Environmental Assessment Statement
and
Supplemental Report

for

121 Chambers Street Special Permit
121 Chambers Street
New York, NY

Prepared by:

Compliance Solutions Services, LLC
348 West 57th Street
New York, NY 10019

April 2019

EAS FORM

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 121 Chambers Street Special Permit

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
19DCP036M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable)
190277ZSM	(*e.g.*, legislative intro, CAPA) Project ID P2017M0251

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			HUBB LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader			John J. Strauss, Compliance Solutions Services, LLC		
ADDRESS 120 Broadway, 31st floor			ADDRESS 348 West 57th Street, #214		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10019
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 212-741-3432	EMAIL jstrauss.css@gmail.com	

3. *Action Classification and Type*

SEQRA Classification

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

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

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

4. *Project Description*

The Applicant, HUBB LLC, is seeking a City Planning Commission (CPC) Special Permit pursuant to Zoning Resolution (ZR) Section 74-711 ("Landmarks preservation in all districts") to waive the special bulk provisions for Areas A1 through A7 of the Special Tribeca Mixed Use District (TMU) of ZR Section 111-20(c)(2) ["Area A3 - Special regulations for narrow buildings"] to allow the two-story enlargement of an existing through lot five-story building fronting Chambers Street at the address 121 Chambers Street, and fronting Reade Street at the address 103 Reade Street, on Block 145, Lot 10 (the "Project Site") within the Tribeca South Historic District of Manhattan Community District 1. The property is zoned C6-3A and is within Area A3 (General Mixed-Use Area) of the TMU. The proposed project would result in a seven-story building with 3,735 zoning square feet (zsf) of ground floor commercial use and 8 dwelling units above the ground floor.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 1	STREET ADDRESS 121 Chambers Street/103 Reade Street
TAX BLOCK(S) AND LOT(S) Block 145, Lot 10		ZIP CODE 10007
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Between West Broadway and Church Street		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C6-3A (TMU)		ZONING SECTIONAL MAP NUMBER 12b

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

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

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

☒ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION 23-153, 111-20, 74-711

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)

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

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

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

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

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

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☒ LANDMARKS PRESERVATION COMMISSION APPROVAL
☒ OTHER, explain: Dept. of Buildings building permit

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

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

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

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 3,771
Waterbody area (sq. ft.) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 3,771
Other, describe (sq. ft.): 0

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 32,439
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 32,439
HEIGHT OF EACH BUILDING (ft.): 93'-4"
NUMBER OF STORIES OF EACH BUILDING: 7

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

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

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2021
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 8
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

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

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: community facility

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

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

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures	multi-family dwellings	multi-family dwellings	multi-family dwellings	
No. of dwelling units	5	8	8	
No. of low- to moderate-income units	0	0	0	
Gross floor area (sq. ft.)	11,313	19,019	21,126	+2,107
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	2nd floor commercial being converted to residential; vacant sub-cellar being converted to commercial	retail	retail	
Gross floor area (sq. ft.)	11,313	11,313	11,313	
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	3,771 vacant sub-cellar			
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
POPULATION				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Residents	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify number:	9	17	17	
Briefly explain how the number of residents was calculated:	Based on average household size of 2.16 persons in census tract 21 (2010 Census)			
Businesses	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type		retail	retail	
No. and type of workers by business		34 retail workers	34 retail workers	
No. and type of non-residents who are not workers		200 daily customers	200 daily customers	
Briefly explain how the number of businesses was calculated:	Retail workers calculated at 3 workers per 1,000 gsf of retail space			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	C6-3A (TMU)	C6-3A (TMU)	C6-3A (TMU)	
Maximum amount of floor area that can be developed	28,358 zsf residential (FAR 7.52), 7,542 zsf commercial (FAR 2.0), or 28,283 zsf comm facil (FAR 7.5)	28,358 zsf residential (FAR 7.52), 7,542 zsf commercial (FAR 2.0), or 28,283 zsf comm facil (FAR 7.5)	28,358 zsf residential (FAR 7.52), 7,542 zsf commercial (FAR 2.0), or 28,283 zsf comm facil (FAR 7.5)	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential, commercial, comm facility, industrial, open space; C6-2A, C6-3A, TMU	Residential, commercial, comm facility, industrial, open space; C6-2A, C6-3A, TMU	Residential, commercial, comm facility, industrial, open space; C6-2A, C6-3A, TMU	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

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

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

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

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

	YES	NO
percent?		
o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. See attached report.		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See attached report.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10. See attached report.		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
o If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☒	☐
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: No RECs found	☐	☒
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☒
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒

	YES	NO
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 3,014 based on 8 housholds x 41 lbs/wk (328 lbs.) + 34 retail employees (at 3 workers/1,000 gsf) x 79 lbs/wk (2,686 lbs.)		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 5,123,666 based on 21,126 gsf residential x 126.7 Btus + 11,313 gsf commercial x 216.3 Btus		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☐	☐
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See attached report.	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See attached report.		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☐

	YES	NO
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See attached report.		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. The proposed project would be constructed in accordance with a Construction Protection Plan and existing construction regulations, including Technical Policy Procedure 10-88; accordingly, the Proposed Actions do not warrant additional construction analysis and do not present the potential for significant adverse impacts to historic resources due to construction activity. See attached report.		

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
John J. Strauss, Compliance Solutions Services, LLC	John J. Strauss	April 2, 2019

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

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

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

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

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ ☒

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

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

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

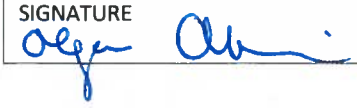
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result.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

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

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

TITLE	LEAD AGENCY
Acting Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Olga Abinader	04/05/19

SIGNATURE



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, the Department of City Planning, acting on behalf of the City Planning Commission 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 finds the proposed action sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Hazardous Materials, Air Quality, and Noise
A detailed analysis of the potential for the proposed action to result in significant adverse impacts related to hazardous materials, air quality, and noise was included in the EAS. The analysis concluded that the proposed action does not have the potential to result in significant adverse impact related to hazardous materials and noise.

To ensure that the proposed action would not result in significant adverse air quality impacts an (E) Designation (E-516) will be placed on Projected Development Site 1 (Block 145, Lot 10). Refer to "Determination of Significance Appendix: (E) Designation" for the applicable (E) designation requirements. The air quality analysis concluded that with the (E) Designation requirements in place, the proposed action would not result in significant adverse impacts related to air quality.

Land Use, Zoning, and Public Policy
A detailed analysis of the effects of the proposed action on Land Use, Zoning, and Public Policy was included in the EAS. The proposed action is intended to aid in the long-term preservation and maintenance of a landmark building that is compatible with the land use patterns and zoning of the surrounding area. The analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed action.

Shadows
A detailed assessment of the potential for the proposed action to result in significant adverse shadows impacts is included in the EAS. No incremental shadows would be cast on sunlight-sensitive resources as a result of the proposed action. Therefore, it was determined that the proposed action would not result in significant adverse impacts related to shadows.

Historic and Cultural Resources
A detailed assessment of the potential for the proposed action to result in significant adverse impacts related to historic and cultural resources is included in the EAS. The proposed action would not result in incremental in-ground disturbance or incremental shadows on historic and cultural resources. The proposed action would result in the enlargement of an existing historic resource within a historic district. The NYC Landmarks Preservation Commission has found that proposed enlargement would be appropriate for the existing historic building and compatible with the historic district it is within. The proposed project would be constructed in accordance with a Construction Protection Plan and existing construction regulations, including Technical Policy Procedure 10-88. Therefore, it was determined that the proposed action would not result in significant adverse impacts related to historic and cultural resources.

Project Name: 121 Chamber Street
CEQR #: 19DCP036M
SEQRA Classification: Unlisted

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
Acting Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE 04/05/19
SIGNATURE	

TITLE	
Chair, City Planning Commission	
NAME Marisa Lago	DATE 04/08/19
SIGNATURE	

Project Name: 121 Chamber Street
CEQR #: 19DCP036M
SEQRA Classification: Unlisted

Determination of Significance Appendix: (E) Designation

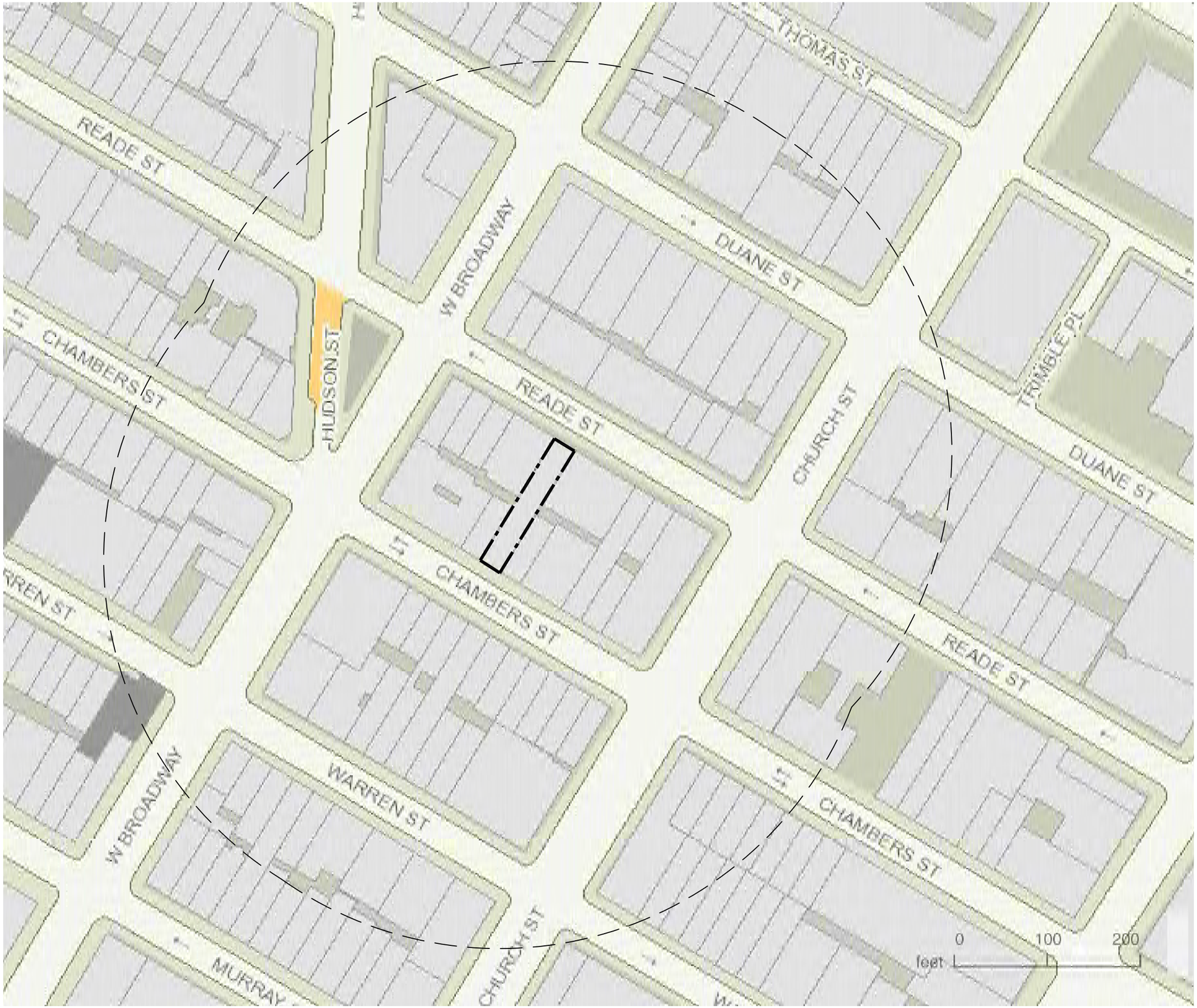
To ensure that the proposed action would not result in significant adverse air quality an (E) Designation **(E-516)** will be placed on **Projected Development Site 1 (Block 145, Lot 10)** as described below:

Air Quality

The (E) Designation requirements for air quality are as follows:

> **Block 145, Lot 10 (Projected Development Site 1): Future residential and commercial development or enlargement on the above-referenced property must ensure the use of a heating and cooling system with no venting or stacks, powered by electricity only.**

FIGURES & PHOTOGRAPHS



LEGEND

400 FT RADIUS PERIMETER

PROJECT SITE

121 CHAMBERS ST
AKA 103 READE ST
MANHATTAN
BLOCK: 145, LOT: 10
PROJECT ID P2017M0251

SITE LOCATION MAP

SITE LOCATION MAP

PHOTO 1 - NORTH VIEW OF CHAMBERS STREET FACADE

PHOTO 2 -NORTHWEST VIEW OF CHAMBERS STREET FACADE

PHOTO 3 -SOUTH VIEW OF READE ST FACADE

PHOTO 4 - NORTH VIEW OF ROOF

PHOTO KEY (PHOTOS TAKEN 6-26 OF 2018

NORTH

DRAWING LEGEND

PROJECT SITE

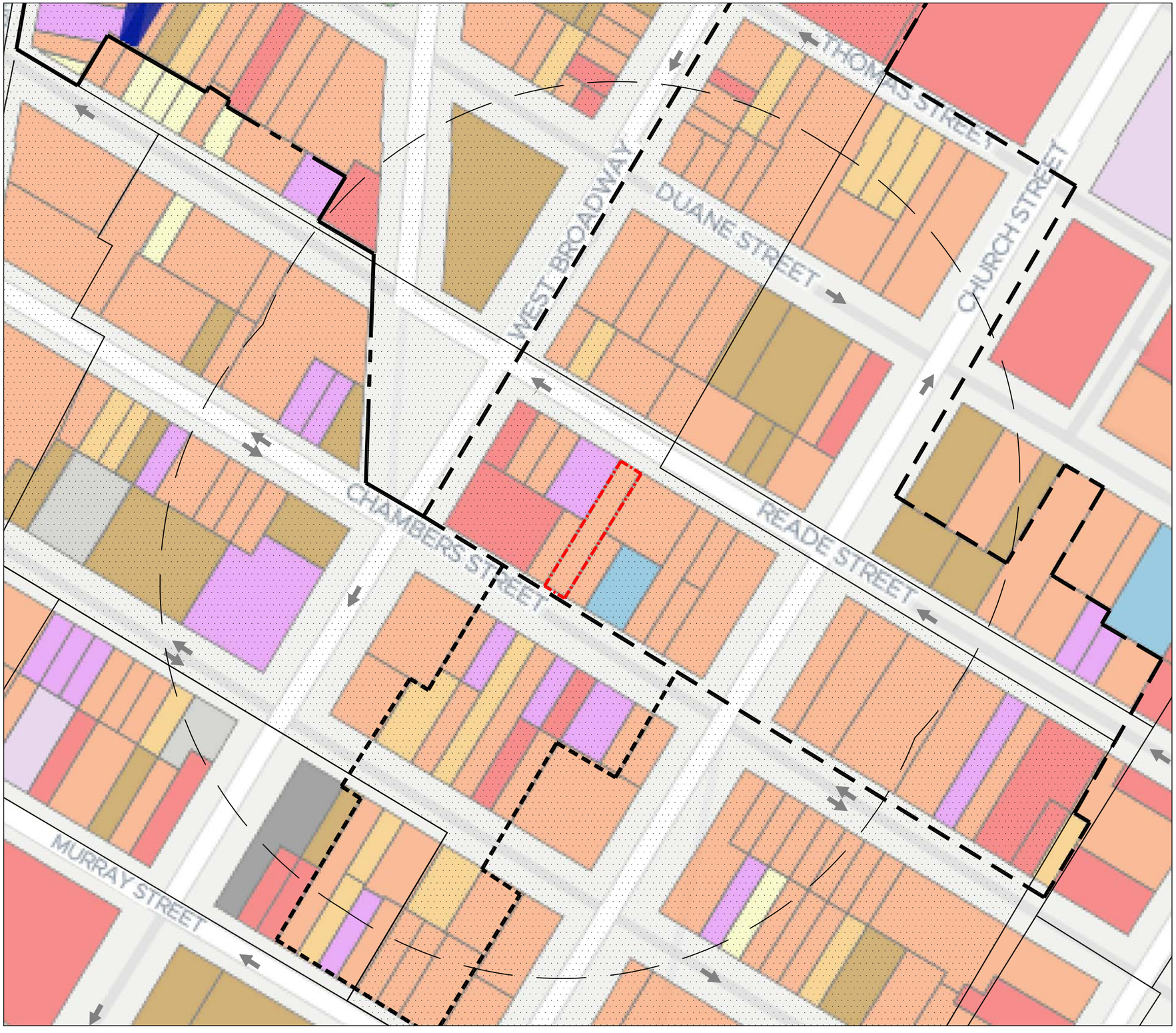
400' RADIUS

0 200 400 600 FEET

121 Chambers Street
Aka 103 Reade Street
New York, NY
Project ID: P2017M0251

THE OFFICE OF
JOSEPH PELL LOMBARDI
ARCHITECT
412 BROADWAY
NEW YORK, NY 10013

TAX LOT MAP



AREA MAP

0 200 400 600 FEET

NORTH

DRAWING LEGEND

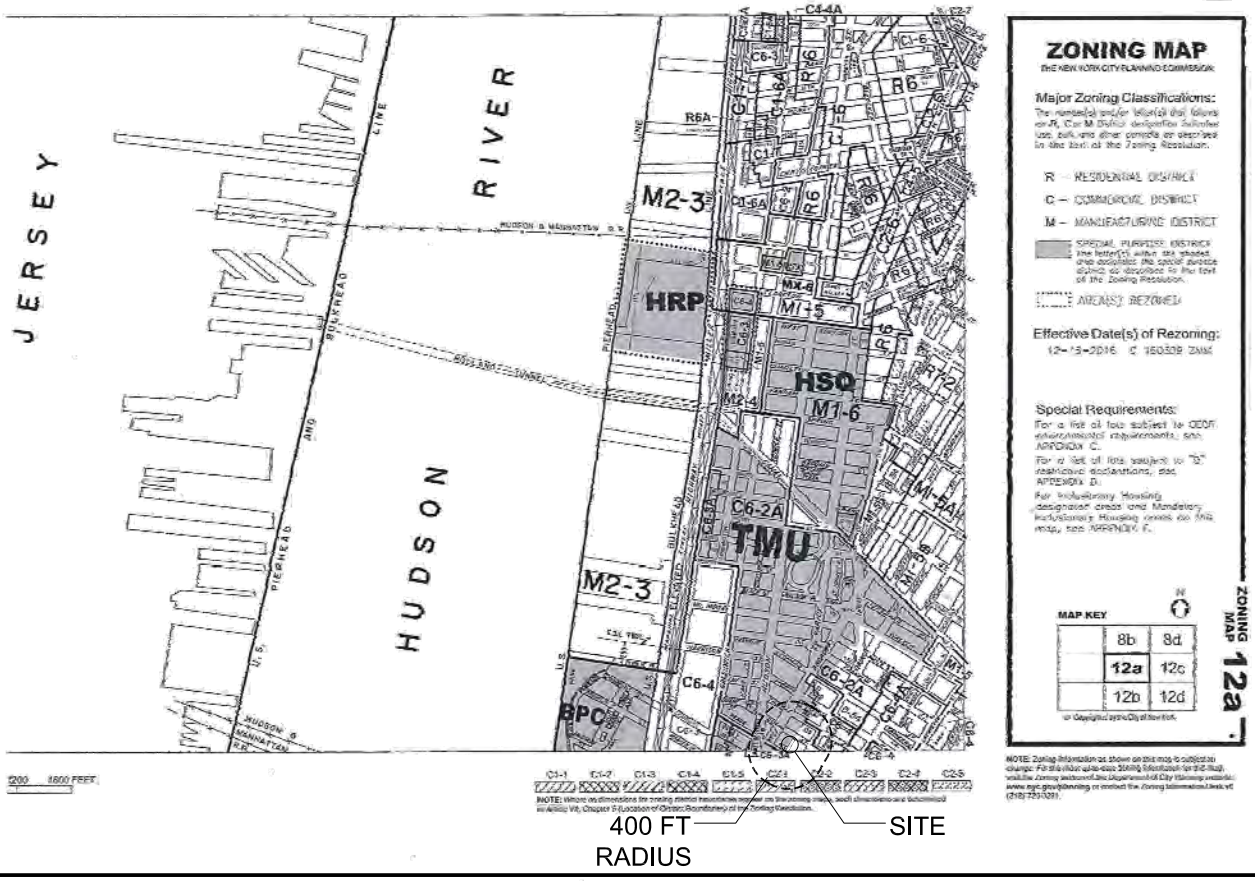
- PROJECT SITE
- 400 FT RADIUS PERIMETER
- TRIBECA SOUTH HISTORIC DISTRICT
- TRIBECA SOUTH HISTORIC DISTRICT EXTENSION
- TRIBECA WEST HISTORIC DISTRICT
- TRIBECA EAST HISTORIC DISTRICT
- ZONING DISTRICT BOUNDARY
- TRIBECA MIXED USE (TMU) SPECIAL PURPOSE DISTRICT
- TRAFFIC DIRECTION

LAND USE

- ONE & TWO FAMILY BUILDINGS
- MUTLI-FAMILY ELEVATOR BUILDINGS
- MIXED RESIDENTIAL & COMMERCIAL BUILDINGS
- COMMERCIAL & OFFICE BUILDINGS
- INDUSTRIAL & MANUFACTURING
- TRANSPORTATION & UTILITY
- PUBLIC FACILITIES & INSTITUTIONS
- OPEN SPACE & OUTDOOR RECREATION
- PARKING FACILITIES
- VACANT LAND

MAP

ap to view diagram of proposed zoning change



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follow an R, C or M District designation indicate 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

AREA(S) REZONED

Effective Date(s) of Rezoning:

12-19-2016 C 160309 ZMM

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 and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

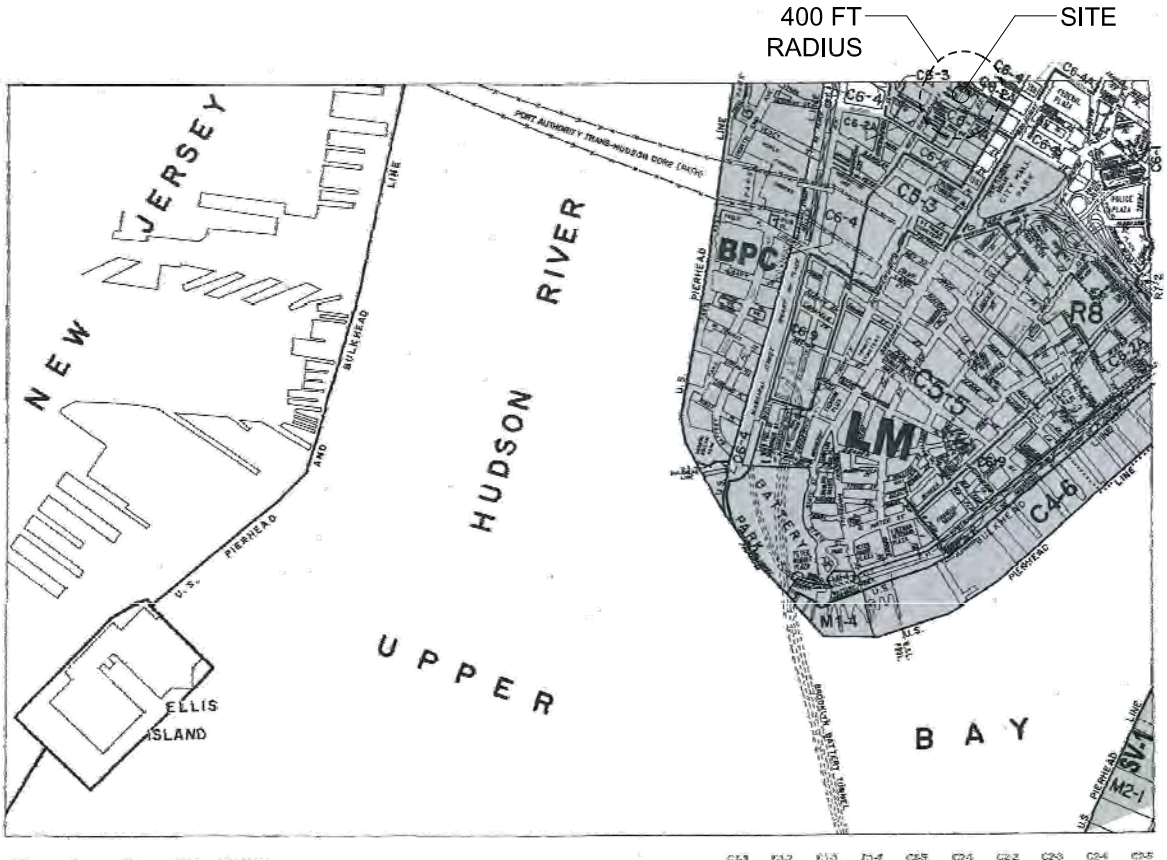
MAP KEY

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

© Copyrighted by the City of New York.

ZONING MAP 12a

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

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follow an R, C or M District designation indicate 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

AREA(S) REZONED

Effective Date(s) of Rezoning:

12-19-2016 C 160309 ZMM

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.

