys the Designated Structure or any part thereof (the “Emergency Incident”), Declarant shall use all reasonable means to save, protect and preserve the Designated Structure at the time of and following the Emergency Incident, including, but not limited to, acting with an approval from the Chairperson of the LPC or his or her designated representatives to stabilize and prevent further damage to or deterioration of the structure, and to secure the Subject Premises from unauthorized access. Declarant shall not remove from the Subject Premises any debris consisting of exterior features of the Designated Structure without an approval from the Chairperson of the LPC or his or her designated representative. Unless necessitated as a safety precaution as ordered by the New York City Departments of Buildings, Health, Fire or Police, or as an action taken in response to a life-threatening situation, the Declarant shall not remove any other debris or otherwise clear the Subject Premises without the approval of the LPC or its Chairperson.
- (2) Declarant shall give immediate written notice of such Emergency Incident to the LPC. Declarant shall also give timely notice to the LPC of the time or times when the New York City Departments of Buildings, Health and Fire will inspect the Subject Premises following the Emergency Incident, in order that the LPC may have a representative present during such inspections.
- (3) Within sixty (60) days of such Emergency Incident, a Preservation Architect shall, at the expense of Declarant, make a thorough inspection of

the Designated Structure and submit a report (an “Emergency Incident Report”) to Declarant and to the LPC outlining the condition of the Designated Structure, assessing the extent of damage, and recommending (A) work, if any, which must be undertaken immediately, upon receipt of proper permits, in order to stabilize and prevent further damage to the Designated Structure, and (B) work that should be performed to repair and restore the Designated Structure to a sound, first-class condition or, alternatively to (A) and (B), that Declarant make an application to the LPC for permission to demolish the remaining portions of the Designated Structure.

- (4) With regard to the work to be performed pursuant to subparagraph (3)(A), Declarant shall immediately upon receipt of the Emergency Incident Report request and vigorously pursue all necessary permits and upon their issuance, shall undertake all such work with alacrity. If no permits are required, work shall be undertaken as soon as possible after receipt of the Emergency Incident Report.
- (5) With regard to the work to be performed pursuant to subparagraph (3)(B), within ninety (90) days of receiving the report of the Preservation Architect, Declarant shall apply for all necessary permits and certificates from the LPC to repair and restore or to demolish. No work on the exterior of the Designated Structure, and no work on the interior of the Designated Structure which would affect the exterior or which would require the issuance of a permit from the Buildings Department shall be performed

except pursuant to a permit from the LPC. If the LPC determines that a recommendation to demolish or to perform a specific item of work or method of work set forth in the report would be inappropriate, using the criteria set forth in the Landmarks Preservation Law, the determination of the LPC shall control and the Declarant shall not have such specific work performed or be entitled to have the Designated Structure demolished unless Declarant is obligated to perform such work or demolish the structure in accordance with an “Unsafe Building Notice” [“Immediate Emergency Declaration”] issued by the Buildings Department. All repair, restoration, rehabilitation, repointing, and other work provided for in a certificate or permit shall be completed within nine (9) months of the date of issue of such certificate or permit by the LPC. If such work cannot be completed within nine months for reasons beyond Declarant’s control, as determined by the Chairperson of the LPC in the exercise of his or her reasonable judgment, Declarant shall apply in writing to the LPC for an extension of time within which to complete such work. Such extensions shall be for a stated additional period of time that is related to the period of the delay and shall not be unreasonably withheld.

(c) Access to Designated Structure. Declarant agrees to provide access to the Designated Structure to the LPC and its designated representatives at reasonable times and upon reasonable written notice, except in cases of emergency, in which event the LPC or its representatives shall have access, if feasible, immediately and without notice, in order to insure

that the preservation, repair and maintenance of the Designated Structure is carried out in accordance with this Declaration.

(d) Failure to Perform. In the event that the preservation, repair, or maintenance of the Designated Structure is not performed in accordance with the provisions of this Article, the LPC shall give written notice of such failure to perform to the Declarant. Subject to the provisions of Section 4.4 hereof, in the event that Declarant, its successors or assigns, fails after sixty (60) days from receipt of written notice from the LPC to perform, or shall commence to perform but fail diligently to prosecute to completion, any such repair and/or maintenance, or any obligations of Declarant set forth in this Declaration, the City of New York may perform all of the necessary work at the sole cost and expense of Declarant and shall have the right to enter onto the Subject Premises and to charge Declarant for all the actual cost of such work, together with actual administrative and legal fees incurred in the collection thereof. The City's actual costs hereunder shall include, but not be limited to, payments by the City to any lawyers, consultants, contractors, painters, engineers, architects and skilled artisans required to be hired to perform or supervise such work. To the extent such actual costs are expended by the City, the LPC shall have a lien on the Subject Premises as if a lien had been filed, perfected and enforced for materials and labor under Article 2 of the Lien Law of the State of New York. Notwithstanding the foregoing, in the event that the Designated Structure is converted to a condominium, Declarant's right to notice and cure provided in this subsection shall apply only to the condominium board and to any owner of space occupied by retail uses in the Designated Structure; provided that the LPC has received notice by said parties in accordance with Section 6.2.

ARTICLE III. CONDOMINIUM BOARD

3.1 General. In the event that the Designated Structure is converted to a condominium in accordance with Article 9B of the New York State Real Property Law (“RPL”), the condominium board (“Board”), on behalf of the condominium unit owners, shall be assigned and shall have the responsibility to carry out all of Declarant’s obligations and the authority to exercise all of Declarant’s rights under this Declaration and upon the Board’s assumption of such responsibility and authority, Declarant shall be released from its liability hereunder. The following provisions of this Article 3 shall be operative only in the event that the Board is formed and assumes such responsibility and authority as described in this Section 3.1

3.2 Board. The Board shall require that each owner of a condominium unit (the “Unit Owner”) appoint the Board as his Attorney-in-Fact with respect to modification, amendment, or cancellation of the Declaration, and to carry out all of Declarant’s obligations and to exercise all of Declarant’s rights under this Declaration.

3.3 Condominium Deed and By-Laws. Every deed conveying title to, or a partial interest in, the Subject Premises and every lease of all or substantially all of the Subject Premises shall contain a recital that the grantee is bound by the terms of the Condominium Declaration and the By-laws of the Condominium, which shall incorporate an obligation by the Board to comply with the provisions of Article 3 of this Declaration. Every deed conveying title shall explicitly state that the grantee shall comply with the obligations and restrictions of the Continuing Maintenance Program, as provided in Section 2.3 herein.