MAP KEY

	12a	12c
	12b	12d
	16a	16c

© Copyrighted by the City of New York

ZONING MAP 12b

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.

PROJECT DESCRIPTION

121 Chambers Street
Project Description

Introduction

The Applicant, HUBB LLC, is seeking a City Planning Commission (CPC) Special Permit pursuant to Zoning Resolution (ZR) Section 74-711 ("Landmarks preservation in all districts") to waive the special bulk provisions for Areas A1 through A7 of the Special Tribeca Mixed Use District (TMU) of ZR Section 111-20(c)(2) ["Area A3 - Special regulations for narrow buildings"] to allow the two-story enlargement of an existing through lot five-story building fronting Chambers Street at the address 121 Chambers Street, and fronting Reade Street at the address 103 Reade Street, on Block 145, Lot 10 (the "Project Site") within the Tribeca South Historic District of Manhattan Community District 1. The property is zoned C6-3A and is within Area A3 (General Mixed-Use Area) of the TMU. The proposed project would result in a seven-story building with 24,614 zoning square feet (zsf) of ground floor commercial use and 8 dwelling units above the ground floor.

ZR Section 111-20(c) allows narrow buildings in Area A3 of the Special Tribeca Mixed Use District to be enlarged by one-story, with a maximum height of 15 feet, above the height permitted by ZR Section 23-692. The Special Permit would allow a seventh floor.

Existing Conditions

Description of the Project Site

The Project Site is a through lot having frontage on both Chambers Street and Reade Street, under the addresses 121 Chambers Street and 103 Reade Street, respectively (Block 145, Lot 10). The Project Site is located within the NYC Landmarks Preservation Commission (LPC) designated Tribeca South Historic District.

The Project Site consists of a 3,771 square foot rectangular shaped lot with a depth of 150'-10" and 25' of frontage on both Chambers and Reade Streets. Chambers Street is a narrow street with a width of 64' and Reade Street is a narrow street with a width of 60'. The property is zoned C6-3A and is within the Area A3 (General Mixed-Use Area) of the Special Tribeca Mixed Use District (TMU).

The property is developed with a vacant five-story, cellar, and sub-cellar building that was constructed in 1860. The building is developed to 100% lot coverage. The existing 26,397 gsf (18,675 zsf; 4.95 FAR) building contains 11,313 gsf (11,205 zsf; 2.97 FAR) of vacant residential floor area for five dwelling units, 11,313 gsf (7,470 zsf; 1.98 FAR) of vacant commercial retail and office floor area, and a 3,771 vacant gsf (0 zsf; 0 FAR) sub-cellar. On Chambers Street the building currently has a height of 75'-1" to the highest point of both the street wall and the sloped roof, and on Reade Street the building has a height of 75'-11" to the highest point of both the street wall and the sloped roof. The roof slopes from both streets to the center to meet a skylight that is at or below the height of the parapets. Both cornices extend beyond the property lines and over the sidewalk.

The building had historically been used by importers and wholesalers of liquor, hardware, cutlery, and luggage. Most recently, the ground floor fronting Chambers Street was used as a hair products store, and the ground floor fronting Reade Street was used as an upholstery store. In 1992, the third through fifth floors of the building were converted, as of right, to 5 residential

dwelling units (Use Group (UG) 2) as shown on the 1992 Certificate of Occupancy (CO) Number 101650.

The most recent CO Number 102504540, dated December 21, 2001, shows 5 dwelling units. Residential uses are located on the third, fourth, and fifth floors; the second floor was used for office and storage; and the ground floor was used for Use Group 6 retail use. The CO shows that the sub-cellar was vacant and the cellar contained storage space and heating.

The site was zoned M1-5 and included in the Special Lower Manhattan Mixed Use District (LMM) when it was created in 1976. It was rezoned to C6-3A/LMM in 1995 as a part of amendment C 940309 ZMM. The purpose of the 1995 amendment was to enhance land use development in portions of the LMM by creating a transition from the higher density downtown Central Business District and Civic Center to the loft character of TriBeCa and LMM areas, reinforcing existing building context by requiring street walls for new developments, permitting infill residential construction in the LMM area, and promoting a range of as-of-right uses that reflect the existing land use and trends. The site was rezoned to C6-3A/TMU on August 27, 1998, as part of the creation of the Special Tribeca Mixed Use District pursuant to N 980315 ZMM.

The Project Site's C6-3A zoning permits a maximum base residential FAR of 7.52 and a maximum base commercial FAR of 6.0.

A Certificate of No Effect (CNE) was issued by the LPC on September 7, 2016 (see Historic and Cultural Resources Appendix). The CNE allows interior work at the sub-cellar through fourth floors of the building including the demolition of non-bearing partitions and finishes.

A second CNE was issued by the LPC on March 12, 2018 (see Historic and Cultural Resources Appendix). The CNE allows exterior restorative work to the existing building façade including doors and windows.

Description of the Surrounding Area

The Project Site and the surrounding area are located just outside of Manhattan's downtown central business district, the financial district, and as such densely utilized and developed with residential, commercial, and light industrial uses consistent with its mixed-use character and medium/high-density zoning.

The area surrounding the Project Site is characterized by mid-rise commercial, industrial, mixed commercial and residential, residential, and community facility buildings. Buildings in the area generally range from 5- to 7-stories tall with heights between 60 and 80 feet without setback. The area was originally developed as a dry goods manufacturing center. Many buildings within the surrounding area have since been converted to residential uses, and most ground floor spaces are occupied by retail, community facility, or restaurant uses, with upper floors used for residential use. A few buildings west of Broadway continue to be fully commercial; commercial (office) uses are the dominant land use in the Civic Center to the east and the Financial District to the south. The area surrounding the site is zoned C5-3, C6-2A, C6-3, C6-3A, C6-4, and C6-4A and is partially located in the Special Tribeca Mixed Use District, Areas 1 and 3.

The Project Site is located within the LPC designated Tribeca South Historic District, across Chambers Street from the Tribeca South Historic District Extension, and approximately 170 feet east of the Tribeca West Historic District. These Historic Districts are defined by mid nineteenth-century, typically 5-story ornate store and loft buildings which reflect the Districts'

role as the center for dry goods and related businesses in New York City during that era. The historic buildings were typically constructed with cast-iron storefronts with stone and brick upper walls with several buildings built in all cast-iron.

There are a number of LPC designated individual landmarks in the surrounding area including 75 Murray Street, 105 Chambers Street (The Cary Building), 273 Broadway (Broadway Chambers Building), 160 Chambers Street (Former Firehouse Engine Co. 29), 287 Broadway, and 122 Chambers Street (Swift, Seaman & Co. Building).

The Project Site is bordered by a 6-story, 75'-1" tall (at the street line) mixed residential/ commercial building with ground floor retail along Chambers Street to the east (119 Chambers Street), and a 6-story, 75'-1" (at the street line) tall mixed residential/commercial building with ground floor retail along Chambers Street to the west (123 Chambers Street). Both of these abutting buildings have sixth floor additions that are setback from the street line. These sixth floor additions increase the height of 119 Chambers Street to 83'-3" and increase the height of 123 Chambers Street to 79'-10". Along its Reade Street frontage, the Project Site is bordered to the east by an 8-story, 93'-8" tall (at the street line) mixed residential/commercial building with ground floor retail (101 Reade Street) with a building height of 109'-2" after setback. To the west, the Project Site is bordered by a 5-story, 75'-11" tall industrial/manufacturing loft building utilized for office space with ground floor retail (105 Reade Street).

Description of the Proposed Development

The Applicant is proposing to construct a two-story vertical enlargement (the "Enlargement") to the existing building, and add new mezzanines between the first and second floors and between the third and fourth floors. The proposed development would be a seven-story mixed use building (plus cellar and sub-cellar), with residential uses on the second through seventh floors (the second floor would be converted from office and storage use to residential use) and retail/restaurant on the first floor.

Following the Enlargement, the 7-story building would contain 32,439 gsf (24,614 zsf; 6.52 FAR) of floor area (including cellar and sub-cellar space) comprised of 21,126 gsf (20,879 zsf; 5.54 FAR) of residential floor area and 11,313 gsf (3,735 zsf; 0.99 FAR) of commercial retail floor area. Following completion, the enlarged building would contain 8 dwelling units. Two retail stores would remain on the ground/first floor, and space accessory to these stores, as well as space for building utilities, would be located in the cellar and sub-cellar of the building.

The Enlargement would extend through the midblock with a 20-foot setback from the street wall at the sixth floor on both Chambers Street and Reade Street. The seventh floor of the Enlargement would have a 44-foot setback from the street wall on Chambers Street, and on the Reade Street frontage, a portion of the setback would be at 20 feet, with the majority of the setback at 24 feet. The 7th floor west wall would be minimally visible over buildings facing West Broadway.

The fifth floor of the existing building has a floor to ceiling height of approximately 16 feet. As part of the Enlargement, the fifth floor ceiling would be lowered and the new sixth floor would begin at a height of 70'-10", which is 4'-3" lower than the 75'-1" height of the roof of the existing building. The new sixth and seventh floors would increase the height of the proposed development by 18'-3" (3'-3" more than the permitted as-of-right height of 90'-1") to 93'-4".

As a part of the proposed project and the Special Permit application, the Applicant would complete the following work:

- Restore the storefront to its original 19th Century appearance by exposing and restoring the original cast iron columns that are covered in 21st century metal, glass and stone;
- Remove the fire escape on the Reade Street façade of the building;
- Clean and make all necessary repairs to the sandstone facades (in overall good condition);
- Replace all 24 windows on the Chambers and Reade Street facades from the second through the fifth floors with windows that match the historic profiles of 19th century windows; and
- Utilize architectural concrete, glass and steel as the proposed material for the north and south walls of the addition and brick for the addition's east and west walls. The roof bulkheads would be beige stucco.

On May 9, 2017, the LPC approved the proposed development and the filing of this application under ZR Section 74-711, subject to its receipt of a final restrictive declaration and cyclical maintenance plan and final specifications for restorative work, as set forth in a letter dated June 7, 2017. On March 12, 2018, the LPC issued a Certificate of No Effect, Number 19-22596, to allow exterior restorative work to the existing building façade including door and windows. On January 28, 2019, the LPC issued a Certificate of Appropriateness (COFA-19-26119) for the proposed work at the subject premises, as put forth in the application completed on April 12, 2017, and as the Applicant was notified in the Status Update Letter 19-03880 (19-3880) issued on June 7, 2017. On January 28, 2019, the LPC also issued a Memorandum of Understanding (MOU-19-31935) explaining the conditions under which the LPC issued a favorable report to the CPC which is contingent upon the restoration work being determined by the LPC to be thorough and restoring the landmark to a sound, first-class condition. Subsequently, on February 8, 2019, the Commission received a proposal for an amendment to the work approved under Certificate of Appropriateness 19-26119. The proposed amendment consists of modifying and reducing the scope of work at the roof to include constructing a single-story addition, in lieu of a two-story addition, and related interior alterations, that retains the fenestration and dormer setbacks at the north and south facades and the original footprint plan. The Commission reviewed the request and finds that the revised scope of work is in keeping with the intent of the original approval. Based on these findings, LPC amended Certificate of Appropriateness 19-26119 as detailed in LPC's March 15, 2019 Miscellaneous/Amendments letter (MISC-19-36066).

The LPC Restrictive Declaration would enforce a continuing maintenance plan to ensure that the subject building will be preserved in a sound first-class condition in perpetuity.

Build Year

Based on an estimated 12- to 18-month approval process (including a ULURP approval process of up to 215 days) and an 8-month construction period, the Build Year is assumed to be 2021.

Purpose and Need

The City Planning Commission may, by Special Permit pursuant to Section 74-711, permit the modification of bulk regulations for zoning lots that are located within an LPC designated Historic District or that contain an LPC designated Individual Landmark. The Project Site is located within the LPC designated Tribeca South Historic District and is therefore eligible for the requested Special Permit.

The Discussion of Conditions and Findings is presented below and included in the Zoning Appendix.

******

ZR Section 74-711 - Landmark preservation in all districts

In all districts, for zoning lots containing a landmark designated by the Landmarks Preservation Commission, or for zoning lots with existing buildings located within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may permit modification of the use and bulk regulations, except floor area ratio regulations, provided that:

(a) The following conditions are met:

(1) any application pursuant to this Section shall include a report from the Landmarks Preservation Commission stating that a program has been established for continuing maintenance that will result in the preservation of the subject building or buildings, and that such use or bulk modifications, or restorative work required under the continuing maintenance program, contributes to a preservation purpose;

This application includes a report from the Landmarks Preservation Commission ("LPC"), dated January 28, 2019, stating that a program has been established for continuing maintenance that will result in the preservation of the existing building at 121 Chambers Street/103 Reade Street and further, that the proposed restorative work required under the continuing maintenance program contributes to a preservation purpose. The continuing maintenance program is contained within a Restrictive Declaration entered into in accordance with the guidelines and specifications of the LPC.

(2) any application pursuant to this Section shall include a Certificate of Appropriateness, other permit, or report from the Landmarks Preservation Commission stating that such bulk modifications relate harmoniously to the subject landmark building or buildings in the Historic District, as applicable; and

A Certificate of Appropriateness from the LPC, dated January 28, 2019, is attached hereto stating that the proposed plans showing the requested bulk modifications relate harmoniously to the Existing Building at 121 Chambers Street/103 Reade Street, i.e., the subject landmark building; and

(3) the maximum number of dwelling units should be as set forth in Section 15-111 (Number of permitted dwelling units).

The proposed development at 121 Chambers Street/103 Reade Street (the "Proposed Development") will contain eight dwelling units. Section 15-111 provides that the maximum number of dwelling units shall be determined in accordance with the applicable district regulations. In a C6-3A/TMU zoning district, the maximum number of dwelling units is the maximum amount of residential floor area permitted on the zoning *lot* divided by 680. The maximum residential floor area ratio in Area A3 of the TMU is the floor area permitted in a C6-3A zoning district, or 7.52. As the lot area is 3,771 square feet, a maximum of 28,357.92 square feet of residential floor area is permitted. The Proposed Development will include 3,735 square feet of commercial floor area, allowing a maximum of 24,622.92 square feet of residential floor area and 36 dwelling units. The Proposed Development will include eight dwelling units, less than the maximum permitted.

(b) In order to grant a special permit, the City Planning Commission shall find that:

(1) such bulk modifications shall have minimal adverse effects on the structures or open space in the vicinity in terms of scale, location and access to light and air; and

The Applicant is requesting a waiver of ZR Section 111-20(c)(2) to allow the construction of one-story (seventh floor) with an additional 3'-3" in height above an as-of-right one-story enlargement of an existing building. The additional one-story/3'-3" increase in height will have minimal adverse effects on the structures or open space in the vicinity of the Proposed Development.

The existing building (the "Existing Building") is a five story plus cellar and sub-cellar building in the Tribeca South Historic District. The Existing Building rises to a height of 75'-1"on Reade Street and 75'-11" on Chambers Street. Without the waiver, the Existing Building could be enlarged by a one-story addition with a height of 15 feet, raising the total building height to 90'-1". With the waiver (the "Proposed Development"), the Proposed Development will have two new stories and a height of 93'-4". The Proposed Development would lower the ceiling of the existing fifth floor and roof of the Existing Building and the new sixth floor would be sunk into the existing fifth floor, rising to a height of 82'-10. The seventh story (the "Seventh Floor") would then raise the height of the Proposed Development to 93'-4", which is 3'-3" above the height that would be permitted without the waiver.

The buildings on the block on which the Proposed Development is located vary from their historic heights, generally approximately 75', to a height of 109'-2". Three of the four buildings that abut the Proposed Development have added at least one story. 119 Chambers Street, the abutting building to the east, rises to a building height of 79'-10", and to the west, 123 Chambers Street has a height of 83'-3". On Reade Street, the building to the east, 97-101 Reade Street, has varying heights between 81'-2" (at the rear) and 109'-2". The building opposite the Proposed Development on the north side of Reade Street is only 5 feet lower than the Proposed Development and many of the buildings on the north side of Reade Street are taller than the Proposed Development. Similarly, on the south side of Chambers Street, the buildings opposite the Proposed Development are approximately the same height, although farther east and west there are both taller and shorter buildings. Thus, the Proposed Building will not be out of scale with the surrounding buildings.

The additional 3'-3" in height requested in connection with the new Seventh Floor will have minimal impact on the light and air to neighboring buildings. The setbacks of the Seventh Floor, 44 feet on Chambers Street and 20/24 feet on Reade Street, meet or exceed both the minimum required 15-foot setbacks and the rear yard equivalent of 20 feet on both street frontages. These setbacks will ensure that the neighboring buildings will continue to have plenty of light and air from the street.

The 44-foot setback on Chambers Street (significantly larger than required) and the 20/24 foot setback on Reade Street (where 20' is required) ensure that the Seventh Floor will not be visible from either Chambers Street or Reade Street. The Seventh Floor will not generally be visible from public spaces, although a small portion will be visible from the east side of Church Street between Chambers and Warren Streets over several other buildings, and from the open space at the intersection of West Broadway and Hudson Street through the intervening rear yards.

(2) such use modifications shall have minimal adverse effects on the conforming #uses# within the building and in the surrounding area.

No use modifications are requested.

The Commission may prescribe appropriate additional conditions and safeguards which will enhance the character of the development and buildings on the zoning lot.

CONCLUSION

As set forth above, this application satisfies the requirements of ZR Section 74-711, and the applicant requests that the City Planning Commission approve the requested special permit to allow the construction of a seventh floor on the building at 121 Chambers Street/103 Reade Street.

******

The building is developed to 100% lot coverage, which is an existing legal non-complying condition of the Project Site as the building predates the 1961 Zoning Resolution.

The Project Site is mapped in a C6-3A/TMU zoning district and is located in Area A3 of the Special Tribeca Mixed Use District. The Zoning Resolution allows a maximum 135-foot height for such buildings. However, as the Project Site is less than 45 feet wide, the provisions of Section 23-692 apply. Section 23-692(d) limits the height of a narrow building to the street width, unless the street walls of the abutting buildings exceed such height, in which case the height of the street wall is limited to the height of the lower of the abutting buildings. On Chambers Street, the abutting buildings (119 and 123 Chambers Street) both have street walls that are 75'-1", and on Reade Street, the abutting buildings (101 and 105 Reade Street) both have street walls that are 75'-11" high. Therefore, the maximum height of street walls of a building on the Project Site is 75'-1" on Chambers Street and 75'-11" on Reade Street, the height of the street walls of the existing building.

Section 111-20(c)(2) of the Zoning Resolution provides that a narrow building in Area A3 of the TMU may be constructed above the maximum height permitted by Section 23-692 provided such portion does not exceed the lower of one-story or 15 feet. As the maximum height of the proposed development is the height of the existing abutting building, a one-story enlargement not more than 15 feet high is permitted as long as such floor is set back at least 15 feet. Without the waiver, the building could only be enlarged with one-additional story.

The construction of the proposed 7th story of the building would provide the financial resources to fund the proposed restorative work on the building as well as the continuing maintenance program that would result in the preservation of the existing structure. The proposed bulk modification and the restorative work required under the continuing maintenance program contribute to a preservation purpose and relate harmoniously to the subject landmark building in the historic district.

Future No-Action Scenario

Under the No-Action Scenario, the following work began in January 2018 and is permitted in the absence of the Special Permit under NYC DOB application number 123032404. In the absence of the Proposed Actions, it is anticipated that the sub-cellar level will be lowered by two feet in order to provide additional headroom. An elevator pit will be dug to install a new elevator, and this elevator work is expected to be completed by the end of February 2019. In addition, the 2nd floor of the building would be converted from UG2 office space to UG6 residential space. The ground floor would continue to be tenanted with two retail stores. The

cellar and sub-cellar would be utilized as accessory space for the stores and for building utilities. Also, two new 583 gsf mezzanines would be added to the existing building on the Project Site for a total of 1,166 gsf. This work began in December 2018 with completion anticipated by July 2020.

In the absence of the Proposed Actions, a new complying 2,769 gsf 6th floor would be constructed pursuant to the LPC amended Certificate of Appropriateness 19-26119 dated January 28, 2019 as detailed in LPC's March 15, 2019 Miscellaneous/Amendments letter (MISC-19-36066).

In the absence of the Proposed Actions, with the inclusion of the new 2,769 gsf 6th floor, the existing 26,397 gsf (18,675 zsf; 4.95 FAR) building would be increased in size to 30,332 gsf (22,557 zsf; 5.98 FAR) and would contain 18,890 gsf (18,822 zsf; 4.99 FAR) of residential floor area and 11,313 gsf (3,735 zsf; 0.99 FAR) of commercial floor area. The building would contain a total of 8 residential dwelling units on the second through fifth floors.

Future With-Action Scenario

The Future With-Action Scenario is the proposed development as presented above (see "**Description of the Proposed Development")**. Under the With-Action RWCDS, the Applicant proposes to enlarge the building by adding two stories, resulting in a building with a height of 93'-4". A Special Permit pursuant to ZR Section 74-711 would allow the waiver of the one-story limit to permit construction of the seventh floor of the proposed development and an increase in the height of the building from 90'-1" to 93'-4" due to the lowering of the height of the fifth floor ceiling and the insertion of a new sixth floor that is lower than the height of the existing roof. The future No-Action floor area of the building would be increased by 2,107 gsf from 30,332 gsf to 32,439 gsf in the With-Action Scenario.

Increment

The future No-Action floor area of the building would be increased by 2,107 gsf from 30,332 gsf to 32,439 gsf in the With-Action Scenario as shown on pages 3 and 4 of the EAS Form.

SUPPLEMENTAL REPORT

EAS NARRATIVE ATTACHMENT

121 CHAMBERS STREET – CPC SPECIAL PERMIT

ENVIRONMENTAL ASSESSMENT STATEMENT

INTRODUCTION

Based on the analysis and the screens contained in the Environmental Assessment Statement Full Form, the analysis areas that require further explanation include land use, zoning, and public policy; historic and cultural resources; urban design and visual resources; hazardous materials; air quality; noise; and construction as further detailed below. An assessment of land use, zoning, and public policy can be screened out per the EAS Form. Preliminary discussions are provided below for informational purposes and to provide context for analyses provided in this EAS. This information is essential for conducting the other environmental analyses and provides a baseline for determining whether a detailed analysis is appropriate. CEQR requires a detailed assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas. A preliminary assessment of land use, zoning and public policy is provided for informational purposes and to demonstrate that more detailed analysis is not warranted. An assessment of shadows is also provided in order to demonstrate that the Proposed Actions does not have the potential to affect architectural resources with sunlight-sensitivity.

4. LAND USE, ZONING, AND PUBLIC POLICY

EXISTING CONDITIONS

Land Use

Project Site

The Project Description section of the EAS provides a detailed description of the land use characteristics of the Project Site. The existing building on the Project Site is now vacant but was previously developed as a mixed-use residential and commercial building with commercial space in the sub-cellar, cellar, first floor, and second floor and residential floors above.

Study Area

The primary study area extends approximately 400 feet in all directions from the Project Site. The study area is roughly bounded by Duane Street on the north, Warren Street on the south, the mid-block between Hudson and Greenwich Streets to the west, and the mid-block between Church Street and Broadway to the east. Existing land uses were obtained from the NYC Department of City Planning's PLUTO database which were verified and updated as relevant based on a field survey.

The surrounding 400-foot radius study area is primarily characterized by mid-rise commercial, mixed commercial and residential, and residential buildings. Many of the residential and commercial buildings contain a ground floor retail component. The study area is located just outside of Manhattan's downtown central business district, the financial district, and as such densely utilized and developed with residential, commercial, and light industrial uses consistent with its mixed-use character and medium/high-density zoning. Light industrial uses were historically prevalent in the study area as the area was originally developed as a dry goods manufacturing center. Many buildings within the surrounding area have since been converted to residential uses, and most ground floor spaces are occupied by retail, community facility, or restaurant uses, with upper floors used for residential use. A few buildings west of Broadway continue to be fully commercial; commercial (office) uses are the dominant land use in the Civic Center to the east and the Financial District to the south. The study area is characterized by medium to high-density development with 5- to 7-story mid-rise buildings on the east/west cross streets and a mixture of larger mid-rise buildings on the north/south avenues.

ZONING

Project Site

The Project Description section of the EAS provides a detailed description of the zoning characteristics of the Project Site. The Project Site is located in a C6-3A commercial district. C6 districts are high density areas intended for commercial uses that require central locations or serve the entire metropolitan area. Corporate headquarters, large hotels, department stores, and entertainment facilities in high-rise mixed buildings are permitted in C6 districts. C6-3 districts are typically mapped in areas outside central business districts and have a commercial FAR of 6.0. The C6-3A district permits a residential FAR of 7.52, which may be increased with an inclusionary housing bonus, and has the residential district equivalent to the R9A district. The maximum community facility FAR is 7.5. The C6-3A district is a contextual district subject to quality housing regulations. No accessory off-street parking is required in Manhattan Community Districts 1 through 8.

The Project Site is also located within Area 3 (General Mixed-Use Area) of the Special Tribeca Mixed Use District (TMU). The TMU was originally enacted in 1976 as the Lower Manhattan Mixed Use District to permit limited residential development in an otherwise industrial 62-block area in Manhattan within the triangle below Canal Street, west of Broadway. Revised in 1995 and in 2010, the underlying zoning throughout the district is now commercial but unique provisions limit the size of ground floor retail uses and hotels. New contextual mixed buildings house a growing residential community while special rules encourage a mix of uses by allowing light industries. The General Mixed-Use Area 3 of the TMU in which the Project Site is located permits most uses in Use Groups 16 and 17 in addition to Use Groups 1 through 12 permitted in the C6 zoning district. The street wall of any development in Area 3 shall be located on the street line and extend to a height of at least 60 feet. The maximum height of a street wall before setback shall be 85 feet or the height of an adjoining building fronting on the same street line with a height of at least 60 feet, whichever is less. A setback with a depth of at least 15 feet shall be provided above this height. The maximum permitted building height is 135 feet. However, pursuant to ZR Section 23-692(d), the maximum height of a building is the street width except that where street walls on a narrow street abut an existing building with street walls that exceed the height permitted by Section 23-692(a), as is the case with the existing building, the maximum permitted height is the height of the lowest of such abutting buildings. The lowest of such abutting buildings on Chambers Street is 75'-1", the same as the existing building, and the lowest of such abutting buildings on Reade Street is 75'-11", the same as the existing building. Therefore, the maximum permitted height of the subject building is 75'-1" and 75'-11", the same as its existing height.

Study Area

Most of the area within 400 feet of the Project Site shares the property's C6-3A zoning. Therefore, the zoning use and bulk provisions relevant to the Project Site also apply to this portion of the project study area.

One other zoning district is located within 400 feet of the site. A C6-2A district is mapped to the north of the site across Reade Street as well as over a small area south of Warren Street. The TMU is mapped over the entire area within 400 feet of the Project Site, including portions of Subdistrict Areas A1 and A3, with the exception of the northeast corner of the study area.

The C6-2A district shares the basic characteristics of the property's C6-3A zoning described above. However, the C6-2A district allows a lower maximum residential FAR of 6.02 and a community facility FAR of 6.5. The maximum commercial FAR is 6.0. The district has a residential district equivalent of the R8A district and the maximum residential FAR of 6.02 can be increased

with inclusionary housing for sites located in Inclusionary Housing designated areas. The C6-2A district is a contextual district subject to Quality Housing regulations.

PUBLIC POLICY

Project Site

The Project Site is located within the NYC Landmarks Preservation Commission (LPC) designated Tribeca South Historic District. The Tribeca South Historic District is defined by ornate store and loft buildings which reflect the district's role as the center for dry goods and related businesses in New York City. The Project Site is therefore subject to New York City landmarks preservation regulations.

The site is not located within the City's Coastal Zone Boundary and is therefore not subject to the provisions of the New York City Waterfront Revitalization Program. The Project Site is not covered by any 197-a or other community plans, and it is not within an urban renewal area and is therefore not subject to the provisions of an urban renewal plan.

Study Area

Portions of the land use study area surrounding the Project Site are also subject to promulgated city public policies. As is the case with the Project Site, most of the 400-foot radius project study area to the north, east, and west of the Project Site is also located within the LPC designated Tribeca South Historic District. A portion of the study area south of Chambers Street is located within the LPC designated Tribeca South Historic District Extension. A portion of the study area west of West Broadway is located within the LPC designated Tribeca West Historic District. Three individually LPC designated historic properties are located within 400 feet of the Project Site. The Cary Building at 105 Chambers Street is located approximately 110 feet from the Project Site to the east. The Swift, Seaman and Co. Building at 122 Chambers Street and the 50 Warren Street Building are both located across Chambers Street from the Project Site to the south. The study area is therefore generally subject to the provisions of the New York City Landmarks Law.

The City's Coastal Zone Boundary is mapped within 400 feet of the Project Site west of West Broadway, Hudson Street and north of Duane Street. Therefore, this area is subject to the City's Waterfront Revitalization Program.

No other public policy programs apply to the project study area.

THE FUTURE WITHOUT THE PROJECT

Land Use

Under the No-Action Scenario, a 2,769 gsf sixth floor would be constructed as-of-right pursuant to the LPC amended Certificate of Appropriateness 19-26119 dated January 28, 2019 as detailed in LPC's March 15, 2019 Miscellaneous/Amendments letter (MISC-19-36066). Two 583 gsf mezzanines, between the first and second and third and fourth floors of the building would also be constructed as-of-right. In addition, the 2nd floor of the building would be converted from UG6 office space to UG2 residential space. Two retail stores would exist on the ground/first floor, and space accessory to these stores, as well as space for building utilities, would be located in the cellar and sub-cellar of the building.

Study Area

Active major construction projects within the project study area (source: https://www1.nyc.gov/assets/buildings/html/nyc-active-major-construction.html) include the following:

- 108 Chambers Street – 10-story residential apartment building containing 8 dwelling units

- 30 Warren Street - 12-story residential apartment building containing 23 dwelling units

- 65 West Broadway - 10-story residential apartment building containing 23 dwelling units

- Bogardus Garden pedestrian plaza construction

The residential projects listed above are consistent with existing uses in the project study area and represent a continuing trend toward new residential development in the area.

Zoning and Public Policy

Project Site

In the future without the Proposed Actions no change in zoning or public policy would occur on the Project Site. In the No-Action Scenario, the existing building at the Project Site would be enlarged as-of-right with a sixth floor of residential use and the second floor would be converted from commercial UG6 to residential use. The FAR of the no-action building would be 5.98 consisting of an FAR of 4.99 of residential use and an FAR of 0.99 of commercial use. The sixth floor enlargement would occur pursuant to the LPC amended Certificate of Appropriateness 19-26119 dated January 28, 2019 as detailed in LPC's March 15, 2019 Miscellaneous/Amendments letter (MISC-19-36066).

Study Area

In the future without the Proposed Actions no change in zoning or public policy would occur within the study area.

THE FUTURE WITH THE PROJECT

Land Use

The Project Description section of the EAS provides a detailed description of the proposed development on the Project Site. In summary, the Applicant is proposing to construct a two-story vertical residential enlargement (the "Enlargement") to the existing building, and add new residential mezzanines between the first and second floors and between the third and fourth floors. The proposed development would be a seven-story mixed use building (plus cellar and sub-cellar), with residential uses on the second through seventh floors (the second floor would be converted from office and storage use to residential use) and retail/restaurant on the first floor. The land use on the Project Site in the With-Action Scenario would be the same as under the No-Action Scenario and would be consistent with the many residential and ground floor commercial uses within the surrounding project study area.

The construction of the proposed 7th story of the building would provide the financial resources to fund the proposed restorative work on the building as well as the continuing maintenance program that would result in the preservation of the existing. The proposed bulk modification and the restorative work required under the continuing maintenance program contribute to a preservation purpose and relate harmoniously to the subject landmark building in the historic district.

No adverse impact to land use patterns in the area is expected to arise as a result of the Proposed Actions, and further assessment of land use is not warranted.

Zoning

The requested Special Permit is required in order to modify bulk regulations applicable to the building which is located within an LPC designated Historic District. As described in the project description section of the EAS, the Proposed Actions would waive zoning regulations related to bulk in order to facilitate the proposed development. The waivers would permit an increase in the permitted height of the proposed enlargement of 3'-3". No other changes to zoning would occur in the future With-Action condition. The proposed project would be developed at an FAR of 6.53, consisting of 5.54 of residential and 0.99 of commercial use, and would rise to a height of 93'-4" after which the sixth floor would be setback 20 feet from both Chambers and Reade Streets

and the seventh floor would be setback 44 feet from Chambers Street and 20 feet/24 feet from Reade Street.

The additional one-story/3′-3″ increase in height will have minimal adverse effects on the structures or open space in the vicinity of the Project Site. The proposed enlarged building will not be out of scale with the immediately surrounding buildings. The minimal increase in height requested in connection with the new seventh floor will have minimal impact on the light and air to neighboring buildings. In addition, the proposed seventh floor setbacks on will ensure that the seventh floor will not be visible from either Chambers Street or Reade Street. The seventh floor will not generally be visible from public spaces, although a small portion will be visible from the east side of Church Street between Chambers and Warren Streets over several other buildings, and from the open space at the intersection of West Broadway and Hudson Street through the intervening rear yards.

Potentially significant adverse impacts related to zoning are not expected to occur as a result of the Proposed Actions, and further assessment of zoning is not warranted.

Public Policy

No adverse impacts to public policies would occur as a result of the Proposed Actions as the proposed development would be compatible with the New York City landmarks preservation regulations applicable to the site and the immediately surrounding area (see the Historic and Cultural Resources section below).

On May 9, 2017, the LPC approved the proposed development and the filing of this application under ZR Section 74-711, subject to its receipt of a final restrictive declaration and cyclical maintenance plan and final specifications for restorative work, as set forth in a letter dated June 7, 2017. On March 12, 2018, the LPC issued a Certificate of No Effect, Number 19-22596, to allow alterations to the existing building. On January 28, 2019, the LPC issued a Certificate of Appropriateness (COFA-19-26119) for the proposed work at the subject premises, as put forth in the application completed on April 12, 2017, and as the Applicant was notified in the Status Update Letter 19-03880 (19-3880) issued on June 7, 2017. On January 28, 2019, the LPC also issued a Memorandum of Understanding (MOU-19-31935) explaining the conditions under which the LPC issued a favorable report to the CPC which is contingent upon the restoration work being determined by the LPC to be thorough and restoring the landmark to a sound, first-class condition. Subsequently, on February 8, 2019, the Commission received a proposal for an amendment to the work approved under Certificate of Appropriateness 19-26119. The proposed amendment consists of modifying and reducing the scope of work at the roof to include

constructing a single-story addition, in lieu of a two-story addition, and related interior alterations, that retains the fenestration and dormer setbacks at the north and south facades and the original footprint plan. The Commission reviewed the request and finds that the revised scope of work is in keeping with the intent of the original approval. Based on these findings, LPC amended Certificate of Appropriateness 19-26119 as detailed in LPC's March 15, 2019 Miscellaneous/Amendments letter (MISC-19-36066).

It is the Applicant's opinion that the proposed rooftop addition and the associated improvements to the building at 121 Chambers Street would represent a significant investment in the property that would be beneficial to the surrounding neighborhood.

No potentially significant adverse impacts related to public policy are anticipated to occur as a result of the Proposed Actions, and further assessment of public policy is not warranted.

8. SHADOWS

Introduction

Under CEQR, a shadow is defined as the circumstance in which a building or other built structure blocks the sun from the land. An adverse shadow impact is considered to occur when the shadow from a proposed project falls upon a publicly accessible open space, a historic landscape, or other historic resource if the features that make the resource significant depend on sunlight, or if the shadow falls on an important natural feature and adversely affects its uses or threatens the survival of important vegetation. An adverse impact would occur only if the shadow would fall on a location that would otherwise be in sunlight; the assessment therefore distinguishes between existing shadows and new shadows resulting from a proposed project. Finally, the determination of whether the impact of new shadows on an open space or a natural or historic resource would be significant is dependent on their extent and duration. In general, shadows on City streets and sidewalks or on other buildings are not considered significant under CEQR. In addition, shadows occurring within an hour and a half of sunrise or sunset generally are not considered significant under CEQR.

According to the *CEQR Technical Manual*, a shadows assessment is not required unless the project would include a structure or an addition to a structure at least 50 feet in height or if it would contain shorter structures that might cast substantial new shadows on an adjacent park, historic resource, or an important natural resource. A shadows analysis is required for this project because the Proposed Actions would result in the construction of a rooftop addition to the six-story building that would exist on the property in the future without the action that would exceed 50 feet in height. However, the NYC Landmarks Preservation Commission (LPC) has by letter dated 9/21/18 determined that "There are no shadow sensitive resources or impacts involved in this project. All work to proceed as per LPC issued permits under the NYC Landmarks Law." LPC only addresses sunlight-sensitive historic resources and not any other sunlight-sensitive resources. See Historic and Cultural Resources Appendix.

Potential Shadow Sensitive Resources

The development facilitated by the Proposed Actions could potentially cast new shadows on the surrounding area. Relative to open space, a triangular Greenstreet bounded by Hudson Street, West Broadway, and Reade and Chambers Streets know as Bogardus Plaza is located approximately 200 feet west of the Project Site. In addition, the Project Site is located within the LPC designated Tribeca South Historic District. The Proposed Actions would also occur within the vicinity of other Historic Districts and several individually designated historic resources. Two other Historic Districts, including the LPC designated Tribeca South Historic District Extension

and the Tribeca West Historic District, are located within 400 feet of the Project Site and within the maximum shadow radius of the proposed building as further discussed below. Three individually LPC designated historic properties are located within 400 feet of the Project Site. The Cary Building at 105 Chambers Street is located approximately 110 feet from the Project Site to the east. The Swift, Seaman and Co. Building at 122 Chambers Street and the 50 Warren Street Building are both located across Chambers Street from the Project Site to the south.

The existing five-story building on the property is a maximum of 75'-11" in height and 90'-11" in height with the 15' bulkhead. Under the No-Action condition, where one as-of-right story would be added to the structure, the building would reach a height of six stories and 82'-10" and 97'-10" in height with the 15' bulkhead. Under the With-Action condition, where one additional story would be added to the structure under the proposed Special Permit, the building would reach a height of seven stories and 93'-4" and 102'-0" with the bulkhead.

Based on 2014 *CEQR Technical Manual* criteria, the longest shadow that any building or structure would cast during the year (except within an hour and a half of sunrise or sunset which is not deemed to be of concern) is 4.3 times its height. In the With-Action condition, the 102'-0" building and bulkhead would cast a maximum shadow of approximately 438.6 feet.

A shadows assessment would be required for sunlight sensitive open space areas and if the surrounding Historic Districts and/or the individually designated resources within the vicinity of the site contain architectural resources that are sunlight-sensitive and could be adversely affected by shadows cast by the proposed building addition. Potentially sunlight-sensitive architectural resources include the following:

- Buildings containing design elements that are part of a recognized architectural style that depends on the contrast between light and dark design elements.
- Buildings distinguished by elaborate, highly carved ornamentation.
- Buildings with stained glass windows.
- Exterior materials and color that depend on direct sunlight for visual character.
- Historic landscapes, such as scenic landmarks including vegetation recognized as an historic feature of the landscape.
- Features in structures where the effect of direct sunlight is described as playing a significant role in the structure's significance as an historic landmark.

As noted above, LPC has determined that there are no shadow sensitive historic resources or impacts involved with this project. Therefore, the two individually designated historic resources noted above and any other resources within the surrounding Historic Districts would not be considered to be sunlight sensitive in the context of the proposed project.

It should also be noted that the proposed rooftop addition at the Project Site would not cast any new shadows on the Cary Building at 105 Chambers Street as this building is located to the east of the site on the same side of the street and it would therefore not be possible for any new shadows to fall on the façade of this building. In addition, new shadows would not be cast on the designated facades of the Swift, Seaman and Co. Building at 122 Chambers Street or the 50 Warren Street Building which are located across Chambers Street from the Project Site to the south. In New York City, no shadow can be cast in a triangular area south of any given Project Site that lies between -108 and +108 degrees from true north. Based on LPC's determination, no other shadow sensitive resources within the surrounding Tribeca South Historic District or the nearby Tribeca South Historic District Extension and the Tribeca West Historic District exist or would be affected by the Proposed Actions.

The proposed rooftop addition at the Project Site would not cast any significant new shadows on the Bogardus Plaza Greenstreet as the Project Site is separated from the Greenstreet by intervening development comprised of six buildings ranging from two- to seven-stories in height. These buildings already cast shadows on Bogardus Plaza that would not be increased by the proposed one-story increase in height of the building on the Project Site located 200 feet away. See attached shadows drawings which are further discussed below.

Preliminary Screening Assessment

Tier 1 Screening Assessment

There is one shadow sensitive resource in the vicinity of the Project Site, the triangular Greenstreet bounded by Hudson Street, West Broadway, and Reade and Chambers Streets known as Bogardus Plaza. Bogardus Plaza is a privately operated and gated viewing garden that was previously a traffic triangle. The Plaza is planted with trees and shrubs and a number of tables, chairs, and planters surround the Plaza on the adjacent sidewalks. Bogardus Plaza is labeled "1" on the attached Tier 1 Screening Assessment diagram.

The longest shadow of 438.6 feet on the Tier 1 shadow assessment figure was calculated as 4.3 times the maximum proposed building height of 102'-0" with the bulkhead.

Due to the proximity of the Project Site to Bogardus Plaza, potential shadow impacts could occur from the proposed development.

Tier 2 Screening Assessment

Based on the Tier 1 assessment, which showed the potential for the longest shadow to reach a sunlight sensitive open space resource, a Tier 2 assessment was generated. A Tier 2 assessment locates the area south of a building that cannot be cast in shadow. This area in New York City lies between -108 and +108 degrees from true north.

The attached Tier 2 Screening Assessment diagram shows the area south of the Project Site that cannot be shaded by the proposed project. As illustrated on the figure, no portion of Bogardus Plaza is located within the area that cannot be shaded by the project. Therefore, the entirety of Bogardus Plaza could still experience new shadows from the project and further assessment is required.

Tier 3 Screening Assessment

The Tier 3 screening assessment is used to determine if shadows resulting from a proposed project can reach a sunlight-sensitive resource. The screening assessment uses three-dimensional computer modeling software with the capacity to accurately calculate shadow patterns.

A Tier 3 screening assessment was performed for the four representative days of the year set forth in the *CEQR Technical Manual*: December 21, the winter solstice and shortest day of the year; March 21/September 21, the equinoxes; May 6, the midpoint between the summer solstice and the equinox (and equivalent to August 6); and June 21, the summer solstice and the longest day of the year. The *CEQR Technical Manual* defines the temporal limits of a shadow analysis period to fall from an hour and a half after sunrise to an hour and a half before sunset. In accordance with the *CEQR Technical Manual*, surrounding buildings are not included in the Tier 3 shadow assessment model.

A Tier 3 screening assessment has been performed as Bogardus Plaza lies within the area that could be shaded by the proposed project. As shown on the attached Tier 3 Screening Assessment diagram, shadows from the proposed building could only potentially reach Bogardus Plaza on December 21 and March 21.

The attached Tier 3 Incremental Impact Screening Assessment diagram is designed to show the times and durations of any new shadows that would be cast by the proposed development on Bogardus Plaza on December 21 and March 21 taking into account existing development located between this open space area and the Project Site.

No new shadows would be cast by the proposed building on Bogardus Plaza on December 21. On March 21, a new shadow from the proposed building addition would enter a very small strip along of the edge of the Plaza during the early morning period (about 7:36 am). The duration of the shadow is too brief to be measurable. The shadow would not be considered significant. In addition, the potential incremental shadow is completely subsumed by the existing shadows cast, i.e. no new incremental shadow would be cast on March 21. Any new shadows cast as a result of the proposed project would not result in incremental shadows being cast on sunlight-sensitive resources given the shadows cast by intervening buildings.

Conclusion

No new incremental shadows would be cast by the proposed development. LPC has determined that the surrounding Historic Districts and the individually designated historic resources noted above do not contain any sunlight sensitive features that would be affected by the proposed project.

Therefore, the Proposed Actions would not result in any significant shadows impacts to open space or historic resources, and no further assessment would be needed for the project.