ARTICLE IV. EFFECT AND ENFORCEMENT

4.1 Effective Date.

(a) This Declaration shall have no force and effect unless and until the occurrence of one of the following, to be referred to as the “Effective Date”: (i) the expiration of 21 days after the Special Permit has been approved if no review is undertaken by the City Council pursuant to Section 197-d of the New York City Charter, or (ii) final approval of the Special Permit pursuant to Section 197-d of the New York City Charter. The Declaration shall become immediately effective upon the Effective Date. If, before the Effective Date, Declarant requests or causes the application for the Special Permit to be withdrawn or abandoned, or if final action has been taken having the effect of denying the Special Permit, then, upon notice to CPC and LPC, this Declaration shall not become effective, shall be automatically canceled and shall be of no force and effect.

(b) If the Special Permit is at any time declared invalid or is otherwise voided by final judgment of any court of competent jurisdiction from which no appeal can be taken or for which no appeal has been taken within the applicable statutory period provided for such appeal, then, upon entry of said judgment or the expiration of the applicable statutory period for such entry, as the case may be, this Declaration shall be automatically canceled without further action by Declarant and shall be of no further force or effect and the CPC shall, if requested by Declarant, provide Declarant with a letter in recordable form stating that the Declaration has been so canceled and is of no further force and effect. In the event that Declarant has obtained a certificate of occupancy allowing any Special Permit Use in the Designated Structure, Declarant shall promptly,

after receipt of such letter, obtain a revised certificate of occupancy from the Buildings Department reflecting the cessation of any such Special Permit Use in the Designated Structure.

4.2 Filing and Recording. Declarant shall file and record at its sole cost and expense this Declaration in the Register's Office, indexing it against the Subject Property, immediately upon the Effective Date. Declarant shall promptly deliver to the CPC and the LPC duplicate executed originals, promptly following the Effective Date and, following recordation, a true copy of this Declaration as recorded, as certified by the Register. If Declarant fails to so record this Declaration, the City may record this Declaration, at the sole cost and expense of Declarant, who shall promptly pay to the City such costs together with fees for purchase of a reasonable number of certified copies of the recorded Declaration.

4.3 Additional Remedies. Declarant acknowledges that the City is an interested party to this Declaration, and consents to enforcement by the City, administratively or at law or equity, of the restrictions, covenants, easements, obligations and agreements contained herein. Declarant also acknowledges that the remedies set forth in this Declaration are not exclusive, and that the City and any agency thereof may pursue other remedies not specifically set forth herein including, but not limited to, the seeking of a mandatory injunction compelling Declarant, its heirs, successors or assigns, to comply with any provision, whether major or minor, of this Declaration.

4.4 Notice and Cure.

(a) Before any agency, department, commission or other subdivision of the City of New York institutes any proceeding or proceedings to enforce the terms or conditions of this Declaration because of any violation hereof, it shall give Declarant forty-five (45) days written notice of such alleged violation, during which period Declarant shall have the opportunity to effect

a cure of such alleged violation. If Declarant commences to effect a cure during such forty-five (45) day period and proceeds diligently towards the effectuation of such cure, the aforesaid forty-five (45) day period shall be extended for so long as Declarant continues to proceed diligently with the effectuation of such cure. In the event that title to the Subject Premises, or any part thereof, shall become vested in more than one party, the right to notice and cure provided in this subsection shall apply equally to all parties with a fee interest in the Subject Property, or any part thereof, including ground lessees; provided the LPC has received notice by said parties in accordance with Section 6.2. Notwithstanding the foregoing, in the event that the Designated Structure is converted to a condominium, the right to notice and cure provided in this subsection shall apply only to the condominium board and to any owner of space occupied by retail uses in the Designated Structure; provided that the LPC has received notice by said parties in accordance with Section 6.2.

(b) If after due notice as set forth in this Section 4.4, Declarant fails to cure such alleged violations, the City may exercise any and all of its rights, including those delineated in this Section and may disapprove any amendment, modification, or cancellation of this Declaration on the sole grounds that Declarant is in default of any material obligation under this Declaration.

4.5 Acknowledgement of Covenants.

(a) If Declarant fails to observe any of the terms or conditions of this Declaration, and the Declarant fails to cure such violation within the applicable grace period provided in subparagraph 4.4(a) of this Declaration, then prior to the institution by any agency or department of the City of any action, proceeding, or proceedings against Declarant in connection with such failure, a Mortgagee who has given written notice of its name and address to the CPC and the LPC shall be given thirty (30) days written notice of such alleged violation, during which period such

Mortgagee shall have the opportunity to effect a cure of such alleged violation. If such Mortgagee commences to effect a cure during such thirty (30) day period and proceeds diligently towards the effectuation of such cure, the aforesaid thirty (30) day period shall be extended for so long as such Mortgagee continues to proceed diligently with the effectuation of such cure.

(b) If after due notice as set forth in this Section 4.5(a), Declarant and the Mortgagee fail to cure such alleged violations, the City may exercise any and all of its rights, including those delineated in this Section and may disapprove any amendment, modification, or cancellation of this Declaration on the sole grounds that Declarant is in default of any material obligation under this Declaration.

(c) Declarant acknowledges that the restrictions, covenants, easements, obligations and agreements in this Declaration, which are an integral part of the Special Permit, will protect the value and desirability of the Subject Premises as well as benefit the City of New York and all property owners within a one-half mile radius of the Subject Premises. Those restrictions, covenants, easements, obligations and agreements shall be covenants running with the land, and shall bind Declarant and its successors, legal representatives, and assigns.

4.6 No Other Enforceable Restrictions. Declarant represents and warrants that there are no enforceable restrictions of record on the use of the Subject Property or the Designated Structure, nor any present or presently existing future estate or interests in the Subject Property or the Designated Structure, nor any lien, obligation, enforceable covenant, limitation or encumbrance of any kind which precludes, directly or indirectly, imposition on the Subject Premises of the restrictions, covenants, easements and obligations of this Declaration.

4.7 Governance. This Declaration shall be governed by and construed in accordance with the laws of the State of New York.

4.8 Severability. In the event that any provision of this Declaration shall be deemed, decreed, adjudged or determined to be invalid or unlawful by a court of competent jurisdiction and the judgment of such court shall be upheld on final appeal, or the time for further review of such judgment on appeal or by other proceeding has lapsed, such provision shall be severable, and the remainder of this Declaration shall continue to be of full force and effect.