Figure 8-1: Tier 1 Screening Assessment

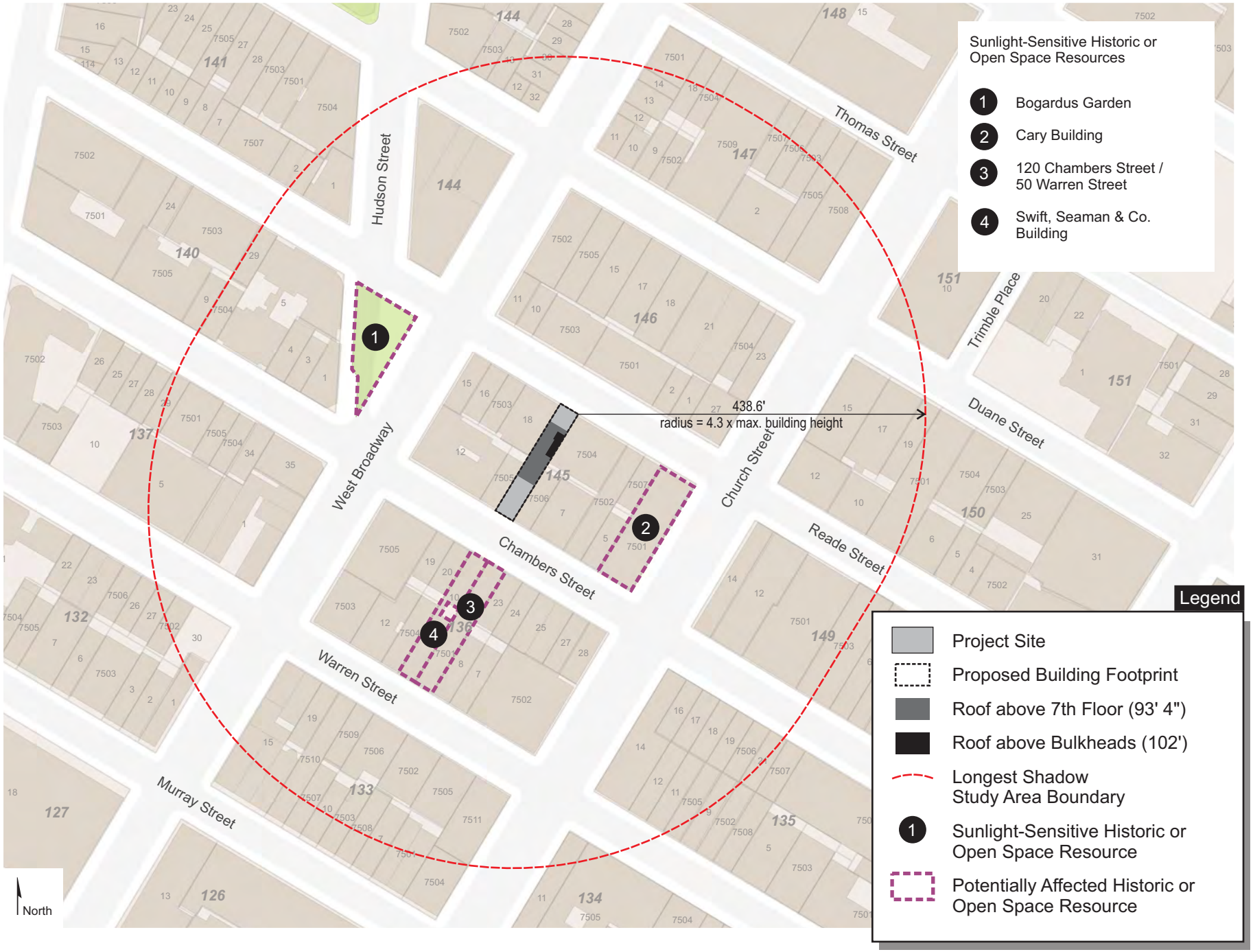


Figure 8-2: Tier 2 Screening Assessment

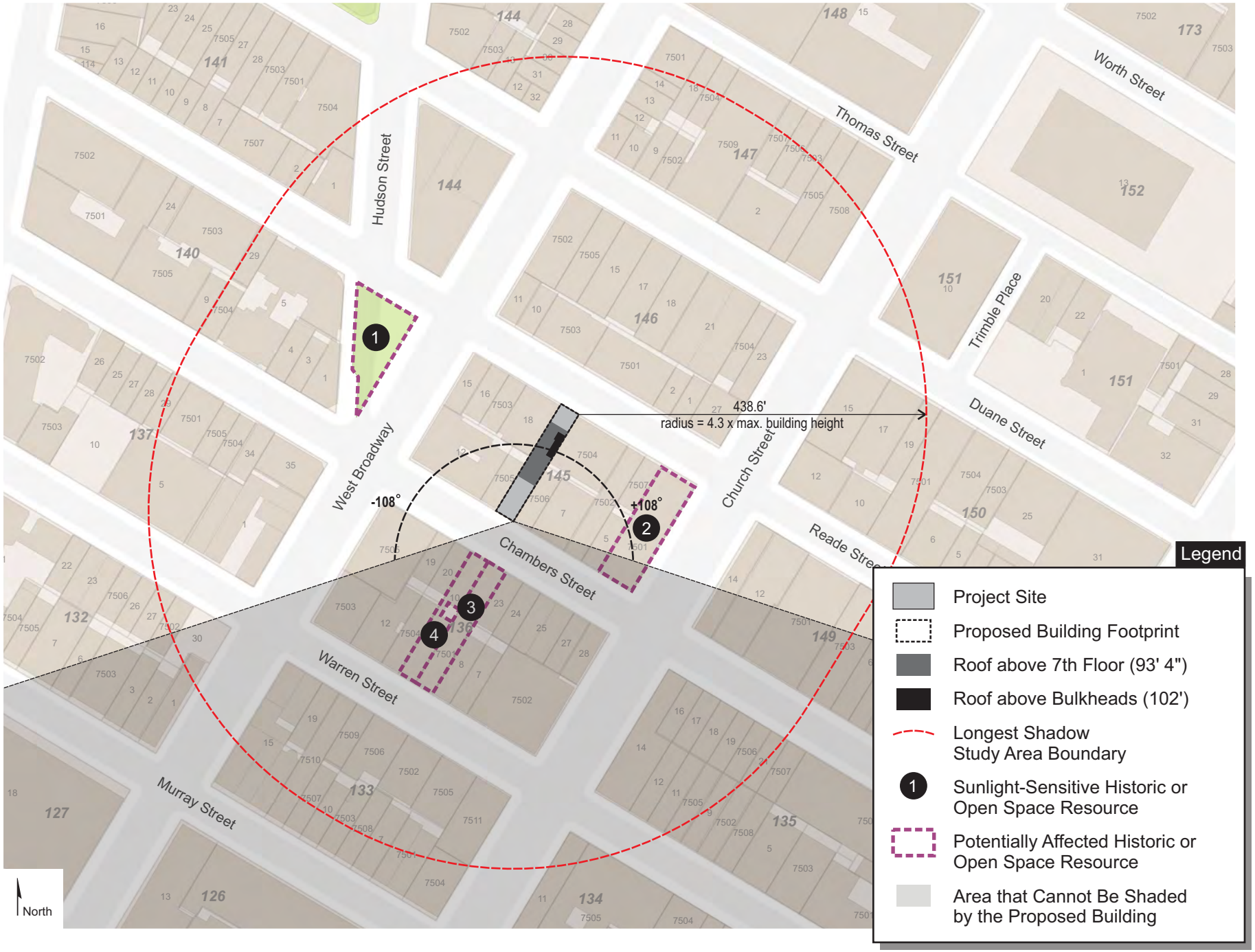


Figure 8-3: Tier 3 Screening Assessment for the December 21 Analysis Day

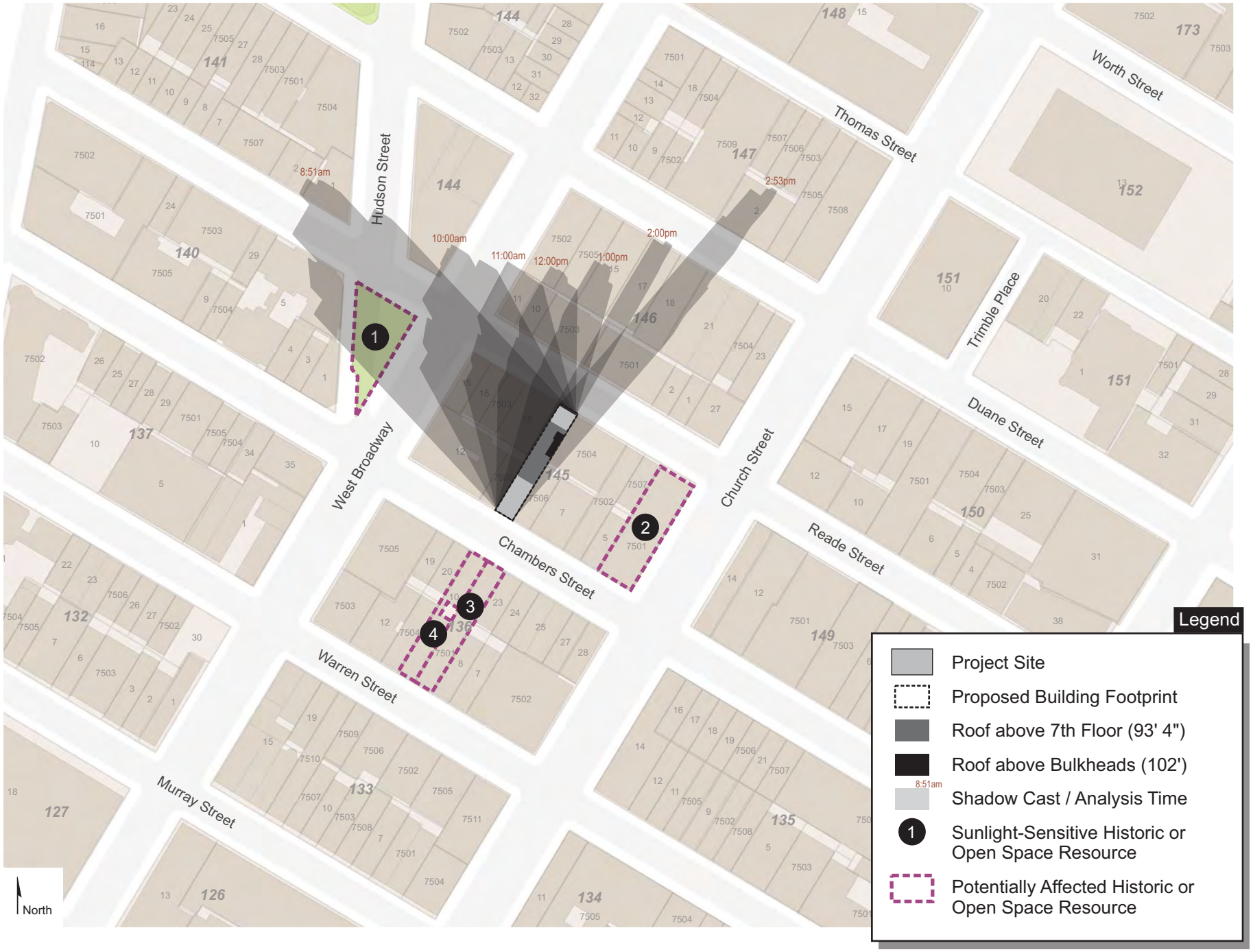


Figure 8-4: Tier 3 Screening Assessment for the March 21 Analysis Day

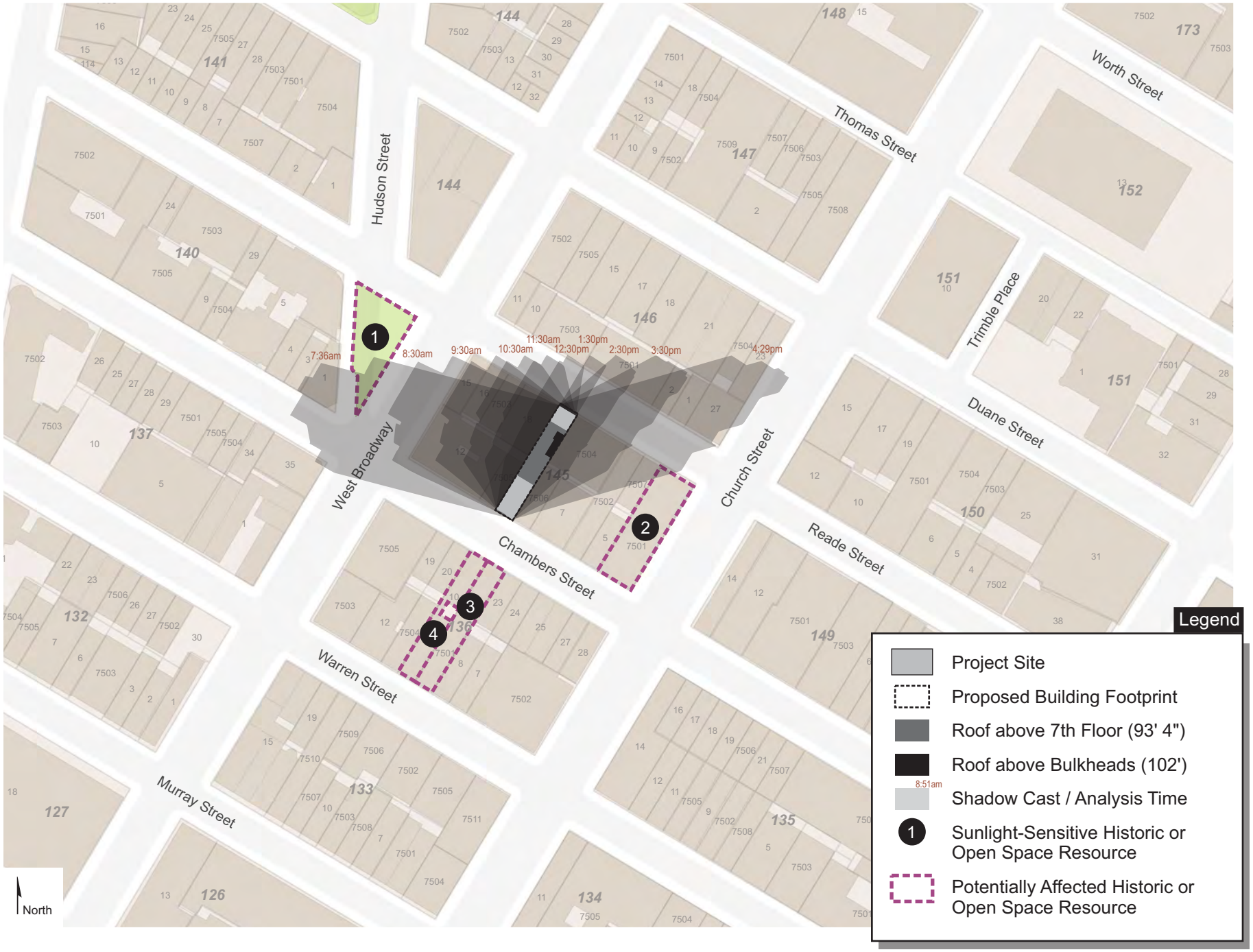


Figure 8-5: Tier 3 Screening Assessment for the May 6 Analysis Day

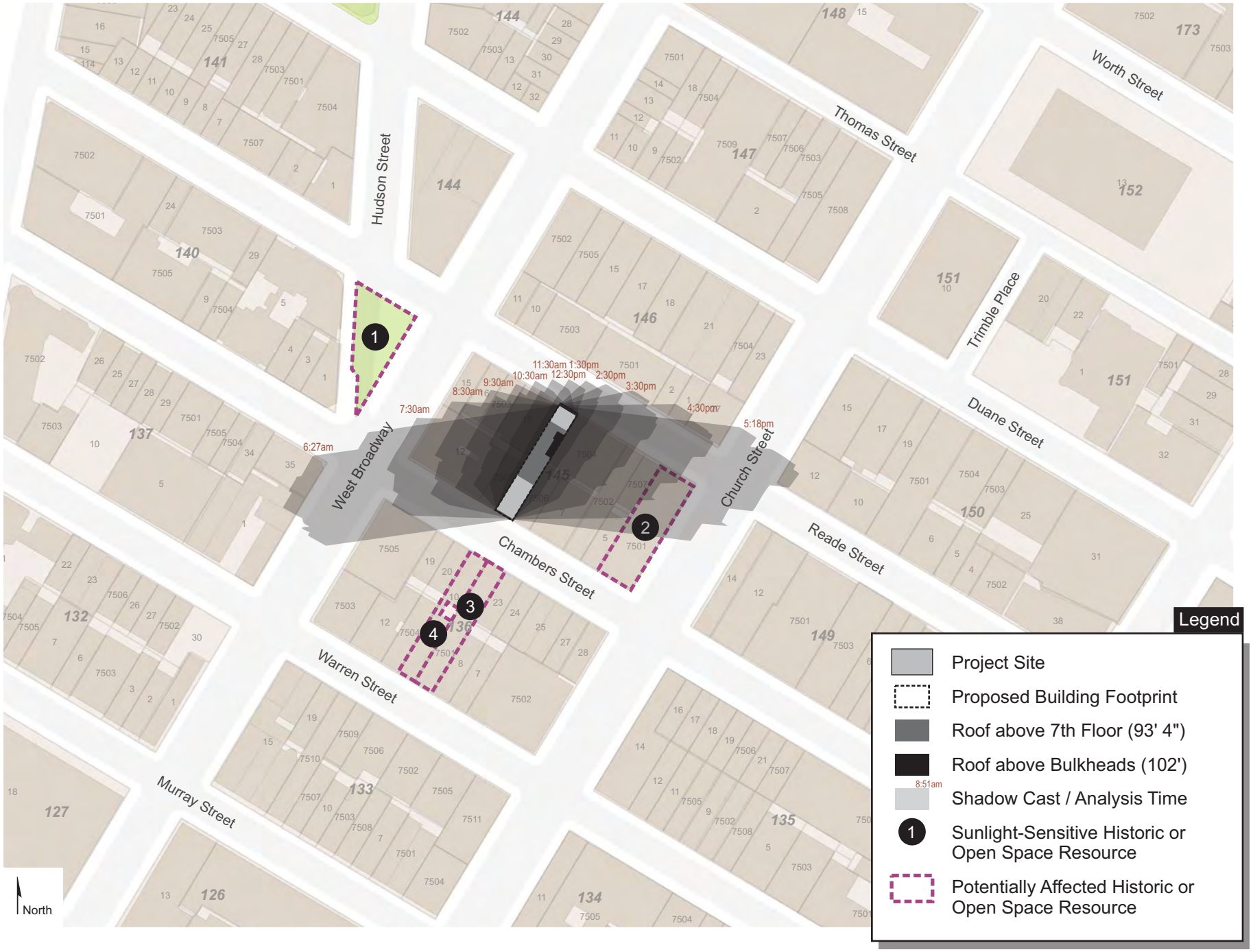


Figure 8-6: Tier 3 Screening Assessment for the June 21 Analysis Day

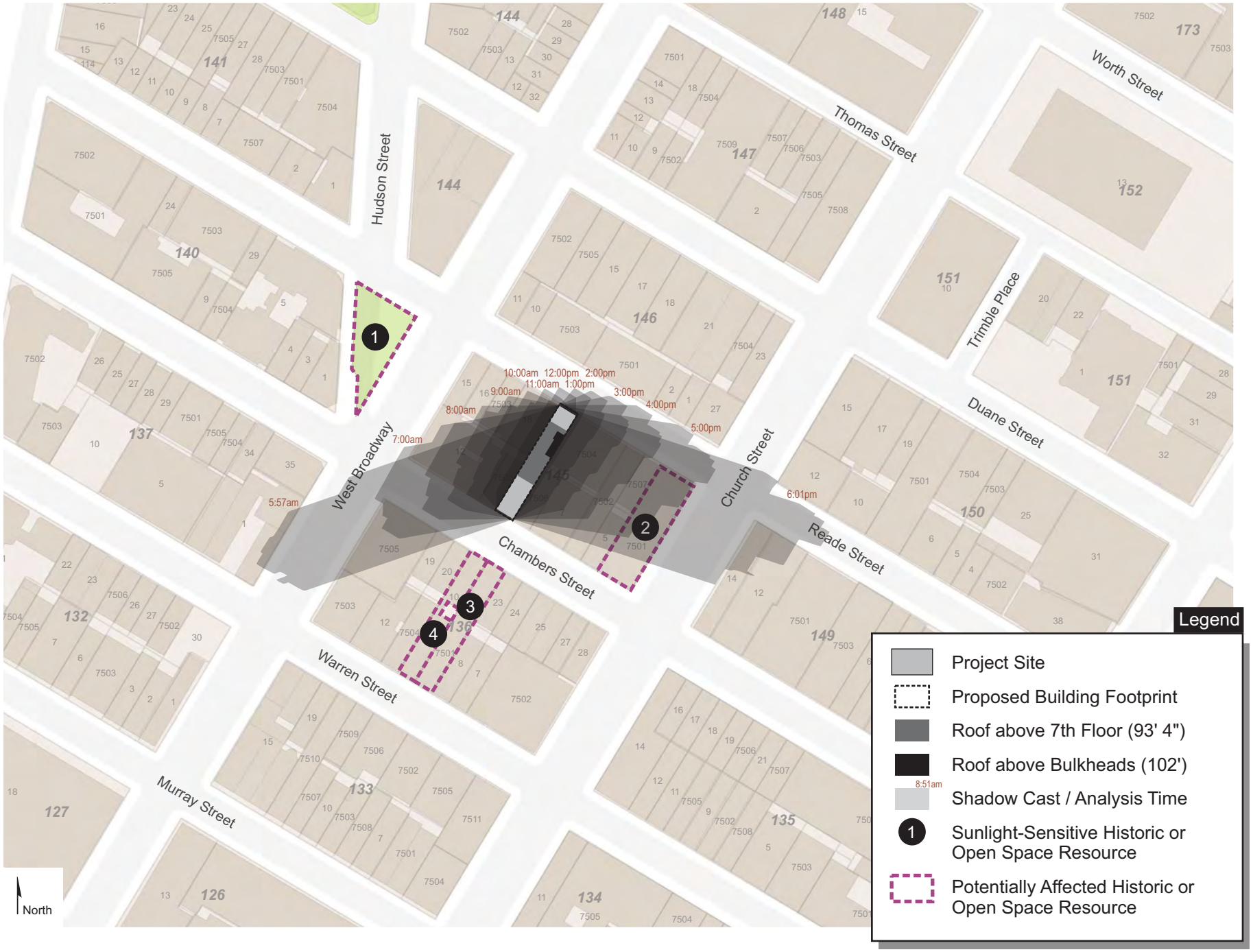
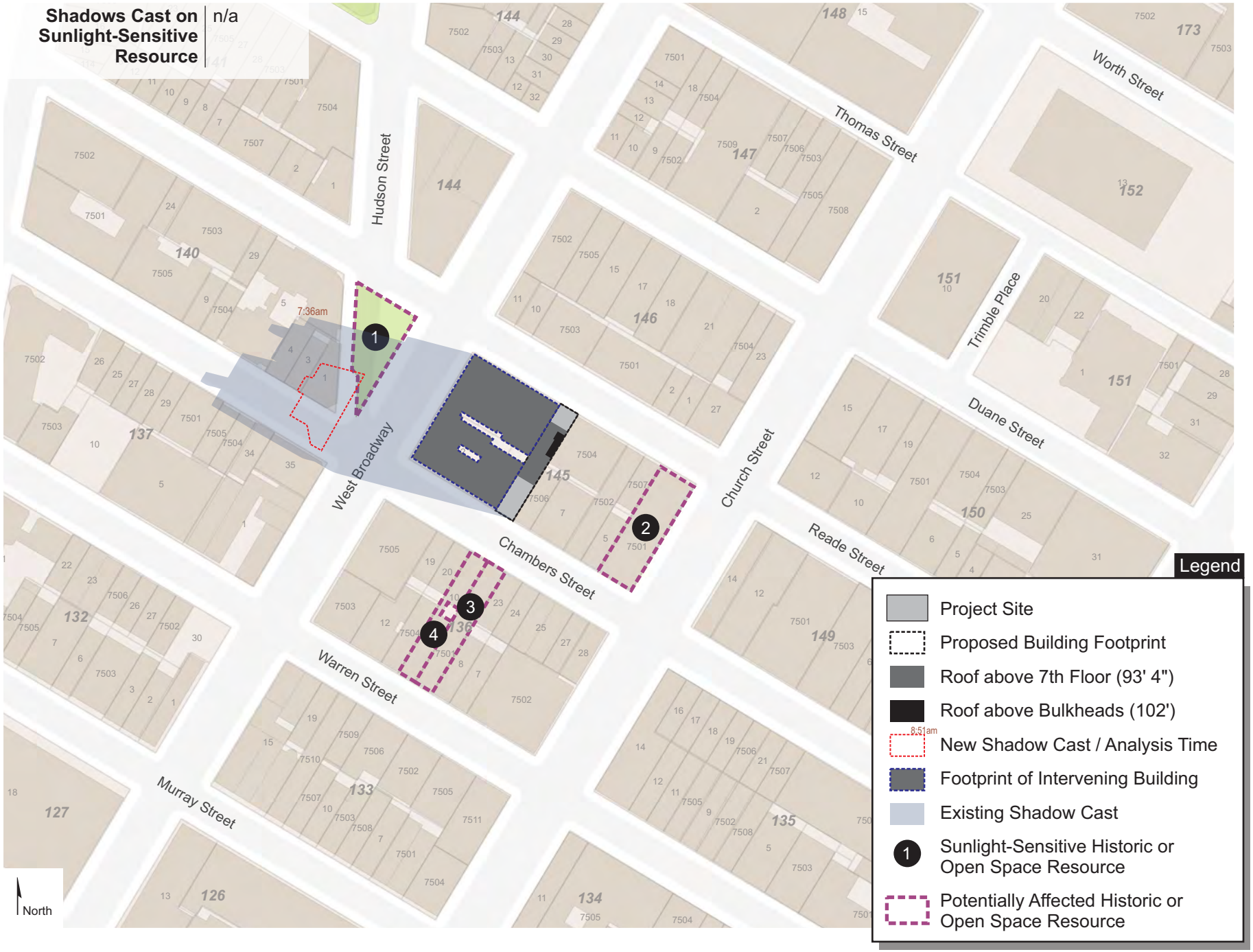


Figure 8-7: Tier 3 Incremental Impact for the December 21 Analysis Day

Figure 8-8: Tier 3 Incremental Impact for the March 21 Analysis Day



9. HISTORIC AND CULTURAL RESOURCES

EXISTING CONDITIONS

Project Site

The Project Site is a through lot having frontage on both Chambers Street and Reade Street, under the addresses 121 Chambers Street and 103 Reade Street, respectively (Block 145, Lot 10). The through lot extends from the north side of Chambers Street to the south side of Reade Street in the Tribeca neighborhood of Manhattan. The Project Site is located within the LPC designated Tribeca South Historic District, and is adjacent to the Tribeca South Historic District Extension, and approximately 170 feet east of the Tribeca West Historic District. The Project Site is developed with a vacant five-story, cellar, and sub-cellar building that was constructed in 1860.

The Tribeca South Historic District Designation Report describes 121 Chambers Street as follows:

> This five-story store and loft building, located at the middle of the block between Church Street and West Broadway, is approximately twenty-five feet wide and extends through the block from Chambers Street to Reade Street. Constructed for ship chandler Frederick E. Gibert in 1860-61, its Italianate design is related to that of the adjoining building at 105-107 Reade Street which was erected at the same time for his brother James T. Gibert.
>
> Faced in sandstone above the first story, the building has three bays of windows per story on both Chambers and Reade Streets. On Chambers Street each story is treated with a slightly different decorative treatment. Round-arched window openings are employed at the second story; segmentally arched openings are used at the third through fifth stories. The openings are enriched by molded surrounds and all but those at the top story have scrolled keystones. Cornices and sill courses are used to divide the stories. Attention is focused on the center bay by projections at the second and third stories. An aedicule of Corinthian half-columns, an entablature, and a triangular pediment frames the center window at the second story. Historic two-over-two wood window sash survive at the third and fourth stories. The facade is crowned by a paneled and dentiled stone entablature which appears to have been modified.
>
> The building's Reade Street facade, also of sandstone, is treated as one section of a tripartite composition, matching the western three bays of the adjoining double facade at 105-107 Reade Street. As on Chambers Street, round-arched window openings are employed at the second story and segmentally-arched openings at the third through fifth stories, all with molded surrounds. Scrolled keystones are employed at the second story

and at the center bay of the third story. Pilasters frame the edges of the facade and cornices separate the stories; that at the second story has dentils. The east windows at the third and fourth stories have historic two-over-two wood sash. This facade retains its original stone entablature, decorated with a paneled frieze, dentils, modillions, and corner console brackets. Surviving at the first story is the original cast-iron storefront which is listed in D.D. Badger's 1865 catalog of the Architectural Iron Works of New York. The storefront retains fluted pilasters and half-columns with Corinthian capitals, arched surrounds with bracketed keystones, iron transom bars with decorative moldings, and a cornice (missing some of its modillions). The transoms in the center and west bays have historic wood sash. The center bay has a projecting aluminum and glass booth (the central show window was installed in 1992). In front of the building is a shallow stepped vault with granite curbs and diamond plate vault covers. There are four bluestone pavers directly in front of the stepped vault.

The present building occupies the site of the former home of Nicholas Gibert, as well as part of a parcel of land purchased by Gibert in 1835 that extended from 103 to 107 Reade Street. By 1851, when Gibert died, the building on Chambers Street had become a boarding house while the four brick dwellings on the Reade Street parcel were occupied by tradesmen and servants. Gibert's heirs retained the properties, and in 1860 his sons Frederick and James entered into an agreement whereby Frederick received the lots at 121 Chambers Street and 103 Reade Street and James the lots at 105 and 107 Reade Street. It appears that they jointly commissioned an architect to design new buildings for their lots. No. 121 Chambers Street was initially leased by Augustus and Charles Storrs, commission agents dealing in plated goods. By the 1880s the building had been partitioned with R. Horace Kelly & Co., liquor importer, occupying 121 Chambers and Charles H. Raymond, hardware and cutlery wholesaler, at 103 Reade. By the 1920s the upper floors were occupied by a wholesaler of luggage and handbags while the first floor was leased to the Goldgrube restaurant which remained a tenant through the 1950s.

Study Area

The Project Site is located near the southwestern edge of the Tribeca South Historic District. The Tribeca South Historic District extends from Broadway on the east to West Broadway on the west, from Chambers Street on the south to Duane and Thomas Street on the north. The site is located across Chambers Street from the Tribeca South Historic District Extension to the south which extends across the mid-block sections of the two blocks between Chambers Street on the north to Murray Street on the south between Church Street on the east to West Broadway on the west. The Project Site is approximately 170 feet east of the Tribeca West Historic District. The

Tribeca West Historic District extends northward from James Bogardus Triangle to Hudson Square West with West Broadway forming the eastern boundary and Greenwich Street the western boundary. Three individually LPC designated historic properties are located within 400 feet of the Project Site. The Cary Building at 105 Chambers Street is located approximately 110 feet from the Project Site to the east. The Swift, Seaman and Co. Building at 122 Chambers Street and the 50 Warren Street Building are both located across Chambers Street from the Project Site to the south. A brief discussion of these Districts and properties follows below. See attached Historic Districts and Landmarked Buildings graphic.

Tribeca South Historic District – The LPC Designation Report (December 1992) contains the following statements about the District:

> The Tribeca South Historic District, encompassing 70 buildings and two undeveloped lots, contains cohesive blockfronts of mid-nineteenth century store and loft buildings which extend between Broadway and West Broadway, from Chambers Street on the south to Duane and Thomas Street on the north. West Broadway, historically a major transportation route, forms the western boundary. Chambers Street, the area's major east-west commercial street, linked Broadway, historically the preeminent mercantile thoroughfare, with West Broadway, the location of the Hudson River Railroad line and its depot which opened in 1851 at Chambers and Hudson Street.
>
> The Tribeca South Historic District has a distinct and special character within the larger Tribeca area which is established by its remarkably intact and homogeneous architectural character, reflecting its role as the center for the wholesale dry goods trade and related businesses in New York City during the decade from the early 1850s into the 1860s.
>
> In the Tribeca South Historic District, most of the store and loft buildings are typically five-story structures with facades composed of cast-iron framed storefronts and upper walls faced in high quality materials: stone in over forty cases, brick in nearly twenty cases, or, more exceptionally, cast iron (five examples). Most of the store and loft buildings are in the Italianate style, either following the "Roman palace" model of the A.T. Stewart Store or the "Venetian palace" model of the Bowen & McNamee Store (1849-50, demolished).
>
> By the early 1860s the area had become the thriving hub of a national system for distributing wholesale dry goods, containing the warehouses of such leading textile importing firms as Claflin & co. and Benkard & Hutton, and smaller buildings of dry good jobbers and related businesses. As the dry goods firms moved further northward in the years after the Civil War, new kinds of wholesale businesses began to move into the


Tribeca West Historic District
Tribeca South Historic District
Tribeca South Historic District Extension
142 Washington Market Park
Bogardus Garden
Hudson Street
Chambers Street
Greenwich Street
West Broadway
Church Street
Thomas Street
Trimble Place
Duane Street
Reade Street
Warren Street
Murray Street
Worth Street
Broadway
North
Legend
Project Site
400-Foot Study Area
Historic Districts
Landmarked Buildings
495 Block Numbers

area's store and loft buildings, notably hardware and cutlery merchants and wholesale shoe dealers. The endurance of such wholesale enterprises, reflecting a continuity in the mercantile use of the district, has been a major factor in retaining much of the district's nineteenth-century commercial architectural character. Different twentieth century development patterns to the south, east, and north of the district have helped to reinforce the district's distinct sense of place. The Tribeca South Historic District remains remarkably intact, providing an invaluable view of mid-nineteenth-century architecture in the service of commerce.

Tribeca South Historic District Extension – The LPC Designation Report (November 19, 2002) contains the following statements about the District:

Located between Church Street and West Broadway, and Chambers and Murray Streets are 28 predominantly five-story, Italianate-style store-and-loft buildings primarily constructed during the 1850s. Faced in stone, brick, or in one instance, cast iron, and originally featuring cast-iron and glass storefronts, these buildings were erected to provide large and open interior spaces for the storage and selling of goods. They are representative of the once much larger wholesale warehouse district dominated by the textile and dry goods trades which developed northward from Cortlandt Street in the area west of Broadway following the destruction of the earlier dry goods district on Pearl Street in the fire of 1835. The development of docks along the Hudson River waterfront and the extension of the Hudson River Railroad in 1851 to a terminal at the intersection of Chambers and Hudson Streets, diagonally across from the historic district extension, also contributed to the commercial transformation of the area.

The facades of these store-and-loft buildings suggest the profound impact made by the Italian Renaissance Revival style introduced by Joseph Trench and John B. Snook with their design for the A.T. Stewart Department Store (a designated New York City Landmark), located on the east side of Broadway between Chambers and Reade Streets. The buildings in the Tribeca South Historic District Extension, ranging in width from three to six bays, share certain design elements, which collectively create harmonious streetscapes, rich in a variety of Italianate-style architectural features.

By the early 1860s, the area had become the thriving hub of a national system for the distribution of wholesale dry goods, as well as the location of textile importers, dry goods jobbers, and related businesses. After the Civil War, as the dry goods firms began moving northward, new kinds of businesses, such as hardware and cutlery merchants, moved into the area's store-and-loft buildings. The endurance of such enterprises reflects a continuity in the mercantile use of the district, and has been a major factor in retaining

much of its nineteenth-century architectural character. The Tribeca South Historic District Extension represents a significant pre-Civil War commercial architectural environment in New York City.

Tribeca West Historic District – The LPC Designation Report (May 7, 1991) contains the following statements about the District:

> The Tribeca West Historic District, encompassing some 220 buildings, extends northward from James Bogardus Triangle to Hudson Square with Hudson Street serving as the spine of the district and Duane Park acting as a focal point. West Broadway and Varick Street, historically a major transportation route, form the eastern boundary. Greenwich Street forms a regular edge at the western boundary. Portions of Reade Street where corner buildings intersect Hudson and Greenwich Streets form the southern boundary, while Hubert Street and Ericsson Place, fronting onto the site of Hudson Square, form the northern boundaries. Within this area much of the street grid is set askew from and intersects with the grid of streets running off Broadway, a factor which reinforces the special character of the area.
>
> The area of the Tribeca West Historic District has a distinct and special character within the larger Tribeca community which is defined by the district's historical development as reflected in the plan of its streets and the architectural qualities of its buildings.
>
> By the mid-nineteenth century, with produce and other goods arriving at the Washington Market, southwest of the area of the historic district, and the transfer of goods facilitated by extensive ship and railroad service, the area of the Tribeca West Historic District began to develop its dominant architectural character. Houses were replaced by buildings constructed to meet the changing needs and growing complexity of commerce, particularly businesses associated with the food industry. Today the district is defined and dominated by commercial buildings of the store and loft and warehouse types, which provide a consistent architectural character although one that developed over a span of some fifty years, roughly 1860 through 1910. This is the result of a functional, yet decorative, approach to commercial architecture which produced substantial and attractive buildings whose form and appearance -- generated largely by the uses of the buildings -- tended to transcend the changing fashions of architectural style. Still, the buildings encompass a range of treatments: some are utilitarian and influenced by longstanding vernacular traditions; others are influenced by popular architectural styles and ornament, consciously designed to be decorative in appearance; and, late in the century, are those warehouses reflecting contemporary high-style architecture whose architects self-consciously sought to devise an appropriate American architectural expression for the warehouse as a discrete building

type. Within the district these buildings are unified by a similar scale; similar building materials, largely masonry in shades of red, brown, and tan; and similar use-generated base treatments consisting of cast-iron piers rising above stepped vaults and loading platforms and sheltered by awnings. Folding iron shutters and wood doors historically filled the loading bay openings, and many of these elements still survive. Granite-slab sidewalks and Belgian block street pavers are other unifying elements which give the district much of its historic and architectural character.

Cary Building (105-107 Chambers Street) - The LPC Designation Report (August 24, 1982) summarizes this building as follows:

> The Cary Building, built in 1856-57, is one of New York's most important 19th-century commercial structures. Designed by one of New York's most prominent firms specializing in commercial architecture, with cast-iron fronts fabricated by the city's most important foundry, it is a significant early product of the period during the middle of the century when New York's premier position in the commercial life of the nation was established.
>
> The pioneering Cary Building exemplifies three developments which set major pattern for the spectacular commercial growth of post-Civil War New York: 1) the commercial redevelopment of the area north and west of City Hall; 2) the introduction of the Italianate "palazzo" type; and 3) the development of the cast-iron facade. The building's architects, Gamaliel King and John Kellum, were important for their role in shaping the new commercial city; and the foundry which cast the building's iron fronts, Daniel D. Badger's Architectural Iron Works, was the first major foundry in the business and eventually the most prolific and influential.
>
> As an early product of key trends in the city's commercial development, as one of the earliest surviving cast-iron buildings, and as the product of a major architect and foundry, the Cary Building is of seminal importance to the development of 19th-century commercial New York.

Swift, Seaman & Co. Building (122 Chambers Street) - The LPC Designation Report (May 16, 2000) summarizes this building as follows:

> Erected in 1857-58 for Emily Jones, a daughter of the late Isaac Jones, third president of Chemical Bank, the Swift, Seaman & Co. Building at 122 Chambers Street extends through the block to 52 Warren Street. It is a distinguished example of the mid-nineteenth-century store-and-loft buildings that comprised the Tribeca area of lower Manhattan, containing such wholesale and manufacturing businesses as dry goods and various branches of

hardware. From 1858 to 1879, the building housed the saddlery hardware business of Swift, Seaman & Co. and its successors. Both facades of the five-story structure are similarly articulated and inspired by the Italian Renaissance *palazzo*. The stories above the base are clad in tan-colored Dorchester stone, prized in the second half of the nineteenth century by architects and stone carvers for its color and durability. The building is embellished with round- and segmental-arched, molded surrounds, many of which are surmounted by ornately carved Rococo Revival style ornament. These carved details are extraordinary surviving elements of 1850s ornamentation. The building is surmounted by modillioned and bracketed metal cornices. The original cast-iron storefronts were replaced by the current stone-clad ground-story remodeling in 1921-22. For nearly ninety years, this building continuously housed saddlery hardware, hardware, and saddlery/harness businesses. It remained in commercial use until l980 when it was converted to apartments.

FUTURE NO-ACTION CONDITIONS

Project Site

The Project Description section of the EAS provides a detailed description of the No-Action conditions on the Project Site. A Certificate of No Effect (CNE) was issued by the LPC on September 7, 2016. The CNE allows interior work at the sub-cellar through fourth floors of the building including the demolition of non-bearing partitions and finishes. A second CNE was issued by the LPC on March 12, 2018. The CNE allows exterior restorative work to the existing building façade including doors and windows. (See Historic and Cultural Resources Appendix)

Construction work completed in the building to date has been limited to the removal of interior partitions on the sub-cellar, cellar, and first floors. Construction work that began in November 2017 and was completed by the end of January 2018 consisted of the further removal of the interior partitions on floors 2 through 5. All interior partition removal work was permitted under NYC DOB application number 122871669.

Under the No-Action Scenario, the following work began in January 2018 and is permitted in the absence of the Special Permit under NYC DOB application number 123032404. In the absence of the Proposed Actions, it is anticipated that the sub-cellar level will be lowered by two feet in order to provide additional headroom. An elevator pit will be dug to install a new elevator. In addition, the 2nd floor of the building would be converted from UG2 office space to UG6 residential space. The ground floor would continue to be tenanted with two retail stores. The cellar and sub-cellar would be utilized as accessory space for the stores and for building

utilities. Also, two new 583 gsf mezzanines would be added to the existing building on the Project Site. This work began in December 2018 with completion anticipated by July 2020.

In the absence of the Proposed Actions, a new complying 2,769 gsf 6th floor would be constructed pursuant to the LPC amended Certificate of Appropriateness 19-26119 dated January 28, 2019 as detailed in LPC's March 15, 2019 Miscellaneous/Amendments letter (MISC-19-36066).

In order to construct the sixth floor addition, the ceiling of the existing fifth floor and roof of the existing building would be lowered and the new sixth floor would be sunk into the existing fifth floor, rising to a height of 82'-10. The addition would not be visible from public areas. LPC has determined that there are no shadow sensitive resources or impacts involved with the proposed 7th floor addition in the With-Action Scenario. Therefore, there also would be no shadow impacts from the addition of the sixth floor.

LPC-approved construction procedures would be followed to protect historic structures in the area from damage from vibration, subsidence, dewatering, or falling objects. Construction procedures would comply with the NYC Department of Buildings memorandum Technical Policy and Procedure Notice # 10/88 and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. TPPN # 10/88 pertains to any structure which is a designated NYC Landmark or located within a historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of 90 feet from a lot under development or alteration. No adverse impacts would occur to any historic resources within 400 feet of the Project Site from the construction of the sixth floor addition.

The visibility study conducted for the With-Action Scenario, which entails the construction of a 7th floor addition, demonstrated that the proposed project would generally not be visible from the pedestrian perspective and thus would not have visual/contextual effects (besides in very specific locations). Therefore, there also would be no visual/contextual effects from the addition of the 6th floor.

Study Area

The land use section of the EAS above provides a description of other developments currently planned for construction within the project study area. The LPC amended Certificate of Appropriateness 19-26119 dated January 28, 2019 as detailed in LPC's March 15, 2019

Miscellaneous/Amendments letter (MISC-19-36066) indicates that the proposed rooftop addition (including the 6th floor addition) will be minimally visible and is appropriate to the architectural features and the massing and scale of the building as well as of the surrounding area and the historic district.

FUTURE WITH-ACTION CONDITIONS

Under the With-Action RWCDS, the Applicant proposes to enlarge the building by adding two stories, resulting in a building with a height of 93'-4". The 74-711 Special Permit allowing the waiver of the one-story limit to permit construction of the proposed seventh floor would increase the height of the building from 90'-1" to 93'-4"[1]. The proposed Enlargement would extend through the midblock with a 20-foot setback from the street wall at the sixth floor on both Chambers and Reade Streets. The seventh floor of the Enlargement would have a 44-foot setback from the street wall on Chambers Street, and on the Reade Street frontage, a portion of the setback would be at 20 feet, with the majority of the setback at 24 feet.

The 44-foot setback on Chambers Street and the 20/24 foot setback on Reade Street would ensure that the 7th floor will not be visible from either Chambers or Reade Street. The 7th floor will not generally be visible from public spaces, although a small portion will be visible from the east side of Church Street between Chambers and Warren Streets over several other buildings, and from the open space at the intersection of West Broadway and Hudson Street through the intervening rear yards. This is discussed further and visually illustrated in the urban design section of the EAS which follows.

The LPC amended Certificate of Appropriateness 19-26119 dated January 28, 2019 as detailed in LPC's March 15, 2019 Miscellaneous/Amendments letter (MISC-19-36066) indicates that the proposed rooftop addition will be minimally visible and is appropriate to the architectural features and the massing and scale of the building as well as of the surrounding area and the historic district.

Archaeological Resources

In the future without the project, it is anticipated that the sub-cellar level will be lowered by two feet in order to provide additional headroom. An elevator pit will be dug to install a new elevator, and this elevator work is expected to be completed by the end of February 2019. This subsurface and elevator work is permitted under NYC DOB application number 123032404. No

[1] The one-story addition only results in 3'-3" of additional height due to the lowering of the height of the fifth floor ceiling and the insertion of a new sixth floor that is lower than height of the existing roof.

additional subsurface ground disturbance would occur to accommodate the Proposed Actions. As this subsurface disturbance would occur as-of-right and in the absence of the proposed project analyzed in the With-Action Scenario, the Proposed Actions would not result in any adverse archaeological impacts on the Project Site.

Historic Resources

The proposed development is a two-story enlargement to the existing through lot five-story building on the Project Site. The Applicant also proposes to restore the storefront to its original 19th Century appearance; remove the fire escape on the Reade Street façade of the building; and replace all 24 windows on the Chambers and Reade Street facades from the second through the fifth floors. As these additions constitute a change from the existing condition on the property and would be occurring within a designated Historic District and across the street from another Historic District and an individually designated property, potential impacts on historic resources would be of concern. The *CEQR Technical Manual* indicates that architectural resources should be surveyed and assessed if the proposed project would result in any of the conditions noted in italics below.

- *New construction, demolition, or significant physical alteration to any building, structure, or object.*

  As stated above, on May 9, 2017, the LPC approved the proposed development and the filing of this application under ZR Section 74-711, subject to its receipt of a final restrictive declaration and cyclical maintenance plan and final specifications for restorative work, as set forth in a letter dated June 7, 2017. A Certificate of No Effect (CNE) was issued by the LPC on September 7, 2016. The CNE allows interior work at the sub-cellar through fourth floors of the building including the demolition of non-bearing partitions and finishes. A second CNE was issued by the LPC on March 12, 2018. The CNE allows exterior restorative work to the existing building façade including doors and windows. On January 28, 2019, the LPC issued a Certificate of Appropriateness (COFA-19-26119) for the proposed work at the subject premises, as put forth in the application completed on April 12, 2017, and as the Applicant was notified in the Status Update Letter 19-03880 (19-3880) issued on June 7, 2017. On January 28, 2019, the LPC also issued a Memorandum of Understanding (MOU-19-31935) explaining the conditions under which the LPC issued a favorable report to the CPC which is contingent upon the restoration work being determined by the LPC to be thorough and restoring the landmark to a sound, first-class condition. Subsequently, on February 8, 2019, the Commission received a proposal for an amendment to the work approved under Certificate of Appropriateness 19-26119. The

proposed amendment consists of modifying and reducing the scope of work at the roof to include constructing a single-story addition, in lieu of a two-story addition, and related interior alterations, that retains the fenestration and dormer setbacks at the north and south facades and the original footprint plan. The Commission reviewed the request and finds that the revised scope of work is in keeping with the intent of the original approval. Based on these findings, LPC amended Certificate of Appropriateness 19-26119 as detailed in LPC's March 15, 2019 Miscellaneous/Amendments letter (MISC-19-36066). (See Historic and Cultural Resources Appendix)

Based on the above, it is concluded that the Proposed Actions would have no significant adverse effect on the historic character of the property or the surrounding area.

- *A change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature. Visual prominence is generally the way in which a building, structure, object, or landscape feature is viewed. Visual context is the character of the surrounding built or natural environment. This may include the following: the architectural components of an area's buildings (e.g., height, scale, proportion, massing, fenestration, ground-floor configuration, style), streetscapes, skyline, landforms, vegetation, and openness to the sky.*

  The proposed project would entail the construction of a one-story addition (the 7th floor) above a one-story enlargement (the 6th floor), permitted as-of-right (subject to LPC approval) in the No-Action Scenario, to the existing through lot five-story building on the Project Site. The existing sloped roof will be flattened and the new overall height is proposed to be 93'-4". The 6th floor addition would have a 20' setback along Chambers Street and a 20' setback along Reade Street. The 7th floor addition, for which the Special Permit is being requested, would have a 44' setback from Chambers Street and a 24'/20' setback along Reade Street. The 7th floor west wall would be minimally visible from the south on West Broadway.

  The 44-foot setback on Chambers Street and the 20/24 foot setback on Reade Street would ensure that the 7th floor will not be visible from either Chambers or Reade Street. The 7th floor will not generally be visible from public spaces in the surrounding Historic Districts or adjacent to individually designated resources, although a small portion will be visible from the east side of Church Street between Chambers and Warren Streets over several other buildings, and from the open space at the intersection of West Broadway and Hudson Street through the intervening rear yards.

The project would result in a change in scale and visual prominence relative to the surrounding area. However, as stated above, the proposed setbacks would limit the visibility of the 7th floor west wall over buildings facing West Broadway. The facade work including the restoration of the storefront, the removal of the Reade Street fire escape, and the replacement of the windows matching the historic profiles of 19th century windows would bring the building into greater compliance with its surrounding architectural context.

It is therefore concluded that the change in scale and visual prominence resulting from the Proposed Actions would be relatively minor and appropriate to the surroundings. The proposed building addition and other changes to the exterior of the structure would therefore be appropriate in the context of the surrounding neighborhood.

- *Construction, including but not limited to, excavating vibration, subsidence, dewatering, and the possibility of falling objects.*

  LPC-approved construction procedures would be followed to protect other historic structures in the area from damage from vibration, subsidence, dewatering, or falling objects. Construction procedures would comply with the NYC Department of Buildings Memorandum Technical Policy and Procedure Notice # 10/88 (TPPN # 10/88) and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. TPPN # 10/88 pertains to any structure which is a designated NYC Landmark or located within a historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of 90 feet from a lot under development or alteration.

- *Additions to or significant removal, grading, or replanting of significant historic landscape features.*

  Not applicable to the Proposed Actions.

- *Screening or elimination of publicly accessible views.*

  Not applicable to the Proposed Actions.

- *Introduction of significant new shadows or significant lengthening of the duration of existing shadows on an historic landscape or on an historic structure if the features that make the structure significant depend on sunlight.*

As discussed in the Shadows section above, no new incremental shadows would be cast by the proposed development. LPC has determined that the surrounding Historic Districts and the individually designated historic resources noted above do not contain any sunlight sensitive historic features that would be affected by the proposed project. Therefore, the Proposed Actions would not result in any significant adverse shadows impacts to historic resources.

Based on the above analysis, it is concluded that the proposed building additions and the other proposed changes to the exterior of the building on the Project Site would be compatible with the historic context and with the surrounding Tribeca Historic Districts and the two individually designated properties within 400 feet of the Project Site. The proposed project would be constructed in accordance with a Construction Protection Plan and existing construction regulations, including Technical Policy Procedure 10-88; accordingly, the Proposed Actions do not warrant additional construction analysis and do not present the potential for significant adverse impacts to historic resources due to construction activity. No impact to these Historic Districts or individual historic properties would be expected as a result of the Proposed Actions.

10. URBAN DESIGN AND VISUAL RESOURCES

An assessment of urban design is needed when a project may have effects on any of the elements that contribute to the pedestrian experience of public space. A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following:

1. Projects that permit the modification of yard, height, and setback requirements;

2. Projects that result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the proposed project.

While the proposed project would modify bulk regulations on the Project Site, the proposed enlargement to the existing building would have minimal potential to be observed, from the street level, beyond that allowed by existing zoning. As indicated in the LPC amended Certificate of Appropriateness 19-26119 dated January 28, 2019 as detailed in LPC's March 15, 2019 Miscellaneous/Amendments letter (MISC-19-36066), the proposed 44-foot setback on Chambers Street and the 20/24 foot setback on Reade Street would ensure that the 7th floor will not be visible from either Chambers or Reade Street. The 7th floor will not generally be visible from public spaces in the surrounding area, although a small portion will be visible from the east side of Church Street between Chambers and Warren Streets over several other buildings, and from the open space at the intersection of West Broadway and Hudson Street through the intervening rear yards. See attached Existing, No-Action, and With-Action Urban Design drawings.

Therefore, an assessment of urban design is not warranted and the Proposed Actions do not have the potential to result in adverse impacts related to urban design.

6TH FLOOR

NO-ACTION DEVELOPMENT

7TH FLOOR

6TH FLOOR

WITH ACTION-DEVELOPMENT

DRAWING LEGEND

NON-VISIBLE ADDITION

SITE

PHOTO KEY

CHAMBERS STREET FACING NORTHEAST (SITE)

121 Chambers Street
Aka 103 Reade Street
New York, NY
Project ID: P2017M0251

THE OFFICE OF
JOSEPH PELL LOMBARDI
ARCHITECT
412 BROADWAY
NEW YORK, NY 10013

URBAN DESIGN
DIAGRAM -1

UD-001

NO-ACTION DEVELOPMENT

WITH ACTION-DEVELOPMENT

DRAWING LEGEND

NON-VISIBLE ADDITION

SITE

PHOTO KEY

READE STREET FACING SOUTHWEST (SITE)

121 Chambers Street
Aka 103 Reade Street
New York, NY
Project ID: P2017M0251

THE OFFICE OF
JOSEPH PELL LOMBARDI
ARCHITECT
412 BROADWAY
NEW YORK, NY 10013

URBAN DESIGN
DIAGRAM - 2

UD-002

12. HAZARDOUS MATERIALS

Introduction

A hazardous materials assessment is required for the Proposed Actions per the *CEQR Technical Manual* due to the following proposed work:

- Renovation of interior existing space on a site with potential vapor intrusion from on-site or off-site sources; compromised indoor air quality; or the presence of asbestos, PCBs, mercury, or lead-based paint.

Note that while soil disturbance would occur in the future with-action scenario, there would be no incremental in-ground disturbance as the work would also occur in the no-action condition.

Phase I Environmental Site Assessment

A Phase I Environmental Site Assessment (ESA) report dated August 1, 2016 was prepared by CNS Environmental (CNS) for the client/owner of the subject property. The ESA is submitted under separated cover and the findings, conclusions, and recommendations of the ESA are summarized below.

The Phase I ESA and the Vapor Encroachment Screening was conducted in accordance with the American Society for Testing and Materials (ASTM) Standard E 1527-13 (Standard Practices for Environmental Site Assessment: Phase I Environmental Site Assessment Process), 40 CFR Part 312 (Standards and Practices for All Appropriate Inquiry; Final Rule) and ASTM E2600-10 Vapor Encroachment Screening on Property Involved in Real Estate Transactions.

Conclusions and Recommendations

The assessment revealed no evidence of recognized environmental conditions in connection with the Subject Site.

In addition, this assessment has revealed that vapor encroachment conditions at the subject site can be ruled out, because a vapor encroachment condition does not exist or is not likely to exist within the area of concern.