4.9 Applicability to other City Agencies. Declarant covenants to include a copy of this Declaration as part of any application submitted to the LPC, CPC, Buildings Department, Board of Standards and Appeals (“BSA”), New York State Attorney General (in the event of a proposed conversion of the Designated Structure to condominium ownership) or any agency succeeding to their respective jurisdictions. The restrictions and obligations contained herein are a condition of any permit or Certificate of Occupancy to be issued by the Building Department and Declarant will take all reasonable steps to ensure that they are so listed. Failure to carry out such obligation beyond any applicable grace period shall constitute sufficient cause for the Commissioner of the Buildings Department to revoke any building permit issued pursuant to the Special Permit or to apply to the BSA or to a court of competent jurisdiction for revocation of the Certificate of Occupancy or any permit issued by the Buildings Department.

4.10 Limitation of Liability.

(a) Declarant shall be liable in the performance of any term, provision or covenant in this Declaration, subject to the following sentences and subject to Section 4.12 below. Notwithstanding anything to the contrary contained in this Declaration, the City and any other

party or person relying on the Declaration will look solely to the fee estate and interest of Declarant in the Subject Property, on an in rem basis only, for the collection of any money judgment recovered against Declarant, and no other property of Declarant shall be subject to levy, execution or other enforcement procedure for the satisfaction of the remedies of the City or any other person or entity with respect to this Declaration, and Declarant shall have no personal liability under this Declaration. The liability of any Unit Owner under this Declaration shall be limited to the amount of such Unit Owner's prorated share, based on such Unit Owner's interest in the common elements of the Condominium, of the costs of compliance with this Declaration. For the purposes of this Section 4.10, "Declarant" shall mean "Declarant" as defined in Article I hereof, as well as any principals, disclosed or undisclosed, partners, affiliates, officers, employees, shareholders or directors of Declarant.

(b) The restrictions, covenants and agreements set forth in this Declaration shall be binding upon Declarant, and any successors-in-interest thereto (including, without limitation, any mortgagee that acquires title to the Subject Premises by foreclosure or deed-in-lieu thereof) only for the period during which such party is the holder of a fee interest in or is a party in interest of the Subject Premises and only to the extent of such fee interest or the interest rendering such party a party in interest. At such time as Declarant has no further fee interest in the Subject Premises and is no longer a party in interest of the Subject Premises, such party's obligations and liability with respect to this Declaration shall wholly cease and terminate from and after the conveyance of such party's interest and such party's successors-in-interest in the Subject Premises by acceptance of such conveyance automatically shall be deemed to assume such party's obligations and liabilities hereunder to the extent of such successor-in-interest's interest.

4.11 Subordination. Declarant shall cause every individual, business organization or other entity that between the date hereof and the date of recordation of this Declaration becomes a Party in Interest to the Subject Property, to execute this Declaration or to subordinate such interest to the Declaration and waive its right to execution. Any mortgage or other lien encumbering the Subject Property after the recording date of this Declaration shall be subject and subordinate hereto.

4.12 Right to Convey. Nothing contained herein shall be construed as requiring the consent of the CPC, the LPC, the City, any agency thereof or any other person or entity to any sale, transfer, conveyance, mortgage, lease or assignment of any interest in the Subject Property or the Designated Structure.

ARTICLE V. AMENDMENTS, MODIFICATIONS AND CANCELLATIONS

5.1 Amendment or Cancellation. Except as provided in paragraph 4.1 above, this Declaration may be amended or canceled only upon application by the LPC on behalf of Declarant and only with the express written approval of the CPC and of the City Council, but only in the event that the City Council reviewed the Special Permit pursuant to Section 197-d, and no other approval or consent shall be required from any public body, private person or legal entity of any kind; provided, however, that no such approval shall be required in the case of any cancellation pursuant to paragraph 5.4.

5.2 Minor Modification. The Chairperson of the LPC and the Chairperson of the CPC may, by express written consent, administratively approve modifications to the Declaration that the CPC has determined to be minor. Such minor modifications shall not be deemed amendments

requiring the approval of the CPC, the LPC, the City Council or any other agency or department of the City of New York.

5.3 Recording and Filing. Any modification, amendment or cancellation of this Declaration, except pursuant to paragraph 5.4, shall be executed and recorded in the same manner as this Declaration. Following any modification, amendment or cancellation, Declarant shall immediately record it and provide one executed and certified true copy thereof to each of the CPC and the LPC and upon failure to so record, permit its recording by the CPC or the LPC at the cost and expense of Declarant.

5.4 Surrender or Nullification. Notwithstanding the provisions of Section 4.1(a) and 4.1(b), in the event that Declarant does not use the Subject Premises pursuant to the Special Permit, Declarant may surrender the Special Permit to the CPC and proceed with any use permitted by the Zoning Resolution and in accordance with the Landmarks Preservation Law as if such Special Permit had not been granted. This Declaration shall be rendered null and void upon recordation of an instrument filed by Declarant discharging it of record, with copies to LPC and CPC, the recordation of which instrument shall constitute a waiver of the right to use the Subject Premises pursuant to the Special Permit.

ARTICLE VI. MISCELLANEOUS

6.1 Exhibits. Any and all exhibits, appendices, or attachments referred to herein are hereby incorporated fully and made an integral part of this Declaration by reference.

6.2 Notices.

(a) All notices, demands, requests, consents, waivers, approvals and other communications which may be or are permitted, desirable or required to be given, served or deemed to have been given or sent hereunder shall be in writing and shall be sent, as follows:

- (1) If intended for 10 Greene Owner LLC, to:

Javeri Capital LLC
444 Madison Avenue, 32nd Floor
New York, NY 10022
Attn:

With a copy to:

GoldmanHarris LLC
475 Park Avenue South, 28th Floor
New York, NY 10010
Attn: Caroline G. Harris, Esq.

- (2) If intended for the CPC, to:

New York City Department of City Planning
22 Reade Street
New York, NY 10007 (or then-official address)
Attn: Chairperson

- (3) If intended for the LPC, to:

Landmarks Preservation Commission
Municipal Building, 1 Centre Street, 9th Floor,
New York, NY 10007 (or then-official address),
Attn: Chairperson

- (4) If intended for the City Council, to:

City Council at the Office of the Speaker,
City Council
City Hall, New York, NY 10007

(5) If intended for [BANK], to:

_____, _____

(b) Declarant, or its representatives, by notice given as provided in this paragraph 6.2, may change any address for the purposes of this Declaration. Each notice, demand, request, consent, approval or other communication shall be either sent by registered or certified mail, postage prepaid, or delivered by hand, and shall be deemed sufficiently given, served or sent for all purposes hereunder five (5) business days after it shall be mailed, or, if delivered by hand, when actually received.