In addition, the following non-ASTM scope concerns should be considered:

- Suspect asbestos containing building materials (ACM) consisting of 2′ x 4′ ceiling tile, gypsum wallboard and associated joint compound, plaster, 9″ x 9″ and 12″ x 12″ vinyl floor tile, underlayment material beneath the wood flooring, ceramic tile grout, window

caulking and glazing and asphalt roofing materials, must be considered Presumed Asbestos Containing Materials (PACM) until bulk samples can be collected. If renovations are to occur within the building, the material should be sampled to confirm the presence or absence of asbestos; however, the materials can be managed under an Operations and Maintenance (O&M) Program.

- Suspect lead-based paint was observed by CNS throughout the site building including stairway railings and fire escapes; and may also exist beneath visible surfaces based upon the age of the building. The lead-based paint stated herein, is applicable primarily to the residential dwellings via the Local Laws of the City of New York for the Year 2004 – Local Law #1. It is the responsibility of an owner of a property located in New York City to be familiar with Local Law #1 and to comply with its requirements.

Conclusions

The Phase I ESA prepared by CNS concluded that no further action is recommended for the subject site relative to ASTM hazardous materials concerns as no recognized environmental conditions or vapor encroachment conditions were identified at the subject site.

Under both no-action and with-action conditions, demolition would be conducted only after removal of any asbestos-containing materials (ACM). Prior to demolition, a comprehensive asbestos survey would be conducted and any identified ACM would be removed and disposed of in accordance with applicable regulations.

• Demolition with the potential to disturb lead-based paint would be performed in accordance with the applicable Occupational Safety and Health Administration regulation (OSHA 29 CFR 1926.62 – Lead Exposure in Construction).

Unless there were to be labeling or test data which indicated that fluorescent lights did not contain mercury, and that the lighting fixtures were not PCB-containing, disposal would be performed in accordance with applicable regulations and guidelines.

The Proposed Actions would not result in any hazardous materials impacts and further assessment is not warranted.

NYC Department of Environmental Protection Review

The NYC Department of Environmental Protection (DEP) has reviewed the Phase I report to determine if any further analysis or remediation is required. In a letter from DEP to DCP dated April 2, 2018, DEP states that "as this project consists of a vertical enlargement, DEP finds that

there is no new pathway for exposure to hazardous materials and no additional hazardous materials analysis is necessary."

The Executive Summary of the Phase I ESA Report and DEP Correspondence are attached as the Hazardous Materials Appendix.

17. AIR QUALITY

Introduction

Under *CEQR*, two potential types of air quality impacts are examined. These are mobile and stationary source impacts. Potential mobile source impacts are those which could result from an increase in traffic in the area, resulting in greater congestion and higher levels of carbon monoxide (CO). Potential stationary source impacts are those that could occur from stationary sources of air pollution, such as the heat and hot water boiler of a proposed development which could adversely affect other buildings in proximity to the proposed development. Effects of ambient air quality on a proposed project are also considered in the analysis.

Mobile Source

Under guidelines contained in the 2014 *CEQR Technical Manual*, and in this area of New York City, projects generating fewer than 170 additional vehicular trips in any given hour are considered as highly unlikely to result in significant mobile source impacts, and do not warrant detailed mobile source air quality studies.

The Proposed Actions would result in fewer than 170 additional vehicular trips in any given hour. Therefore, no significant adverse mobile source air quality impacts would be generated by the project.

Stationary Source

A stationary source analysis is typically required for projects that would use fossil fuels (*i.e.,* fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems. The concern is that emissions from boiler stacks on these buildings could adversely affect nearby buildings. The proposed development would not utilize a standard boiler system for the generation of heat and hot water, as further detailed below, and would therefore not generate emissions that could adversely affect nearby receptors.

Building heat for the proposed condition will be provided via electrically powered split-system heat pumps with outdoor condensing units on the rear of the 7th floor roof and ceiling-hung air handlers on each floor. The existing boiler stack on the roof will be removed. Domestic hot water will be provided via electrically powered hot water heaters in each apartment. This system will be used to provide heat and hot water to the entire building. Specifications for these systems are included in the Air Quality Appendix to this document.

The proposed ductless AC system consists of electrically operated outdoor units (compressors) that are connected to electrically powered indoor units (evaporators) by refrigerant lines that run through holes in the outside wall of the building. A ductless AC system provides both heating and cooling. Using reversible technology, ductless air conditioners move warm air indoors from outside when in heating mode and move warm air outdoors from inside when in cooling mode. They use like components with each inside unit containing an evaporator and fan to treat and distribute the air and each outside unit consisting of a variable-speed compressor condensing coil, fan and expansion valve.

As heat and hot water for the proposed development would be entirely generated by electricity and the existing boiler system in the building and boiler stack on the roof will be removed, no stationary source emissions would be generated by the project and there would be no effects on nearby receptors. Therefore, no significant adverse impacts due to boiler stack emissions from the proposed project would occur, and a detailed analysis of stationary source impacts is not required.

In order to preclude the potential for significant adverse stationary source (HVAC) impacts resulting from the proposed project, an (E) designation is required to specify the exclusive use of an emission-free heating and cooling system operated with electricity. Any future development on Projected Development Site 1 (Block 145, Lot 10) would be required to comply with (E) designation (E-516):

> **Block 145, Lot 10 (Projected Development Site 1):** *Future residential and commercial development or enlargement on the above-referenced property must ensure the use of a heating and cooling system with no venting or stacks, powered by electricity only.*

The proposed heating and cooling systems would not create air quality emissions as they would be powered by electricity only. Therefore, no significant adverse stationary air quality impacts on surrounding land uses are expected to occur as a result of the Proposed Actions.

Air Toxics

400-Foot Radius Area

An air permit search of potential industrial sources within 400 feet of the Project Site has been conducted including an in-person land use survey and accompanying research regarding air quality permit folders at the NYC Department of Environmental Protection (DEP). The work began with an in-person survey of the 400-foot radius surrounding the Project Site that identified active manufacturing uses and commercial uses with a potential for noxious emissions. That survey was performed on March 22, 2018. A list of properties researched is

included in Table 17-1 below. It identified one site that might have an air quality permit on file at DEP (see sites showing "CURRENT" permits).

Table 17-1
121 Chambers Street - Air Permit Search Locations

Block	Lot(s)	Address	Use	Permits
133	10	51 Murray Street	Industrial/ Manufacturing	NO RECORD FOUND
134	11	33 Warren Street	Salon	NO RECORD FOUND
135	12	28 Warren Street	Industrial/ Manufacturing	NO RECORD FOUND
135	7506	92 Chambers Street	Salon	NO RECORD FOUND
136	20	124 Chambers Street	Industrial/ Manufacturing	**EXPIRED:** CB110810
136	23	118 Chambers Street	Industrial/ Manufacturing	NO RECORD FOUND
136	25	114 Chambers Street	Industrial/ Manufacturing, Salon	NO RECORD FOUND
136	7503	60 Warren Street	Salon	**CANCELLED:** PA079888
137	1	68 Warren Street	Cleaners	**CANCELLED:** CA058192, CA228692, **EXPIRED:** CA309787, CA348493, **DISAPPROVED:** CR665114
140	3	143 Chambers Street	Industrial/ Manufacturing	NO RECORD FOUND
140	4	145 Chambers Street	Industrial/ Manufacturing	NO RECORD FOUND

144	1	16 Hudson Street	Salon	**CURRENT:** CW001917 **CANCELLED:** CA028979
145	18	105 Reade Street	Industrial/ Manufacturing	NO RECORD FOUND
145	7501	105 Chambers Street	Salon, Shoe Repair	NO RECORD FOUND
145	7502	113 Chambers Street	Cleaners	NO RECORD FOUND
146	17	144 Duane Street	Fragrance Store	NO RECORD FOUND
147	7508	52 Thomas Street	Cleaners	**CANCELLED:** CA367688
150	12	78 Reade Street	Salon	**EXPIRED:** CA102095 **CANCELLED:** CA361867
150	15	122 Duane Street	Salon, Shoe Repair	NO RECORD FOUND
150	7501	70 Reade Street	Cleaners	NO RECORD FOUND

The identified site was researched on the DEP website to determine if it has an active air quality permit. The research found one permit corresponding to the site.

We requested the opportunity to review the relevant permits folder at DEP. A copy of the email communication to DEP is included in the Air Quality Appendix. On April 4, 2018, research staff visited DEP offices to review the folder. The one air quality permit was available for review. It was:

Address; Permit #; Owner/Tenant/User

16 Hudson Street; CW001917; One Hudson Park Inc. c/o The Andrews Organization

Air toxic analyses address non-criteria pollutants. Air toxics due to emissions from boilers consist of criteria pollutants and are not assessed unless they are considered a major source. As such, the permit associated with 16 Hudson Street does not have the potential to result in air quality impacts related to air toxics and no further assessment of air toxics is needed. A scan of the above permit file is included in the Air Quality Appendix.

1,000-Foot Radius Area

An air permit search was conducted of potential major industrial sources within 1,000 feet of the Project Site and the results of this analysis are presented below.

Air Pollutants and Applicable Standards and Guidelines

Criteria Pollutants

The EPA has identified six pollutants, known as criteria pollutants which are of concern nationwide, and established threshold concentrations for these pollutants based upon their adverse effects on human health. As required by the Clean Air Act, National Ambient Air Quality Standards (NAAQS) have been established for the criteria pollutants by EPA, and New York State has adopted the NAAQS as the State ambient air quality standards.

In addition to the NAAQS, the *CEQR Technical Manual* requires that projects subject to CEQR apply a $PM_{2.5}$ and 8-hour CO averaging time significant impact criteria (based on concentration increments). These criteria are called *de minimis* and they are more stringent than the NAAQS and the state standards, as the criteria set a maximum increase of pollutant concentration that is below the national standard. If the estimated impacts of a proposed project are less than the *de minimis* criteria, the impacts are not considered to be significant. $PM_{2.5}$ significant impact concentrations for stationary sources are evaluated as follows:

- Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour background concentration and the 24-hour standard; or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 $\mu g/m^3$ at any receptor location for stationary sources.

Per the *CEQR Technical Manual*, CO significant impact concentration is:

- An increase of 0.5 parts per million (ppm) or more in the maximum 8-hour average CO con-centration at a location where the predicted No-Action 8-hour concentration is equal to 8 ppm or between 8 ppm and 9 ppm; or
- An increase of more than half the difference between baseline (i.e., No-Action) concentrations and the 8-hour standard, when No-Action concentrations are below 8 ppm.

Determination of significant impact criteria is evaluated by adding the background concentrations at the nearest NYSDEC monitoring station to the concentrations of criteria pollutants in the ambient air of the existing and planned land uses. Table 17-2 shows the background concentrations at the nearest NYSDEC monitoring station (or the greatest background concentrations of pollutants where distances to monitoring stations are approximately similar) and the NAAQS.

Table 17-2: The NAAQS and Background Concentrations at the Nearest NYSDEC Monitoring Stations

Pollutant	Averaging Period	National and State Standards	Background Concentration	Monitoring Station
NO_2	1-Hour concentration	188 µg/m³	117.2 µg/m³	IS52
	Annual arithmetic mean	100 µg/m³	38.0 µg/m³	
SO_2	1-Hour concentration	196 µg/m³	20.7 µg/m³	IS52
	Annual arithmetic mean	80 µg/m³	4.88 µg/m³	
$PM_{2.5}$	24-Hour concentration	35 µg/m³	20.7 µg/m³	Division Street
	Average of 3 consecutive annual means	12 µg/m³	9.3 µg/m³	
PM_{10}	24-hour concentration	150 µg/m³	35 µg/m³	
CO	1-hour	35 ppm (40,000 µg/m³)	0.25 ppm (286 µg/m³)	CCNY
	8-hour	9 ppm (10,000 µg/m³)	0.20 ppm (222 µg/m³)	

The concentrations increments calculated in accordance with the NYC Guidelines, *de minimis*, for CO and $PM_{2.5}$ are presented below:

- 24-hour $PM_{2.5}$ 7.15 µg/m³
- Annual $PM_{2.5}$ 0.3 µg/m³ (for stationary source)
- CO 8-hour 4.40 ppm (4,889 µg/m³)

Non-Criteria Pollutants

In addition, the NYSDEC has established guidelines for maximum allowable concentration of "noncriteria pollutants," which are potentially toxic or carcinogenic pollutants. The maximum allowable guidelines set a maximum 1-hour and annual averaging time concentrations and are

published in the DAR-1 AGC/SGC Table, where AGC/SGC refers to Annual and Short-term Guideline Concentrations. The most recent DAR-1 guidelines were created on August 10, 2016. NYSDEC also regulates pollutants that produce discomfort due to odors, where significant discomfort is evaluated on quantity, characteristic, or duration.

Toxic air pollutants can be grouped into two categories: carcinogenic air pollutants, and non-carcinogenic air pollutants. These include hundreds of pollutants, ranging from high to low toxicity. While no federal standards have been promulgated for toxic air pollutants, the US Environmental Protection Agency (EPA) and the New York state Department of Environmental Conservation (NYSDEC) in its "Guidelines for the Control of Toxic Ambient Air Contaminants" DAR-1 have issued guidelines that establish acceptable ambient levels for these pollutants based on human exposure criteria.

In order to evaluate short-term and annual impacts of the non-carcinogenic and carcinogenic toxic air pollutants, the NYSDEC has established short-term ambient guideline concentrations (SGCs) and ambient annual-average-based guideline concentrations (AGCs) for exposure limits. These are maximum allowable 1-hour and annual guideline concentrations, respectively, that are considered acceptable concentrations below which there should be no adverse effects on the health of the general public.

In accordance with established procedure to estimate impact of toxic pollutants using the DAR-1-based approach, ratios of 1-hour and annual concentrations of each pollutant to their respective SGCs or AGCs have to developed (e.g., concentration-to-guideline values). These ratios are used to determine whether concentration of each pollutant exceeds its applicable guideline value. If no exceedances are found (i.e., ratios are less than 1), no adverse health effects would occur. If concentration of any pollutant exceeds its applicable guideline value (either SGC or AGC), more detailed analysis would be required.

Major/Large Source Analysis

Introduction

Per the *CEQR Technical Manual*, projects that would introduce new uses near major sources, large sources, and odor producing facilities may result in potentially significant adverse air quality impacts. The study area considers major sources, large sources, and odor producing facilities within 1,000 feet of the proposed project. Major emission sources are identified as those sources located at Title V facilities that require Prevention of Significant Deterioration permits; large emission sources are identified as sources located at facilities which require a State facility permit. Solid waste or medical waste incinerators, asphalt and concrete plants, power generating plants,

large boilers of large public facilities for example, and large industrial facilities are typical type of sources requiring these permits. Odor producing facilities are operations that have the potential to cause discomfort, such as: solid waste management facilities, water pollution control plants (i.e., sewage treatment plants), and incinerators.

The NYSDEC online database[2] was reviewed on January 2019 to identify Title V or Air State facilities in the study area. One facility which has an Air State Facility permit was identified within 1,000 feet of the Project Site. The facility is the Datagryd Data Centers LLC - 60 Hudson Street CHP (Permit ID #2-6205-01771), located at 60 Hudson Street (Block 144, Lot 40). The 60 Hudson Street building is located 562 feet north of the Project Site. The emission points (stacks) associates with this facility are located within 1,000 of the Project Site. Therefore, a stationary source air quality analysis related to the facility located at 60 Hudson Street has been prepared and is included below.

Emissions from the Datagryd Data Centers LLC (Permit ID #2-6205-01771)

The Datagryd Data Centers LLC, located at 60 Hudson Street, has a NYC DEC Air State Facility permit 2-6205-01771/00001. Per the certificate, the facility operates a Mercury 50 4.35 MW gas turbine to drive a generator producing electricity for use onsite and to provide heat to drive an absorption chiller for onsite cooling. The turbine's design capacity is 40.77 million Btu per hour (MMBtu/hr). The turbine's 44-inch in diameter stack is located at a height of 390 feet. The turbine's stack location was obtained from Google satellite image. The stack's exit velocity of 0.001 meter per second and exit temperature of and 278-degree Fahrenheit were assumed per values obtained from the *CEQR Technical Manual*.

In addition to the gas turbine, the facility operates other sources which are exempt per the certificate. These exempt sources are three (3) diesel-powered emergency generators. As these sources are exempt, no analysis was required for these sources.

Per the certificate Item 3.1 the oxides of nitrogen (NOx), with the New York identification number NY210-00-0, emission is capped at 24.9 ton per year (49,800 lb). The analysis assumed no emission from the exempt sources (the 3 diesel-powered emergency generators). Per the certificate Item 4.7, the turbine NOx emission is capped at 51 pounds per million cubic feet of natural gas fired. This translates to approximately 2.0 pounds per hour (lb/hr) NOx emission. The certificate Item 15.2 indicates that the maximum allowable NOx emission is capped at 42 parts per million (ppm), which is applicable to this size turbine. This translate to NOx emission of 6.31 lb/hr. As a

[2] http://www.dec.ny.gov/chemical/32249.html

conservative approach, a NOx emission of 6.31 lb/hr and 49,800 pounds per year (lb/yr) were assumed.

All other pollutants were assumed to be emitted continuously (8760 hr/yr). Sulfur dioxide hourly emission factor of 0.06 lb/MMBtu was obtained from the certificate Item 13.2. All other pollutants' emission factors were obtained from the EPA's AP-42 manual. Table 17-3 shows the emission rates of the criteria pollutants of concern with the turbine operating at 100 percent capacity.

Table 17-3. Criteria Pollutants Emission Rates from the Datagryd Data Centers LLC Turbine.

Pollutant Name	Natural Gas Short-Term Emission Rate		Natural Gas Annual Emission Rate	
	(lb/hr)	(g/s)	(lb/yr)	(g/s)
NOx	6.31	7.95E-01	49,800	7.16E-01
$PM_{2.5}$	0.269	3.39E-02	2,357	3.39E-02
PM_{10}	0.269	3.39E-02	2,357	3.39E-02
CO	0.082	1.03E-02	718	1.03E-02
SO_2	2.4	3.08E-01	21,428.7	3.08E-01

As the analysis applied the *CEQR Technical Manual* conservative stack's parameters, analyses of the turbine operating at 75% and 50% capacities were not required (the turbine operating at 100% capacity and 0.001 meter per second exit velocity is the most conservative approach.)

In addition to the criteria pollutants, hazardous air pollutants (HAP) impact concentrations were also analyzed. Emission factors for these pollutants were obtained from the EAP's AP-42 manual. The backup files for this project contains the analysis for these pollutants.

Air Dispersion Analysis

Dispersion modeling analyses were conducted using the latest version of EPA's AERMOD dispersion model version 18081. In accordance with CEQR guidance, these analyses were conducted assuming stack tip downwash, urban dispersion surface roughness length of 1.0 meter, elimination of calms, and models were run with and without downwash effect on plume dispersion. The AERMOD models specified flat terrain, population of 2,000,000, and generic emission of 1 gram per second and maximum predicted concentrations.

All analyses were conducted using the latest five consecutive years of meteorological data (2013-2017). Surface data from La Guardia Airport and upper air data from Brookhaven station, New York were utilized. Data was processed by Lakes Environmental Software, Inc. using the EPA AERMET version (14134). These meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period. Meteorological data were combined to develop a 5-year set of meteorological conditions, which was used for the AERMOD modeling runs and Anemometer height of 9.4 meters was specified per Lakes Environmental Software Inc.

The receiving building was modeled per the site plans provided by the building's architect for this project. Receptors around the receiving building were placed around the building envelope in 10-foot increments and at heights of 6 feet above each floor level. Numerous other buildings in the area where specified in the models to account for the downwash effect on plum dispersion.

Results of Dispersion Analyses

The potential impacts of criteria pollutants' emissions from the Datagryd Data Centers LLC on the proposed development were predicted. As previously mentioned, each pollutant averaging time was modeled twice—with building wake effect enabled/disabled. The predicted concentration is the highest concentration of these. The CO and $PM_{2.5}$ predicted concentrations were compared the significant impact criteria; the PM_{10}, NO_2, and SO_2 predicted concentrations with background added were compared with the NAAQS. Result of the dispersion analyses are shown in Table 17-4.

Table 17-4. Criteria Pollutants Dispersion Analysis Results - Major Sources.

Pollutant	**Averaging Time**	***Modeled Concentration***	***Background Concentration***	***Evaluated Concentration***	***Threshold Criterion***	***Unit***
NO_2	1-hour	47.4	117.3	**165**	**188**	($\mu g/m^3$)
	Annual	0.2	38.0	**38.2**	**100**	($\mu g/m^3$)
$PM_{2.5}$	24-hour	0.14	N.A.	**0.14**	**7.15**	($\mu g/m^3$)
	Annual	0.01		**0.01**	**0.3**	($\mu g/m^3$)
PM_{10}	24-hour	0.1	35	**35**	**150**	($\mu g/m^3$)
CO	1-hour	0.0005	0.25	**0.25**	**35**	ppm
	8-hour	0.0001	N.A.	**0**	**9**	ppm
SO_2	1-hour	18.4	20.7	**39.1**	**196**	($\mu g/m^3$)
	Annual	0.1	4.9	**5.0**	**80**	($\mu g/m^3$)

As seen in Table 17-4, the predicted concentrations at the proposed development are below the NAAQS and *de minimis* threshold criterions.

The cumulative cancer risk was predicted to be 0.02. This value is less than the cancer risk threshold of one-per million.

Therefore, the emissions from the Datagryd Data Centers LLC facility would not significantly impact the proposed development.

Other Potential Major Sources

Two additional NYS state permits have been located for Block 144, Lot 40 (Sprint at 60 Hudson Street). The permits pertained to a generator (1,000 kW) which was retired and two emergency generators. The facility was therefore withdrawn as an Air State Facility and no air quality analysis for this facility would be required. Information pertaining to these permits is included in the Air Quality Appendix.

One NYS state permit has been identified for Block 128, Lot 2 (101 Barclay Street). However, the major source did not warrant further assessment as it was determined that the emissions stack associated with the major source was located farther than 1,000 feet from the Project Site.

Conclusion

The proposed project would not create any significant adverse mobile or stationary source air quality impacts relative to the surrounding area. In addition, the ambient air quality would not result in any significant adverse impacts on the future residents or other users of the proposed project.

19. NOISE

Introduction

Two types of potential noise impacts are considered under CEQR. These are potential mobile source and stationary source noise impacts. Mobile source impacts are those which could result from a proposed project adding a substantial amount of traffic to an area. Potential stationary source noise impacts are considered when a proposed action would cause a stationary noise source to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor, if the project would include unenclosed mechanical equipment for building ventilation purposes, or if the project would introduce receptors into an area with high ambient noise levels. The 2014 *CEQR Technical Manual* requires an assessment of a proposed project's potential effects on sensitive noise receptors, including in this instance, the effects on the interior noise levels of residential uses in the subject building.

Mobile Source

Relative to mobile source impacts, a noise analysis would only be required if a proposed project would at least double existing passenger car equivalent (PCE) traffic volumes along a street on which a sensitive noise receptor (such as a residence, a park, a school, etc.) is located. Based on the transportation screening threshold, traffic volumes expected to be generated by the project in the future With-Action scenario would not constitute a significant number of new trips and a significant increase in the number of Noise PCEs would not be expected to result from the Proposed Actions. As such, the Proposed Actions would not be expected to cause a significant adverse vehicular noise impact, and no further vehicular noise analysis is warranted.

Stationary Source

Potential Impacts of Proposed Project on Surrounding Development

The proposed development would not cause a substantial stationary source, such as unenclosed mechanical equipment for building ventilation purposes or a playground, to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor. The proposed project would not include any unenclosed heating or ventilation equipment that could adversely impact other sensitive uses in the surrounding area. In addition, the proposed project would not include any active outdoor recreational space that could result in stationary source noise impacts to the surrounding area. Therefore, there is no potential for stationary source impacts from the project on existing development in the surrounding area.

Potential Impacts of Surrounding Development on the Proposed Project

The Proposed Actions would not introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as unenclosed manufacturing activities or other loud uses. No such uses are located within 400 feet of the Project Site. An assessment of ambient noise in the immediately surrounding area is provided to determine whether occupants of the proposed development would be subjected to unacceptable noise levels. The results of the noise analysis prepared in February 2018 are summarized below.

Noise Study

Project Area

The Project Site is situated between Church Street and West Broadway in Manhattan. Chambers Street a one-way single lane road with its intersections controlled by traffic lights. Reade Street is a one-way single lane road with its intersections controlled by traffic lights.

The proposed development would not create a significant stationary noise generator. Additionally, project-generated traffic would not double vehicular traffic on nearby roadways, and therefore would not result in a perceptible increase in vehicular noise. Therefore, this noise assessment is limited to an assessment of ambient noise that could adversely affect occupants of the proposed development.

Framework of Noise Analysis

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

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.

Source: 2014 CEQR Technical Manual

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 (LX). Examples include L10, L50, and L90. L10 is the A-weighted sound level that is exceeded 10% of the measurement period.