6.3 Indemnification. Provided that Declarant is found by a court of competent jurisdiction to have been in default in the performance of its obligations under this Declaration after having received written notice of such default and opportunity to cure as provided above, and such finding is upheld on final appeal, or the time for further review of such finding on appeal or by other proceeding has lapsed, Declarant shall indemnify and hold harmless the City from and against all of its reasonable legal and administrative expenses arising out of or in connection with the City's enforcement of Declarant's obligations under this Declaration.

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the day and year first above written.

10 GREENE OWNER LLC
By: Javeri Capital LLC, Manager

By: _____
Name:
Title:

DRAFT



Vincent Sapienza, P.E.
Acting Commissioner

Angela Licata
Deputy Commissioner of Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
Fax (718) 595-4479
alicata@dep.nyc.gov

September 29, 2016

Mr. Robert Dobruskin
Director, Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

**Re: 10 Greene Street
Block 230, Lot 13
CEQR # 77DCP326M
New York, New York**

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the July 2016 Environmental Assessment Statement prepared by Equity Environmental Engineering and the March 2013 Phase I Environmental Site Assessment Report (Phase I) prepared by Environmental Affiliates, Inc. on behalf of 10 Greene Owner LLC (applicant) for the above referenced project. It is our understanding that the applicant is seeking a special permit from the New York City Department of City Planning (DCP) pursuant to Zoning Resolution Section 74-711 to modify the use regulations of Section 42-10 to enlarge the existing five-story with cellar building with a one-story, including mezzanine, penthouse roof addition; allow 13,771 gross square feet (gsf) of residential use (Use Group 2) on the existing 2nd through 5th floor; and Section 42-14(D) to allow 3,177 gsf of retail use (Use Group 6) on the ground floor. The cellar would be used as accessory space for the proposed retail use and residential use. The subject property is bounded by Greene Street to the West, Mercer Street to the East, Canal Street to the South, and Grand Street to the North in the SoHo section of Manhattan Community District 2. As currently proposed, soil disturbance will not be involved to facilitate the development of a penthouse addition, including mezzanine on the roof of the existing building.

The March 2013 Phase I report revealed that historical on-site and surrounding area land uses consisted of a variety of residential and commercial uses including clothing storage, an architect's office, a gallery, a clothing showroom, a church, a school, a popcorn factory, a pastry bakery, candy factories, warehouses, a bank, a theatre, a post office, a playground, the N.Y. Telephone Building, a hotel, parking, auto repair, apartments, dry cleaners, etc. Based on the age of the subject building, asbestos containing materials (ACM) and lead based paints (LBP) could be present in the on-site structure. The New York State Department of Environmental Conservation (NYSDEC) Spills database identified 58 spills within a 1/8-mile of the subject property. The NYSDEC

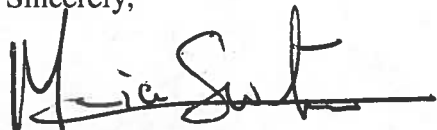
leaking storage tanks (LTANKS) database identified 113 LTANKS sites within a 1/2-mile of the subject property. In addition, there is 1 NYSDEC Voluntary Cleanup Program site and 1 NYSDEC Brownfields site within a 1/2-mile of the subject property.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

- DCP should inform the applicant that ACM and LBP may be present in the on-site structure. These materials should be properly removed and/or managed prior to the start of any construction activities and disposed of in accordance with all federal, state, and local regulations.
- It should be noted that the proposed project is for the conversion of an existing five-story building to residential and retail use and to construct a penthouse with mezzanine addition. Soil disturbance will not be involved to facilitate the development of the proposed one-story, including mezzanine, penthouse roof addition. DEP finds that the proposed project will not likely to represent a significant environmental concern to the subject site and therefore, find the proposed project acceptable based on the current proposal and have no further requirements for this project.

Future correspondence and submittals related to this project should include the following CEQR number **77DCP326M**. If you have any questions, you may contact Wei Yu at (718) 595-4358.

Sincerely,



Maurice S. Winter
Deputy Director, Site Assessment

c: E. Mahoney
M. Winter
W. Yu
T. Estes
M. Wimbish
O. Abinader – DCP
C. Lee – DCP
File

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 17DCP062M

Project:

Address: 10 GREENE STREET, **BBL:** 1002300013

Date Received: 11/28/2016

No architectural significance

No archaeological significance

Designated New York City Landmark or Within Designated Historic District

Listed on National Register of Historic Places

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

May be archaeologically significant; requesting additional materials

Comments: The LPC is in receipt of the EAS of 9/23/16 and it is acceptable for historic and cultural resources.



12/5/2016

SIGNATURE

Gina Santucci, Environmental Review Coordinator

DATE

File Name: 31957_FSO_GS_12052016.doc

Appendix B

Land Mark Preservation Commission Certificate of Appropriateness



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION
 1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007
 TEL: 212 669-7700 FAX: 212 669-7780



PERMIT CERTIFICATE OF APPROPRIATENESS

ISSUE DATE: 03/04/16	EXPIRATION DATE: 11/24/2021	DOCKET #: 182777	COFA #: COFA 18-2925
ADDRESS: 10 GREENE STREET <u>HISTORIC DISTRICT</u> SOHO-CAST IRON		BOROUGH: MANHATTAN	BLOCK/LOT: 230 / 13

Display This Permit While Work Is In Progress

ISSUED TO:

Atit Javeri
444 Madison Avenue
32nd Floor
New York, NY 10022

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of November 24, 2015, following the Public Hearing of the same date, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forth in your application completed October 29, 2015, and as you were notified in Status Update Letter 17-9283 (LPC 17-7954), issued on November 24, 2015.

The proposal, as approved, consists of exterior alterations at the roof, including constructing a one-story plus mezzanine penthouse addition, setback 20'-0" from the front façade and 17'-5" from the rear façade, featuring grey brickwork and metal and glass door and window assemblies, a clerestory with a projecting metal and wood clad surround at the street facing façade, red brick cladding with punched openings and windows at the rear and side facing façades, stair and elevator bulkheads with brick cladding, and miscellaneous mechanical equipment, landscape planters and terrace paving at the penthouse roof; and at the Greene Street façade, including removing the non-original entry infill from the three (3) southernmost storefront bays and installing new entrance infill, featuring paneled wood double-doors with transoms and clear glazing, finished brown, as shown in photographs and presentation drawings 1 through 38 dated November 24, 2015, prepared by RSVP Architecture Studio, submitted as components of the application and presented at the Public Hearing and Public Meeting.

In reviewing the proposal, the Commission noted that the SoHo-Cast Iron Historic District Designation Report describes 10 Greene Street as a store and warehouse building designed by John B. Snook and built in

1869; and that the building's style, scale, materials and details are among the features that contribute to the special architectural and historic character of the SoHo-Cast Iron Historic District. Furthermore, the Commission notes that Modification of Use (MOU) 18-2929 (LPC 17-9218) was presented and approved in conjunction with this Certificate of Appropriateness (COFA).

With regard to this proposal, the Commission found that the construction of the proposed two-story rooftop addition will not result in loss of or damage to any significant architectural feature of the roof; that the scale and massing of the proposed rooftop addition and bulkhead, which will be set back from both facades, will not overwhelm the building; that the proposed rooftop addition will not be visible over the primary façade or street wall along Greene Street, and other views from further vantage points will generally be seen in context with foreground buildings and numerous other rooftop structures; that the form of the proposed rooftop addition, featuring a clerestory with a projecting metal and wood clad surround at the street facing façade and a setback mezzanine at the rear facing façade, will relate to the variety of forms traditionally found on rooftops, including bulkheads, water tanks, skylights and other rooftop accretions; that the materials of the proposed rooftop addition, featuring brick masonry, metal and wood cladding, and steel framed glazing, will be consistent with the materiality of various rooftop structures and installations in the historic district; that the reconstruction and modest raising of the rear façade parapet will not alter or eliminate any significant architectural features and will align with the top floor of the adjacent building; that the removal of the existing commercial entrances and elevator entrance will not eliminate any significant historic fabric; and that the installation of new entrance infill, featuring paneled wood double-doors with transoms all with clear glazing and a brown painted finish, will recall the former historic entry infill at this building and help to unify the base of the building, which currently features a varied mix of non-original entry infill from different eras. Based on these findings, the Commission determined the work to be appropriate to the building and to the SoHo-Cast Iron Historic District and voted to approve this application.

However, in voting to grant this approval, the Commission stipulated that the height and visibility of the proposed rooftop addition be reduced in consultation with staff; and that two (2) final signed and sealed Department of Buildings filing drawings showing the approved proposal be submitted to the Landmarks Preservation Commission for review and approval.

The Commission notes that the applicant is applying to the City Planning Department for a Special Permit pursuant to Section 74-711 of the Zoning Resolution for a Modification of Use. Any changes to the design required by the City Planning Department must be submitted to the Landmarks Preservation Commission for review and approval prior to the issuance of the final approval letter.

Subsequently, on March 4, 2016, the Landmarks Preservation Commission received revised presentation drawings 1 through 38, dated February 22, 2016, and prepared by RSVP Architecture Studio. Accordingly, the staff of the Commission reviewed the drawings, and found that the height and visibility of the proposed rooftop addition has been reduced by lowering its overall height and installing a stepped metal acoustical screen around mechanical equipment in lieu of a continuous brick parapet; that the proposal approved by the Commission has been maintained, and that the drawings additionally show exterior alterations at the Greene Street façade, including installing new decorative cast iron elements to match original elements missing at select locations; repainting the entire cast iron façade and fire escape off-white (Benjamin Moore "Bone White") to match the original color determined by a paint finish analysis; removing sixteen (16) double-hung windows and installing sixteen (16) new two-over-two double-hung wood windows with profiled brickmolds, finished off-white (BM "Bone White"); removing the existing overhanging counter-weight fire-escape ladder and installing a new drop ladder; restoring the existing four-light fixed wood display window at the northernmost bay and painting it off-white (BM "Bone White"); restoring the two (2) cast iron vault light steps in kind; restoring the existing diamond plate steps; installing new metal handrails at the steps,

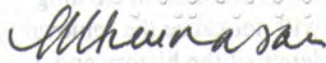
finished black; installing new diamond plate at sidewalk level at either side of the diamond plate stairs; and performing dutchman repairs to the existing granite sidewalk in kind at select locations; at the non-visible rear façade, including removing twenty (20) existing windows and installing twelve (12) new six-over-six and eight (8) new two-over-two double-hung wood windows, all with profiled brickmolds and finished off-white (BM "Bone White"); installing new metal shutters to match original shutters missing at select locations; reconstructing the historic sloped metal roof skylight at the 1st floor; and replacing brick and pointing mortar in kind at select locations. The Commission finds, in accordance with the provisions set forth in RCNY, Title 63, Section 2-17, (c)(1), that the proposed cast iron restoration is based upon existing physical evidence on the building and on matching buildings; that the restoration will not cause the removal of significant historic fabric that may have been added over time, and that are evidence of the history and development of a building, structure, or site; and that the work will return these significant elements to their historic appearance; in accordance with Section 3-04 (c), that the new windows at the primary façade will match the historic windows in terms of configuration, operation, details, material and finish; and in accordance with Section 3-04 (d), that the proposed windows will be installed in existing window openings; and that they do not replace "special" windows as defined in the definitions (§ 3-01) and illustrated in Appendix A of this chapter. Furthermore, the Commission finds, that the proposed masonry units will match the historic masonry units in terms of size, color, texture and bond pattern; that the existing joints will be raked by hand or by a method that will not cause damage to the surrounding brick; that the proposed mortar will match the historic mortar in terms of size, color, texture and tooling; that the new granite sidewalk repairs will not result in damage to or loss of any significant historic fabric; that the installation of the new fire-escape ladder will not conceal, damage, or cause the removal of significant architectural features; that the drop ladder will be in keeping with early fire escape ladders at buildings of this type and age; that the installation of the new diamond plate and handrails will not result in damage to or loss of any significant historic fabric; that the proposed façade, fire escape and window finish will match the historic finish, as determined by a paint/finish analysis; that the work will aid in the long term preservation of the building; that the work will not result in damage to or loss of any significant historic fabric; and that the work will not detract from the special architectural or historic character of the building or district. Based on these and the above findings, the drawings have been marked approved with a perforated seal, and Certificate of Appropriateness 18-2925 (LPC 18-2777) is being issued.

PLEASE NOTE: This permit is issued contingent upon the Commission's review and approval of the final Department of Building filing set of drawings. No work can begin until the final drawings have been marked approved by the Landmarks Preservation Commission with a perforated seal. Please submit these drawings to the Landmarks Preservation Commission staff when they become available.

PLEASE NOTE: This permit is contingent upon the Commission's review and approval of shop drawings for the storefront entry infill and samples of new cast iron elements, brickwork and pointing mortar prior to the commencement of work. Please contact Victor Tomanek at vtomanek@lpc.nyc.gov to schedule a site visit once samples are available for review. This permit is also contingent on the understanding that the work will be performed by hand and when the temperature remains a constant 45 degrees Fahrenheit or above for a 72 hour period from the commencement of the work.