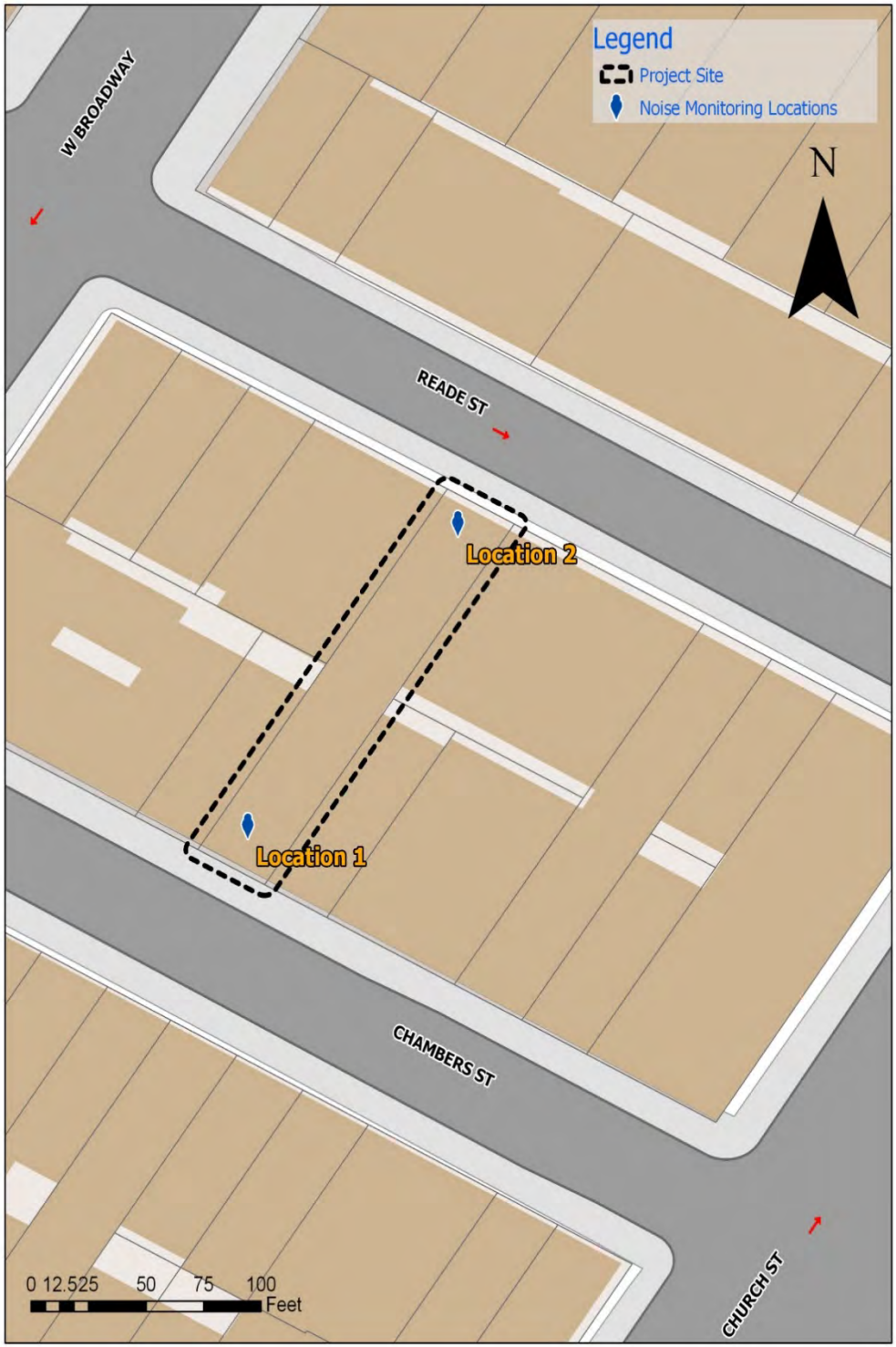
The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law (i.e., the SPL changes in inverse proportion to the square of the distance from the sound source). In a large open area with no obstructive or reflective surfaces, it is a general rule 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.

Measurement Location and Equipment

Because the predominant noise sources in the area of the proposed project consist of vehicular traffic, noise monitoring was conducted during peak vehicular travel periods (AM, Midday, PM and Saturday). Pursuant to *CEQR Technical Manual* methodology, measurement periods of 20-minutes each AM, Midday, and PM peak hours were conducted at approximate setback distances of the proposed residential facades; Location One (1) on the roof of the building approximately 10-15 feet from the edge on the Chambers Street side and twenty minutes at location two (2)

approximately 10-15 feet from the edge on the Reade Street side. The monitoring locations at 121 Chamber St are identified in the figure below.

Noise monitoring was conducted using a Type 1 Casella CEL-633 sound meter with wind screen. The monitors were placed on a tripod at a height of approximately three feet above the ground, away from any other noise-reflective surfaces. The monitors were calibrated prior to and following each monitoring session. Periods of peak vehicular traffic around the subject site constitute a worst-case condition for noise at the Project Site.


Legend
Project Site
Noise Monitoring Locations
N
W BROADWAY
READE ST
Location 2
Location 1
CHAMBERS ST
CHURCH ST
0 12.525 50 75 100
Feet

Monitoring Locations

Photo 1: *Noise Monitoring Location One (1) one the roof near the building edge on Chambers Street*

Photo 2: *Noise Monitoring Location Two (2) on the roof near the building edge on Reade Street*

Measurement Conditions
Monitoring was conducted during typical midweek conditions, on Tuesday, January 30, 2018. The weather was dry and wind speeds were moderate during all monitoring periods. The sound meters were calibrated before and after each monitoring session.

Existing Conditions
Based on the noise measurements taken around the Project Site, the predominant source of noise is vehicular traffic. The level of noise is considered marginally acceptable at Location Two (2), and marginally acceptable at Location One (1).

Table Noise-2 *below contains the results for the measurements taken at the Project Site:*

Note: **Bold** denotes L_{10} noise level exceedances, according to Table 19-2 of the *CEQR Technical Manual* (there were no noise exceedances)

Table Noise-2 (1 of 2): Noise Levels (dB)

Location 1: *Noise Levels on the roof near the edge of the building on Chambers Street*

Wednesday, September 20, 2017			
Time	7:30 am – 7:50 am	12:00 pm – 12:30 pm	4:30 pm – 4:50 pm
L_{max}	68.9	72.5	79.2
L_{10}	62.5	61.5	61.0
L_{eq}	59.9	60.2	60.5
L_{50}	58.5	59.5	58.5
L_{90}	57.5	58.5	57.5
L_{min}	56.3	57.3	56.0

Table Noise-2 (2 of 2): Noise Levels (dB)

Location 2: *Noise Levels on the roof near the edge of the building on Reade Street*

Wednesday, September 20, 2017			
Time	7:51 pm – 8:11 pm	12:31 pm – 12:51 pm	4:51 pm – 5:11pm
L_{max}	78.4	76.1	73.3
L_{10}	62.5	66.0	62.0
L_{eq}	61.5	63.1	60.3
L_{50}	60.5	61.5	60.0
L_{90}	59.5	60.0	58.5
L_{min}	58.2	58.5	57.5

Conclusions

The 2014 *CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. For a residential use such as would occur under the Proposed Actions, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. The highest recorded L_{10} at Location One (1) of the subject property was 62.5 dB during the morning monitoring period. The highest recorded L_{10} at Location Two (2) of the subject property was 66 dB during the mid-day period.

Based on these results, no attenuation measures would be required, and no significant impacts related to noise would result from the Proposed Actions.

22. CONSTRUCTION

Based on *CEQR Technical Manual* guidelines, where the duration of construction is expected to be short-term (less than two years), any impacts resulting from construction generally do not require a detailed assessment. Construction of the proposed project is expected to be completed within eight months. However, a preliminary screening of construction impacts resulting from the project is potentially required because construction activities on the site would be occurring within 400 feet of historic and cultural resources, as identified in the Historic and Cultural Resources section above.

The *CEQR Technical Manual* indicates that construction impacts may occur to historic and cultural resources if in-ground disturbances or vibrations associated with project construction could undermine the foundation or structural integrity of nearby resources. In the future without the project, sub-cellar excavation would occur to accommodate a new elevator and provide additional headroom in the sub-cellar. No additional subsurface ground disturbance would occur as a result of the Proposed Actions. Therefore, the Proposed Actions would not involve any in-ground disturbance and minimal if any vibrations are anticipated to occur as part of project construction.

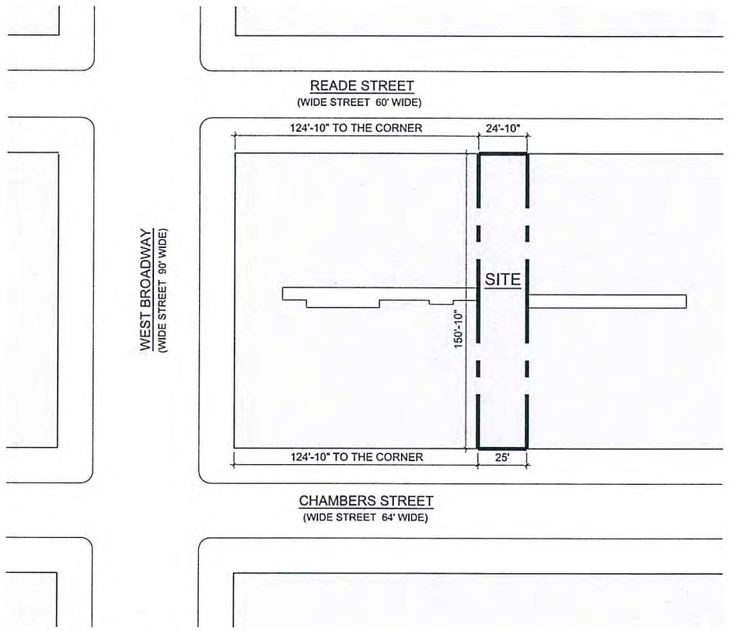
A construction assessment may be needed for historic and cultural resources if the project involves construction activities within 400 feet of a historic resource. LPC-approved construction procedures would be followed to protect historic structures in the area from damage from vibration, subsidence, dewatering, or falling objects. Construction procedures would comply with the NYC Department of Buildings memorandum Technical Policy and Procedure Notice # 10/88 (TPPN # 10/88 included in the Construction Appendix) and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. TPPN # 10/88 pertains to any structure which is a designated NYC Landmark or located within a historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of 90 feet from a lot under development or alteration. No adverse construction impacts would occur to any historic resources within 400 feet of the Project Site.

On the basis of the above analysis, the Proposed Actions would not have any potentially significant adverse construction impacts, and further analysis would not be warranted.

APPENDIX

Architectural Plans

121 CHAMBERS STREET AKA 103 READE STREET - MANHATTAN



PLOT PLAN

NORTH

DRAWING INDEX

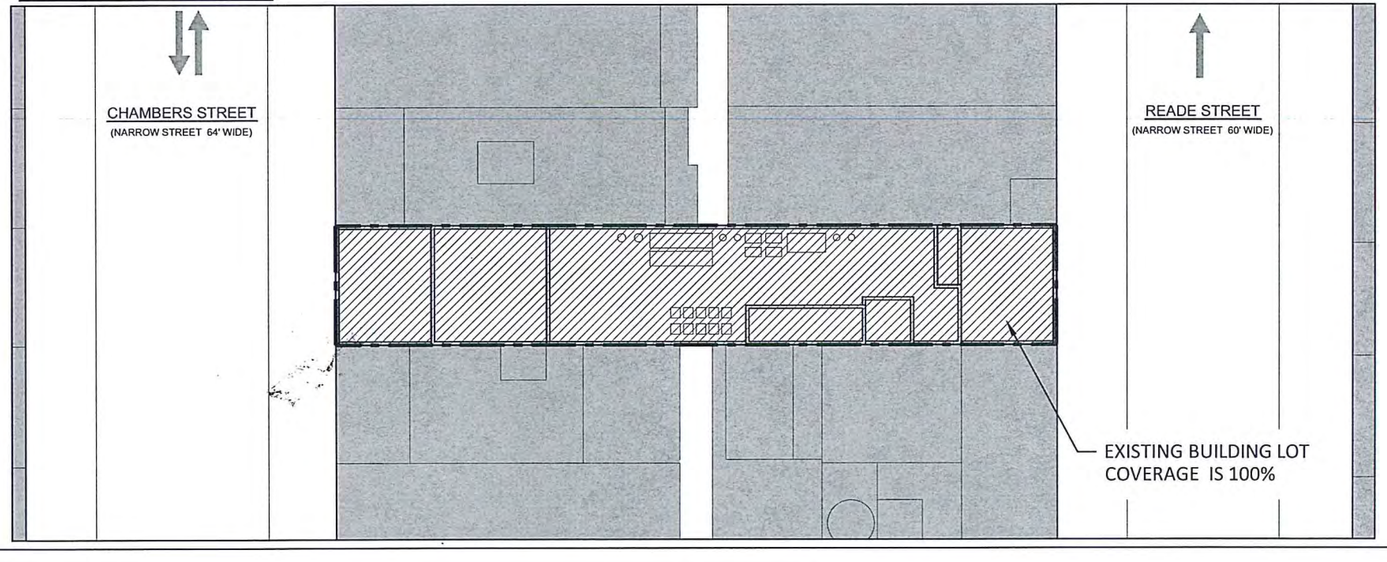
121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 11-21-18 SHEET 1 OF 19 SEAL:
CPC 00	COVER SHEET	

REGISTERED ARCHITECT JOSEPH PELL LOMBARDI NO 010287 STATE OF NEW YORK UNIVERSITY OF THE STATE

ZONING ANALYSIS

ZONING RESOLUTION	TITLE / DESCRIPTION		PERMITTED & REQUIRED	EXISTING	EXISTING TO REMAIN	PROPOSED NEW	TOTAL PROPOSED	COMPLIANCE NOTES
USE REGULATIONS								
ZR 22-10	USES PERMITTED AS OF RIGHT		RESIDENTIAL; USE GROUPS 1,2	USE GROUP - 2	USE GROUP - 2	USE GROUP - 2	USE GROUP - 2	COMPLIES
ZR 32-10	USES PERMITTED AS OF RIGHT		COMMUNITY FACILITY; USE GROUPS 3,4	NONE	NONE	NONE	NONE	
			COMMERCIAL; USE GROUPS 6-12	USE GROUP - 6	USE GROUP - 6	USE GROUP - 6	USE GROUP - 6	
ZR 111-13(a)	ADDITIONAL USE REGULATIONS		CERTAIN SIZES OF COMMERCIAL USES PROHIBITED AND CERTAIN USES IN UG 16 & 17 PERMITTED	NONE	NONE	NONE	NONE	COMPLIES
BULK REGULATIONS								
ZR 35-21, ZR 35-31								COMPLIES
ZR 23-153	LOT COVERAGE		MAXIMUM PERMITTED LOT COVERAGE = 70%	3,771 SF (100%)	3,771 SF (100%)	0	3,771 SF (100%)	EXISTING LEGAL NON-COMPLIANCE
ZR 23-153	FLOOR AREA RATIO	RESIDENTIAL	MAXIMUM PERMITTED FAR = 7.52	2.97	2.97	2.57	5.54	COMPLIES
ZR 33-12	FLOOR AREA RATIO	COMMUNITY FACILITY	MAXIMUM PERMITTED FAR = 7.50	0	0	0	0	COMPLIES
		COMMERCIAL	MAXIMUM PERMITTED FAR = 6.00	1.98	0.98	0	0.98	COMPLIES
		TOTAL	MAXIMUM PERMITTED FAR = 7.52	4.95	4.95	1.57	6.52	COMPLIES
ZR 23-153	FLOOR AREA	RESIDENTIAL	MAXIMUM PERMITTED FLOOR AREA 28,358 SF	11,205 SF	11,205 SF	9,674 SF	20,879 SF	COMPLIES
ZR 33-122	FLOOR AREA	COMMUNITY FACILITY	MAXIMUM PERMITTED FLOOR AREA 28,283 SF	0 SF	0 SF	0 SF	0 SF	COMPLIES
		COMMERCIAL	MAXIMUM PERMITTED FLOOR AREA 22,626 SF	7,470 SF	3,735 SF	0 SF	3,735 SF	COMPLIES
		TOTAL	MAXIMUM PERMITTED FLOOR AREA 28,358 SF	18,675 SF	18,675 SF	5,939 SF	24,614 SF	COMPLIES
DENSITY REGULATIONS								
ZR 23-22 & ZR 35-40	MAXIMUM NUMBER OF DWELLING UNITS APPLICABLITY OF DENSITY REGULATIONS		MAX RESIDENTIAL FLOOR AREA / 680 (FACTOR OF DUS) MAX PERMITTED = 20,879 / 680 = 30 DU	5 DWELLING UNITS	5 DWELLING UNITS	3 DWELLING UNITS	8 DWELLING UNITS	COMPLIES
LOT AREA AND LOT WIDTH REGULATIONS								
ZR 23-32	MINIMUM LOT AREA		1,700 SF	3,771 SF	3,771 SF	3,771 SF	3,771 SF	COMPLIES
	MINIMUM LOT WIDTH FOR RESIDENCES		18'	25'	25'	25'	25'	
YARD REGULATIONS								
ZR 35-53								
ZR 23-45	MINIMUM REQUIRED FRONT YARDS		NONE	NONE	NONE	NONE	NONE	COMPLIES
ZR 35-51	MODIFICATION OF FRONT YARD REQUIREMENTS		NONE	NONE	NONE	NONE	NONE	COMPLIES
ZR 23-534	SPECIAL PROVISIONS FOR SHALLOW THROUGH LOTS		MINIMUM REQUIRED REAR YARD EQUIVALENT IS 31'-10" REAR YARD EQUIVALENT FOR 150'-10" LOT: 180'- (LOT SIZE) 150'-10 = 29'-2 MINIMUM REQUIRED REAR YARD CALCULATION: 60'-0" - 29'-2 = 31'-10" MINIMUM REQUIRED HOWEVER NO REAR YARD EQUIVALENT MAY BE LESS THAN 20'.	NO REAR YARD EQUIVALENT	NO REAR YARD EQUIVALENT 3,4,5	6TH FLOOR TOTAL RYE = 40' 20' ON READE ST & 20' ON CHAMBERS ST 7TH FLOOR TOTAL RYE = 64' 20' ON READE ST & 44' ON CHAMBERS ST	NO RYE ON FLOORS 2,3,4,5 6TH FLOOR TOTAL RYE = 40' 20' ON READE ST & 20' ON CHAMBERS ST 7TH FLOOR TOTAL RYE = 64' 20' ON READE ST & 44' ON CHAMBERS ST	EXISTING LEGAL NON-COMPLIANCE (FLOORS 3,4 & 5) COMPLIES
ZR 15-11 ZR 15-112 ZR 15-12	BULK REGULATIONS; LIGHT & AIR PROVISIONS; OPEN SPACE		NO REAR YARD REQUIRED FOR CONVERSIONS	2ND FLOOR COMMERCIAL	NONE	RESIDENTIAL	RESIDENTIAL	COMPLIES
ZR 33-28	SPECIAL PROVISIONS FOR THROUGH LOTS		NONE REQUIRED	NONE (FLOORS 1 & 2)	1ST FLOOR	NONE	NONE	COMPLIES
HEIGHT AND SETBACK REGULATIONS								
ZR 111-20(c)	SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7							
ZR 111-20(c)(1)(v)	MAXIMUM PERMITTED BUILDING HEIGHT		MAXIMUM BUILDING HEIGHT = 135'	75'-1"	75'-1"	18'-3"	93'-4"	COMPLIES
ZR 111-20(c)(2)	SPECIAL REGULATIONS FOR NARROW BUILDINGS		MAXIMUM BUILDING HEIGHT = 90'-1" 75'-1" (EXISTING BUILDING HEIGHT) + 15' = 90'-1"	75'-1"	75'-1"	18'-3"	93'-4"	DOES NOT COMPLY WAIVER PURSUANT TO ZR 74-711
			OR 1 STORY	5 STORIES	5 STORIES	2 STORIES	7 STORIES	
ZR 111-20(c)(1)(iv)	MAXIMUM HEIGHT OF STREET WALLS AND REQUIRED SETBACKS BASE HEIGHTS		MAXIMUM STREET WALL HEIGHT = 75'-1"	75'-1" @ CHAMBERS ST & READE ST	75'-1"	NONE	75'-1"	COMPLIES
			MINIMUM SETBACK = 15'	NO SETBACK	NO SETBACK	20' SETBACK ON CHAMBERS & READE ST	20' SETBACK ON CHAMBERS & READE ST	COMPLIES
			MINIMUM BASE HEIGHT = 60'	75'-1"	75'-1"	75'-1"	75'-1"	COMPLIES
			MAXIMUM BASE HEIGHT = 85'	75'-1"	75'-1"	75'-1"	75'-1"	COMPLIES
OTHER ZONING REGULATIONS								
ZR 13-10	PERMITTED OFF-STREET PARKING MANHATTAN CORE		NOT REQUIRED	NONE	NONE	NONE	NONE	COMPLIES
ZR 811(a)	ENCLOSED BICYCLE SPACES		REQUIREMENT WAIVED FOR BUILDINGS CONTAINING < 10 DWELLING UNITS	NONE	NONE	NONE	NONE	COMPLIES
ZR 23-03	STREET TREE PLANTING		5,205 SF (ENLARGEMENT) / 18,675 (EXISTING) SF = 28% 28% > 20% ENLARGEMENT	NONE	NONE	2 TREES	2 TREES	COMPLIES

LOT COVERAGE DIAGRAM



SUMMARY OF FLOOR AREA AND USE

FLOOR	EXISTING GSF	EXISTING ZSF	PROPOSED GSF	PROPOSED ZSF	USE GROUP EX	USE GROUP PROP
SUB-CELLAR	3,771	0	3,771	0	VACANT	UG 6
CELLAR	3,771	0	3,771	0	UG 6	UG 6
FIRST FLOOR	3,771	3,735	3,771	3,735	UG 6	UG 6
SECOND FLOOR MEZZ	0	0	583	583	N/A	UG 2
SECOND FLOOR	3,771	3,735	3,771	3,735	UG 6	UG 2
THIRD FLOOR	3,771	3,735	3,771	3,735	UG 2	UG 2
FOURTH FLOOR MEZZ		0	583	583	N/A	UG 2
FOURTH FLOOR	3,771	3,735	3,771	3,735	UG 2	UG 2
FIFTH FLOOR	3,771	3,735	3,771	3,735	UG 2	UG 2
SIXTH FLOOR	0	0	2,769	2,716	N/A	UG 2
SEVENTH FLOOR	0	0	2,107	2,057	N/A	UG 2
TOTALS	26,397	18,675	32,439	24,614		
# OF DWELLING UNITS	4		8			
FAR	4.95		6.52			

DRAWING LEGEND

- ZONING LOT
- PROPOSED MAXIMUM BUILDING ENVELOPE
- EXISTING BUILDING LOT COVERAGE

SITE DATA

ADDRESS:	121 CHAMBERS STREET AKA 103 READE STREET
BOROUGH:	MANHATTAN
BLOCK:	145
LOT:	10
LOT AREA:	150'-10" x 25'-0" = 3,771 SF
EXISTING FLOOR AREA:	18,675 ZSF
ZONING DISTRICT:	C6-3A IN TRIBECA MIXED USE (TMU) AREA A3 (R9A EQUIVALENT)
ZONING MAP	12B
STREET TYPES:	NARROW STREETS (64' & 60')
SITE SURVEY DATE:	10-11-16
LOT TYPE:	INTERIOR THROUGH LOT
LANDMARK DISTRICT:	TRIBECA SOUTH HISTORIC DISTRICT
EXISTING CERTIFICATE OF OCCUPANCY # 102504540	