This permit is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or disclosed during the review process.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of the approval. The work is limited to what is contained in the perforated document. Other work or amendments to this filing must be reviewed and approved separately. The applicant is hereby put on notice that performing or maintaining any work not explicitly authorized by this permit may make the applicant liable for criminal and/or civil penalties, including imprisonment and fine. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Victor Tomanek.



Meenakshi Srinivasan

Chair

PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Peter Kraskowski, CODE LLC

cc: Jared Knowles, LPC Director of Preservation
Cory Herrala, LPC Director of Technical Affairs, Sustainability and Resiliency
John Weiss, LPC Deputy Counsel

DESIGN APPROVAL ONLY
No work may proceed until DOB filing
drawings are reviewed and approved.

Appendix C

Phase 1 Environmental Assessment – Environmental Affiliates Inc. (ON
FILE AT DEP)

Phase 1 Review – Merritt Environmental Consulting



77 Arkay Drive, Suite D, Hauppauge, NY 11788
(631) 617-6200/Tel (631) 617-6201/Fax

October 27, 2014
Project M12127

Mr. Declan Meagher
Valley National Bank
924 Broadway
New York, NY 10010

RE: Environmental Addendum
10 Greene Street
New York, New York 10013

Dear Mr. Meagher:

Merritt Environmental Consulting Corp. (MECC) has conducted a review of the Phase I Environmental Site Assessment (ESA) dated March 6, 2013 for the above-referenced property. The report was prepared by Environmental Affiliates, Inc (EAI) for Astoria Federal Savings. The stated reason for conducting a Phase I ESA is to evaluate a pending financial transaction in connection with the property. MECC has not conducted any onsite visit of the property.

SCOPE OF WORK

The EAI report states that it was prepared in accordance with the ASTM E 1527-05 standard, which was recognized as meeting the All Appropriate Inquiry (AAI) protocols at the time that EAI's report was issued. The recent ASTM 1527-13 standard was released subsequent to completion of the EAI report and is currently the standard recognized as meeting AAI. This standard was released in November of 2013 and approved by the United States Environmental Protection Agency (USEPA) on December 30, 2013.

EAI states that no significant data gaps were encountered that would significantly impact the ability to identify Recognized Environmental Conditions (RECs).

SUBJECT AND ADJOINING PROPERTIES

EAI described the site as a five (5)-story commercial building housing six (6) tenants plus a basement.

EAI conducted an onsite inspection and observed one (1) active registered 1,500-gallon aboveground storage tank (AST) housing heating oil in the basement. No leaks or spills were noted in the vicinity of the AST. The tank is registered with the New York State Department of Environmental Conservation (NYSDEC) as PBS Registration #2-600183, which will expire on June 24, 2016.

EAI did not observe indications of the usage, storage or disposal of hazardous substances or petroleum products at the property.

SITE HISTORY AND REGULATORY RECORDS

EAI reviewed historical Sanborn fire insurance maps to determine the historical uses of the subject property. Additional standard historical sources such as aerial photographs, topographic maps, and city directories were not reviewed.

According to Section 5 of EAI's report, the subject site was originally developed circa 1930 and was previously vacant land. However, the report states elsewhere that the current building was constructed in 1894.

EAI additionally conducted a review of environmental regulatory records, which identified no significant environmental concerns at the subject property.

MECC notes that several databases specified within the ASTM E 1527-05 and 1527-13 standards are omitted from EAI's report, including the Delisted NPL, CERCLIS-NFRAP, Institutional/Engineering Controls, Brownfields, Voluntary Cleanup Program, State Hazardous Waste Site databases.

CONCLUSIONS AND RECOMMENDATIONS

According to the EAI report, no Recognized Environmental Conditions (RECs) were identified.

MECC has no objections with these findings. However, it should be noted that the EAI report was completed on March 6, 2013, and has exceeded the recommended 180-day time period for which a Phase I ESA is considered valid as outlined by ASTM.

The report states that it was prepared in accordance with the ASTM E 1527-05 standard, which was recognized as meeting the All Appropriate Inquiry (AAI) protocols at the time that EAI's report was issued. The recent ASTM 1527-13 standard was released subsequent to completion of the EAI report and is currently the standard recognized as meeting AAI.

MECC further notes that additional standard historical sources such as aerial photographs, topographic maps, and city directories were not reviewed by EAI. In addition, several regulatory databases specified within the ASTM E 1527-05 and 1527-13 standards are omitted from EAI's report, as outlined above.

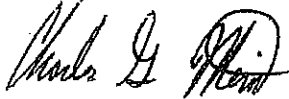
In recent years, it has become standard practice for Phase I ESAs to include a discussion of potential vapor encroachment/vapor intrusion (VE/VI) issues. The EAI report does not include this discussion. The recent ASTM 1527-13 standard released in November of 2013 clarified that this section is required in all E1527 style reports. The standard was approved by the United States Environmental Protection Agency (EPA) on December 30, 2013.

LIMITATIONS OF THE ENVIRONMENTAL REVIEW

The tasks that comprise this Environmental Review are not exhaustive or definitive. MECC has not visited the subject property to verify the on-site or off-site conditions presented in the reviewed documentation. This Environmental Review was prepared specifically in order to: (a) establish if the submitted documents generally meet industry standards; (b) evaluate the applicability and necessity of any conclusions and recommendations based on the information presented in the reviewed documents; and (c) to the extent feasible, determine if additional recommendations are appropriate. MECC has made no independent investigation of the accuracy of secondary sources included in the provided documents and has assumed them to be accurate and complete. MECC does not warrant the accuracy or completeness of information provided disclosed by the submitted documents or by secondary sources contained therein (MECC has no reason to believe that the secondary sources provided in the reviewed documents contain intentionally false or misleading information). MECC does not warrant that all contamination that may exist on the subject property has been discovered, that the Site is suitable for any particular purpose or that the Site is clean or free of liability.

If I can be of any further assistance, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Charles G. Merritt". The signature is written in a cursive style with a large, stylized initial "C" and "M".

Charles G. Merritt
President/LEED AP

Appendix D

Noise Survey – Ruby Ventures, AKRF, Inc.



440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
fax: 212 213-3191
www.akrf.com

Memorandum

To: Gerard A. Spano / Ruby Ventures
From: Daniel Abatemarco / AKRF
Date: December 10, 2014
Re: **Noise Survey Results for 11 Greene Street (Manhattan, NY); Block 229, Lot 1.**
cc: Marc Godick / AKRF

INTRODUCTION

At the direction of Ruby Ventures, AKRF, Inc. (AKRF) has completed a refined building attenuation analysis for the 11 Greene Street project site in Manhattan, NY. The analysis was conducted in accordance with procedures set forth *New York City Environmental Quality Review Technical Manual (CEQR Technical Manual)*. The project site, located on Block 229, Lot 1 (see **Figure 1**), was the subject of the 341 Canal Street EAS (CEQR #07DCP038M). The EAS included a building attenuation analysis and a commitment to façade attenuation and alternate means of ventilation for the proposed building to ensure acceptable interior noise levels according to *CEQR Technical Manual* noise exposure guidance. Proposed development of the site includes construction of an eight-story residential building with retail uses on the first floor.

AKRF conducted a refined building attenuation analysis for the proposed development based on the building's design, the noise level measurements included in the EAS, and an updated site-specific noise survey. The updated noise survey included measurements along Greene Street at various distances from Canal Street to determine noise levels at each line of apartments along the Greene Street façade.

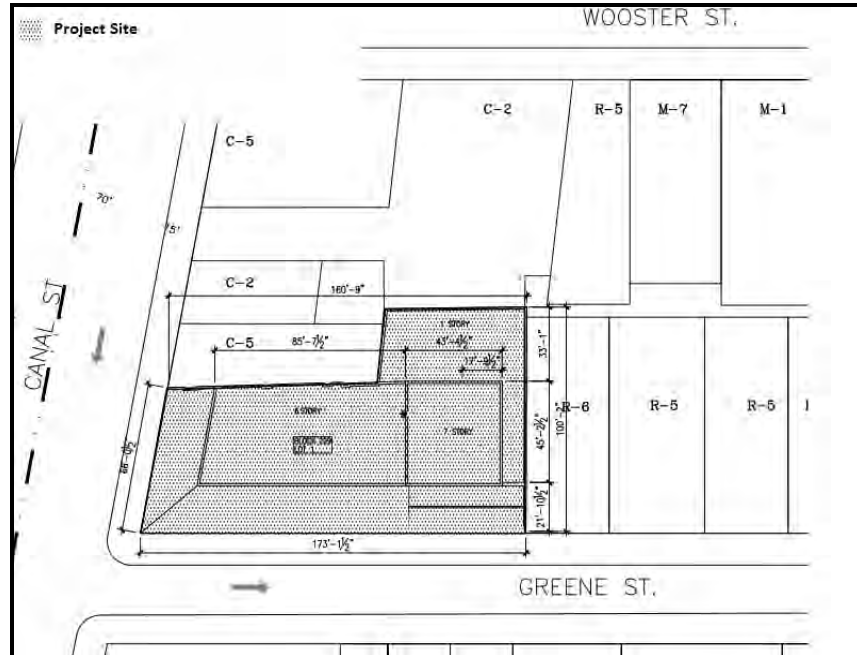


Figure 1: Project Site; Block 229, Lot 1

341 CANAL STREET EAS ATTENUATION REQUIREMENT SUMMARY

The 341 Canal Street EAS included an assessment of exterior noise levels to determine the necessary level of window/wall attenuation at the development site based on interior noise level criteria outlined in the *CEQR Technical Manual*. The CEQR recommended noise attenuation values for buildings, which are designed to maintain interior $L_{10(1)}$ noise levels of 45 dB(A) or lower for residential uses and 50 dB(A) or lower for commercial uses, are shown in **Table 1**.

Table 1
CEQR Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Acceptable				Clearly Unacceptable
Noise Level With Proposed Action	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation*	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	$36 + (L_{10} - 80)^B$ dB(A)
Notes:	^A The above composite window-wall attenuation values are for residential dwellings and hotel guestrooms. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation. ^B Required attenuation values increase by 1 dB(A) increments for L_{10} values greater than 80 dB(A).				
Source:	New York City Department of Environmental Protection				

The EAS includes measured maximum $L_{10(1)}$ noise levels at the project site along with recommended façade attenuation to provide acceptable interior noise levels according to *CEQR Technical Manual* noise exposure guidance. The maximum measured noise levels at the project site from the EAS are shown in **Table 2**.

Table 2
Maximum Measured Noise Levles from 341 Canal Street EAS in dB(A)

Site	Location	Maximum L ₁₀
1	Project Site Southwest Corner	79
2	Project Site Southeast Corner	78
3	Project Site Northeast Corner	76

Sources: 341 Canal Street EAS (CEQR #07DCP038M) prepared by Ethan C. Eldon Associates.

The EAS concluded that 30 dB(A) of façade attenuation at the proposed building would result in interior noise levels of 45 dB(A) or lower; however, based on the façade attenuation requirements from the 2014 *CEQR Technical Manual* as shown in **Table 1**, attenuation values ranging from 31 to 35 dB(A) would be needed to result in interior noise levels of 45 dB(A) or lower for the building's residential units.

Since the completion of the EAS, more detailed building design information has been developed for the proposed building. Based on this additional detail and an updated noise survey, the façade-by-façade attenuation requirements were refined for the proposed building.

UPDATED NOISE SURVEY

NOISE SURVEY METHODOLOGY

Because the EAS noise survey included only two noise survey locations along Greene Street, an updated noise survey was conducted to more precisely determine the noise levels at the proposed building's façade along Greene Street. Based on the building design information provided by the project architect, two additional noise survey locations were selected in line with EAS Noise Site 2 at varying setback distances from Canal Street.

Canal Street is much more heavily trafficked than Greene Street, and locations along Greene Street further from Canal Street would experience less vehicular traffic noise than those closer to Canal Street. Each survey location was set back from Canal Street at a distance corresponding to individual apartment units with façade along Greene Street, as shown in the project building floor plans provided by the project architect. This allowed attenuation values to be determined for each apartment line. The survey locations are shown in **Table 3**.

Table 3
Updated Noise Survey Locations

Site	Location	Setback Distance from Canal Street Corner (feet)	Apartment Line Represented
2	Project Site Southeast Corner (Greene Street at Canal Street)	0	D
2A	Along Greene Street Façade (58 Feet North of Site 2)	58	E
2B	Along Greene Street Façade (97 Feet North of Site 2)	97	F, A

At each of the new survey locations (i.e., 2A and 2B) a 20-minute spot noise measurement was conducted simultaneously with a 20-minute spot measurement at EAS Noise Site 2. The simultaneous measurements at EAS Noise Site 2 were conducted to provide a comparison to the EAS results. Measurements were conducted during the AM peak hour, which was the loudest hour at each of the noise survey locations in the EAS.

EQUIPMENT USED FOR NOISE SURVEY

Measurements were performed using Brüel & Kjær Sound Level Meters (SLM) Type 2260, Brüel & Kjær ½ inch microphones Type 4189, and a Brüel & Kjær Sound Level Calibrator Type 4231. The Brüel & Kjær SLMs are a Type 1 instrument according to ANSI Standard S1.4-1983 (R2006). The SLMs have a laboratory calibration date within one year of the date of the measurements, as is standard practice. At each survey location, the microphone was mounted on a tripod at a height of approximately 5 feet above the ground. All microphones were mounted away from any large reflecting surfaces that could affect the sound level measurements. The SLMs' field calibration was checked before and after readings with a Brüel & Kjær Type 4231 Sound Level Calibrator using the appropriate adaptor. Measurements at the location were made on the A-scale. The data were digitally recorded by the SLM and displayed at the end of the measurement period in units of dB(A). All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

NOISE SURVEY RESULTS

The results of the updated noise survey are shown in **Table 4**.

Table 4
Updated Noise Survey Results in dB(A)

Measurement Start Time	Site	Measured L ₁₀
8:25 AM	2	78.1
	2A	74.5
8:47 AM	2	77.6
	2B	74.7
Notes: Field measurements were performed by AKRF, Inc. on November 20, 2014.		

Measured noise levels at Site 2 were within 0.5 dB(A) of the level measured at that location in the EAS. Consequently, the results of the updated noise survey were considered to be consistent with those of the EAS. At sites 2A and 2 B, measured L₁₀₍₁₎ noise levels were less than 75 dB(A).

DETERMINATION OF FAÇADE-BY-FAÇADE ATTENUATION REQUIREMENTS

Based on the latest architectural plans for the proposed building and the updated noise survey, refined attenuation requirements were developed for the various façades of the proposed buildings. The refined attenuation requirements are listed in **Table 5** and shown in **Figure 2**.

Table 5
11 Greene Street Refined Façade Attenuation Requirements in dB(A)

Façade	Portion	Associated Noise Survey Location	Maximum L ₁₀	CEQR Required Attenuation ¹
South	All	1	79	35
East	Within 58 feet of southern corner	2	78	33
	More than 58 feet from southern corner	2A	75	31
North	All	3	76	31
West	Within 58 feet of southern corner	2	78	33
	More than 58 feet from southern corner	2A	75	31
Notes: ¹ The CEQR attenuation requirements shown are for residential uses; non-residential uses would require 5 dB(A) less attenuation.				

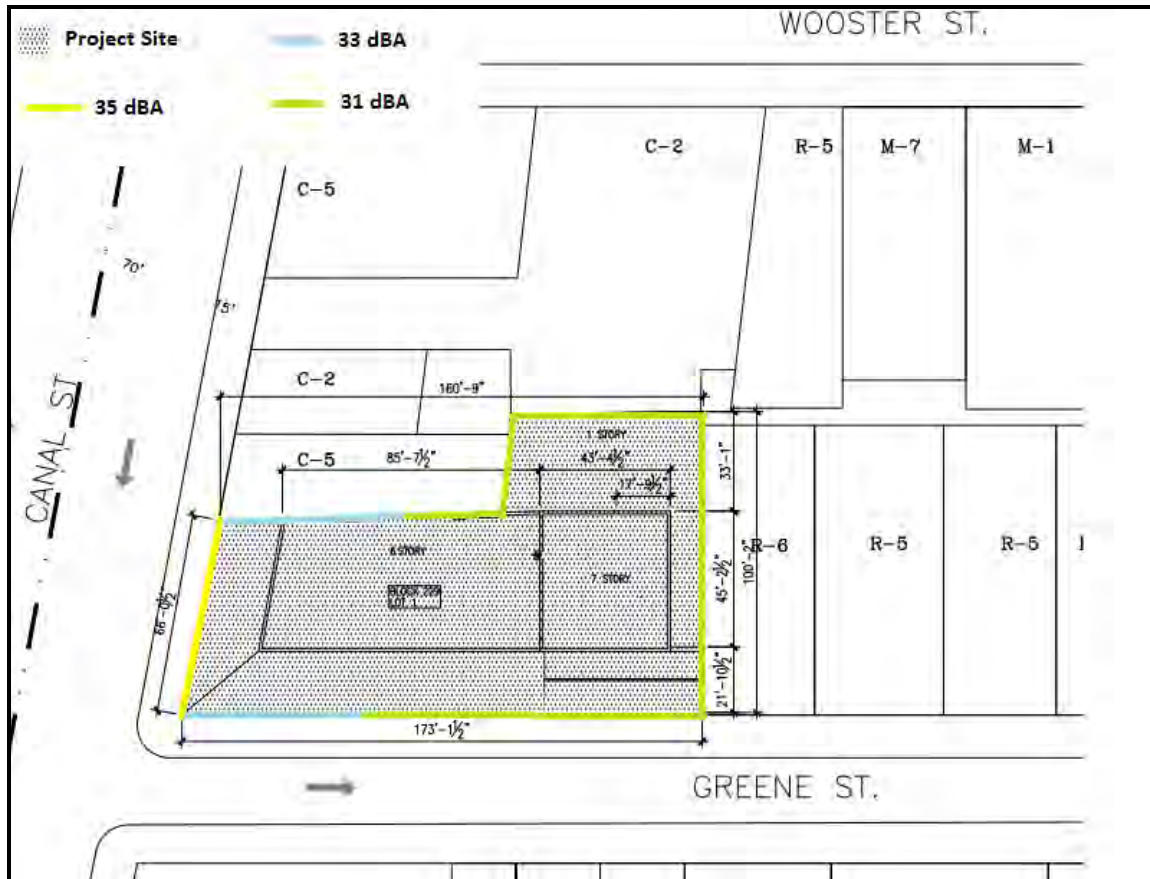


Figure 2: 11 Greene Street Façade Attenuation Requirements

Based on the results of the updated noise survey, the refined attenuation requirements, as shown in **Table 5** and **Figure 2**, are lower for locations further from Canal Street, which is a more heavily trafficked street than the others adjacent to the project site.

CONCLUSION

Based on the information outlined herein, we advise that designing and constructing the proposed building at 11 Greene Street in accordance with the minimum attenuation requirements outlined in **Table 5** along with the provision of an alternate means of ventilation would result in compliance with the CEQR interior noise level goals.

This completes our comments at this time. If you should have any questions, please do not hesitate to contact me at dabatemarco@akrf.com or 646-388-9708.

Sincerely,

Daniel Abatemarco
Technical Director- Acoustics, Noise and Vibration