LIST OF REQUIRED ACTIONS

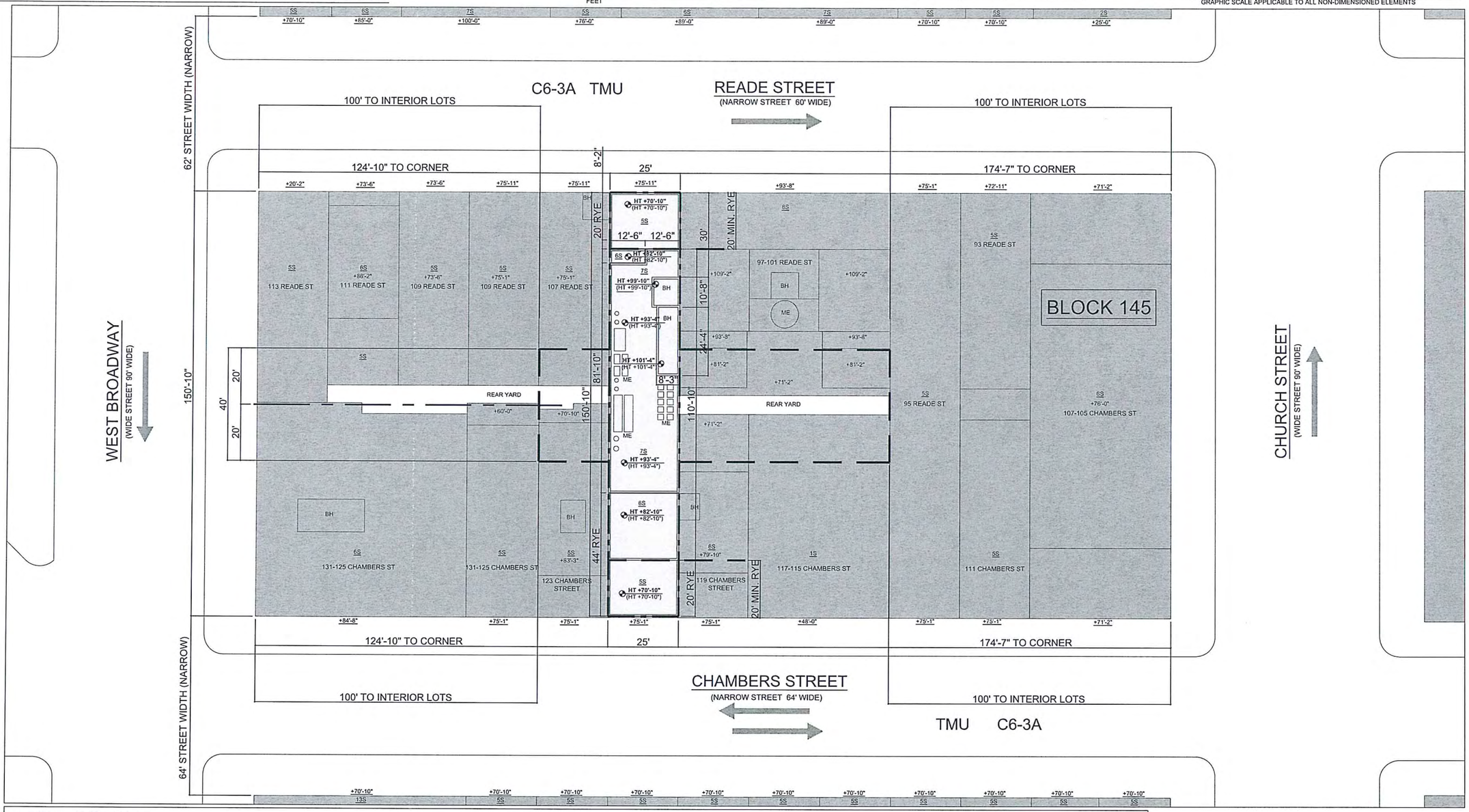
REQUESTED WAIVERS PURSUANT TO ZR 74-711

111-20(c)(2) SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7 SPECIAL REGULATIONS FOR NARROW BUILDINGS - MAXIMUM BUILDING HEIGHT AND NUMBER OF STORIES

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		
CPC 01	ZONING ANALYSIS & LOT COVERAGE DIAGRAM	THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 3-2-17 SHEET 2 OF 12 SHEETS

1 - REAR YARDS AND REAR YARD EQUIVALENTS

0 50 100 150 200 250 300 350
FEET
GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS



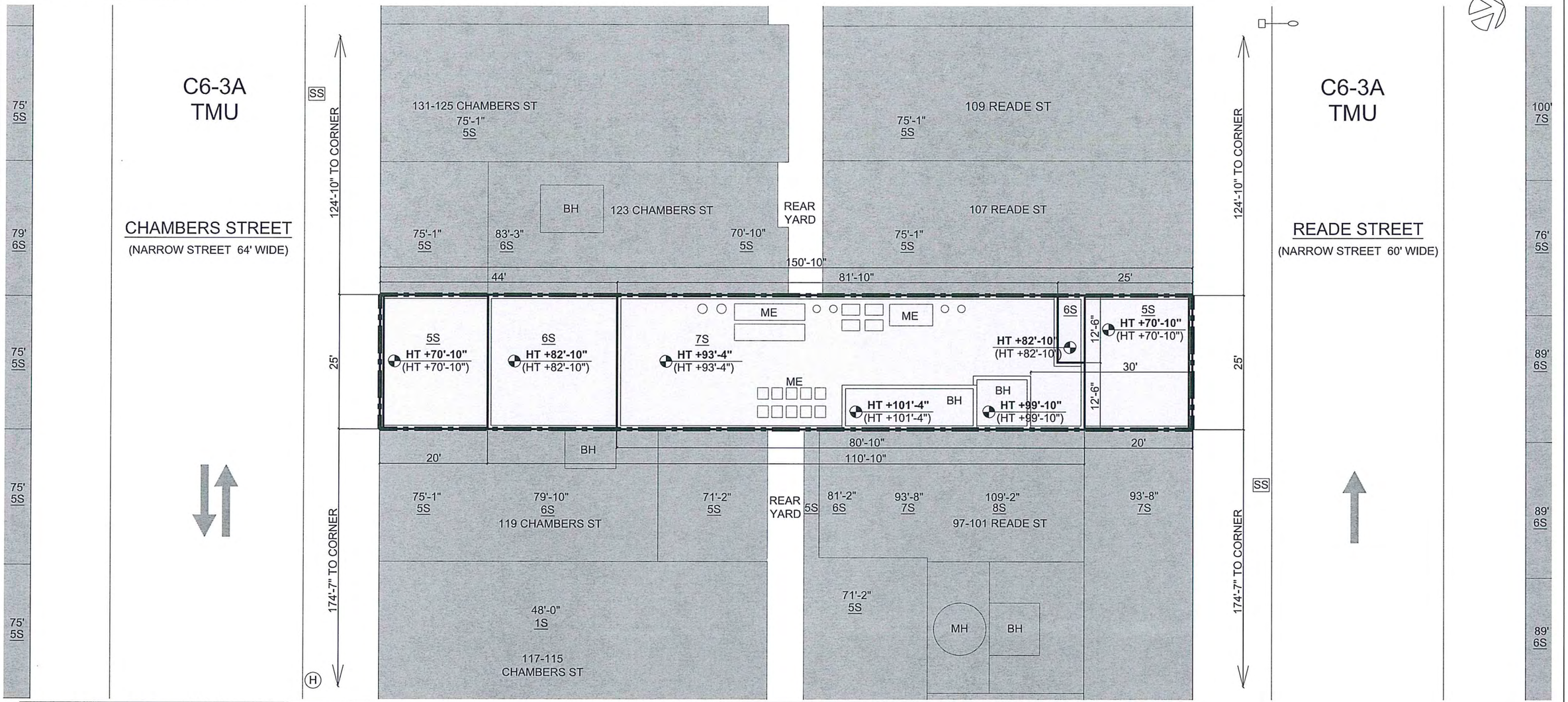
DRAWING LEGEND

- 5S # STORIES
- 60' BUILDING HEIGHT
- BH ROOF BULKHEAD
- ME ROOF MECHANICAL EQUIPMENT
- **C6-3A** ZONING DISTRICT
- ROAD DIRECTION
- ZONING LOT LINE
- PROPOSED MAXIMUM BUILDING ENVELOPE
- EXISTING BUILDINGS
- PROPOSED ENLARGEMENT/DEVELOPMENT
- 75'-1" / 75'-1" — STREET WALL HEIGHT / ROOF SPOT ELEVATION
- HT +93'-4" (HT +93'-4") — DEVELOPMENT ENVELOPE HEIGHT / ILLUSTRATIVE BUILDING HEIGHT

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 11-21-18
CPC 02	REAR YARDS AND REAR YARD EQUIVALENTS	SHEET 3 OF 19 SEAL

REGISTERED ARCHITECT JOSEPH PELL LOMBARDI No. 010937 STATE UNIVERSITY OF NEW YORK

1 - ZONING LOT SITE PLAN



DRAWING LEGEND

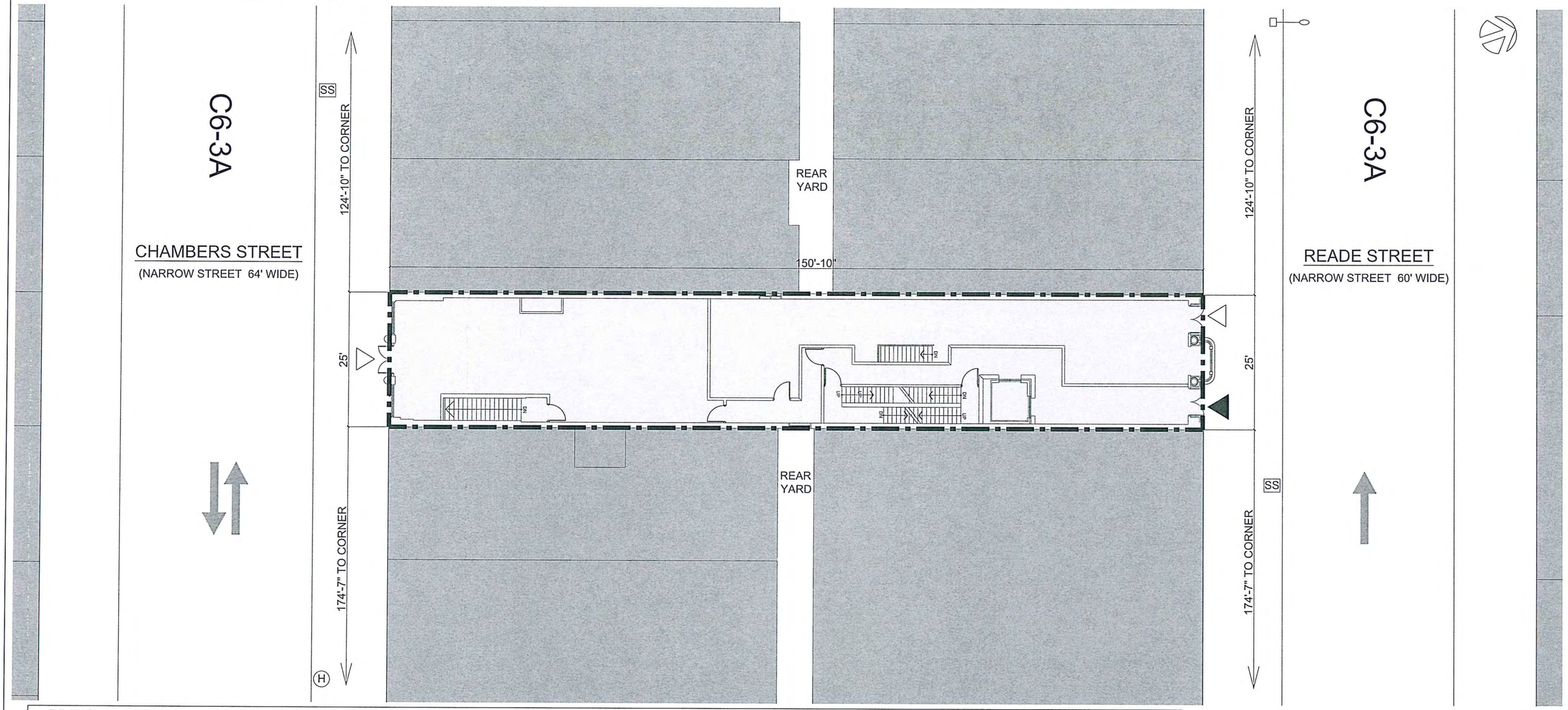
- **C6-3A** ZONING DISTRICT
- 5S # STORIES
- 60' BUILDING HEIGHT
- ROAD DIRECTION
- ZONING LOT LINE
- ILLUSTRATIVE BUILDING LINE
- PROPOSED MAXIMUM BUILDING ENVELOPE
- SS STREET SIGN
- STREET LAMP
- (H) FIRE HYDRANT
- HT +93'-4" / (HT +93'-4") — DEVELOPMENT ENVELOPE HEIGHT / ILLUSTRATIVE BUILDING HEIGHT
- BH ROOF BULKHEAD
- ME ROOF MECHANICAL EQUIPMENT
- EXISTING BUILDINGS
- PROPOSED ENLARGEMENT/DEVELOPMENT

0 10 20 30 40 50 100
FEET
GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

REGISTERED ARCHITECT JOSEPH PELL LOMBARDI STATE OF NEW YORK 010237

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		
CPC 03	ZONING LOT SITE PLAN	THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 3-25-19 SHEET 4 OF 19 SEAL:

1 - REAR YARD OPEN SPACE DIAGRAM

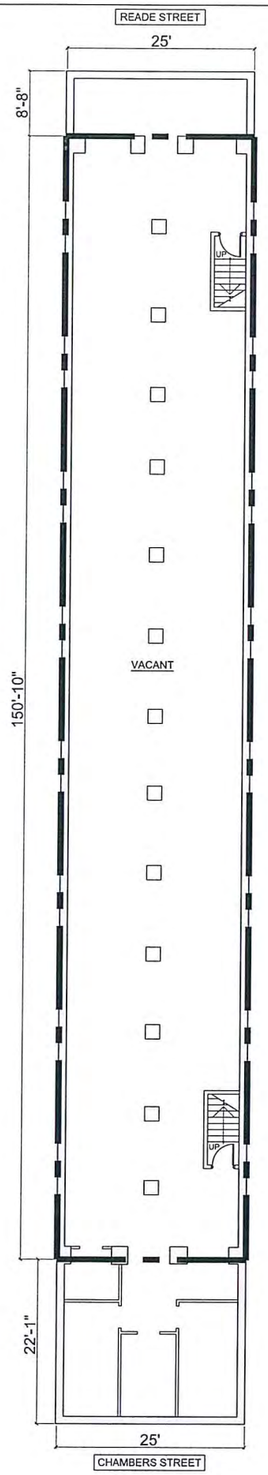


DRAWING LEGEND

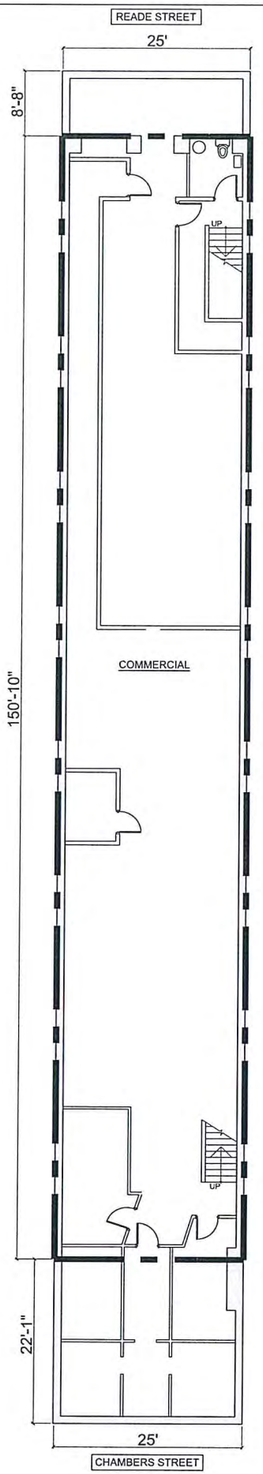
- COMMERCIAL ACCESS POINT
- RESIDENTIAL ACCESS POINT
- BUILDING ENTRANCE POINTS SHOWN FOR ILLUSTRATIVE PURPOSES
- **C6-3A** ZONING DISTRICT
- 5S # STORIES
- 60' BUILDING HEIGHT
- ROAD DIRECTION
- ZONING LOT LINE
- ILLUSTRATIVE BUILDING LINE
- SS STREET SIGN
- STREET LAMP
- H FIRE HYDRANT
- EXISTING BUILDINGS
- DEVELOPMENT

0 10 20 30 40 50 100
FEET
GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

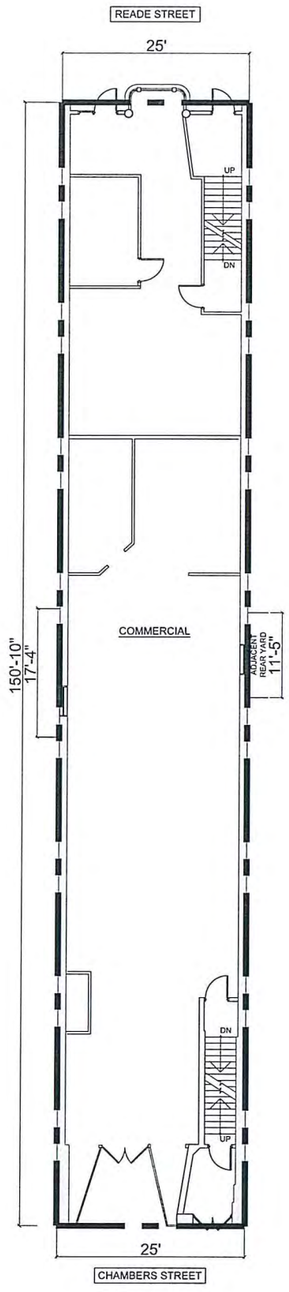
121 CHAMBER STREET AKA 103 READE STREET MANHATTAN			
CPC 04	GROUND FLOOR PLAN	THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 11-21-18	SHEET 5 OF 19 SEAL:



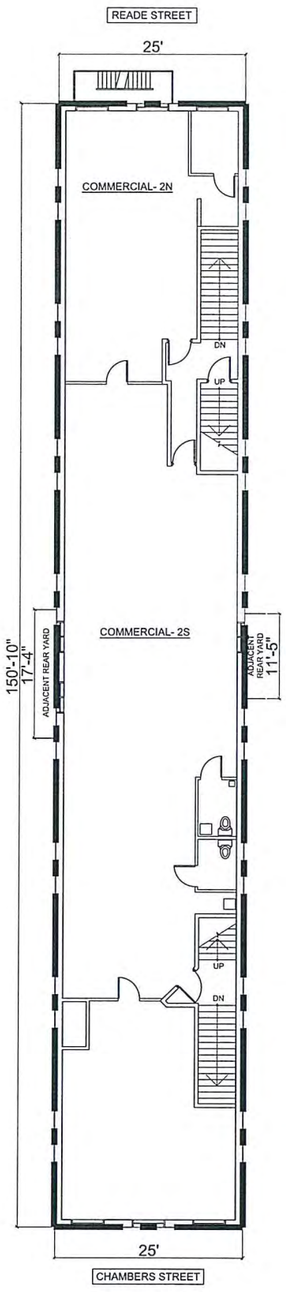
1-EXISTING SUB-CELLAR PLAN



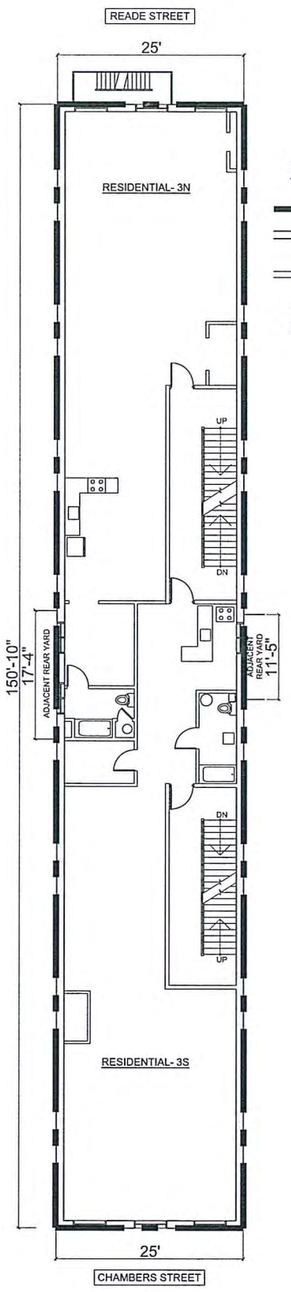
2-EXISTING CELLAR PLAN



3-EXISTING 1ST FLOOR PLAN



4-EXISTING 2ND FLOOR PLAN



5-EXISTING 3RD FLOOR PLAN

DRAWING LEGEND

- ZONING LOT LINE
- EXTERIOR BUILDING WALL
- INTERIOR PARTITION

ALL INTERNAL PARTITIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY

0 10 20 30 40 50 100
FEET
GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

NORTH

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013
CPC 05	EXISTING FLOOR PLANS	DATE: 09-13-18
		SHEET 6 OF 19 SEAL:

1-EXISTING 4TH FLOOR PLAN

2-EXISTING 5TH FLOOR PLAN

3-EXISTING ROOF PLAN

DRAWING LEGEND

ZONING LOT LINE

EXTERIOR BUILDING WALL

INTERIOR PARTITION

ALL INTERNAL PARTITIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY

0 10 20 30 40 50 100
FEET
GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

NORTH

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN

CPC 06

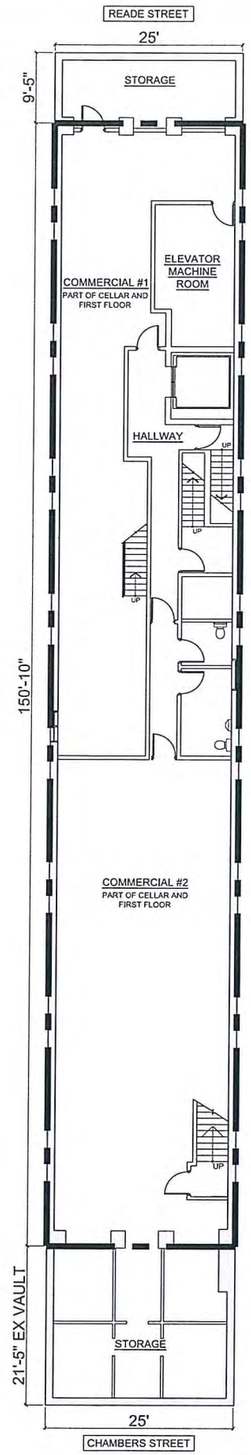
EXISTING FLOOR PLANS

THE OFFICE OF
JOSEPH PELL LOMBARDI
ARCHITECT
412 BROADWAY
NEW YORK, NY 10013

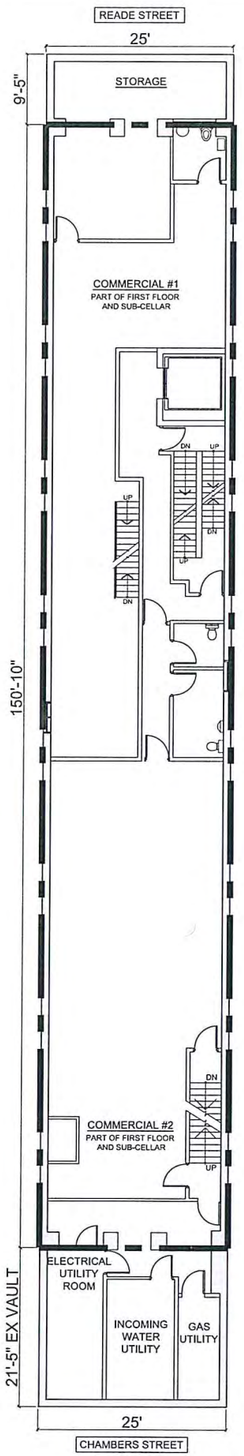
DATE: 09-13-18

SHEET 7 OF 19

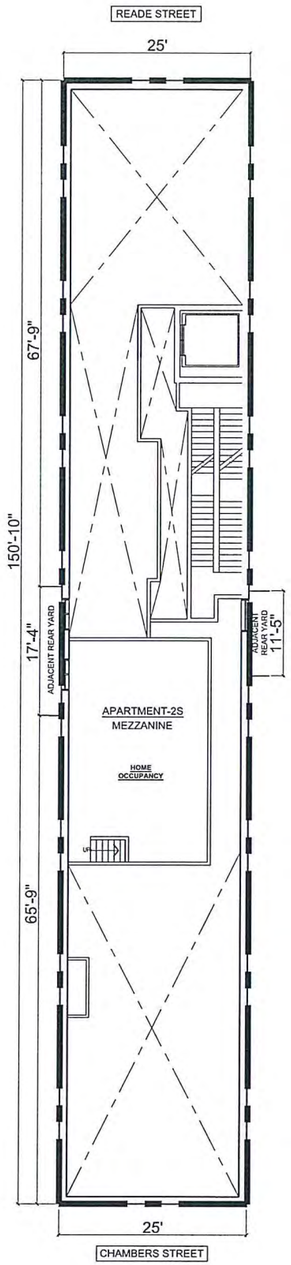
SEAL:



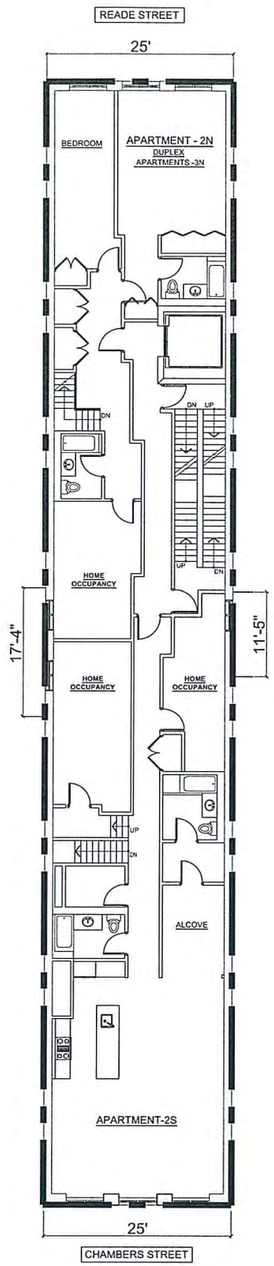
1-PROPOSED SUB-CELLAR PLAN



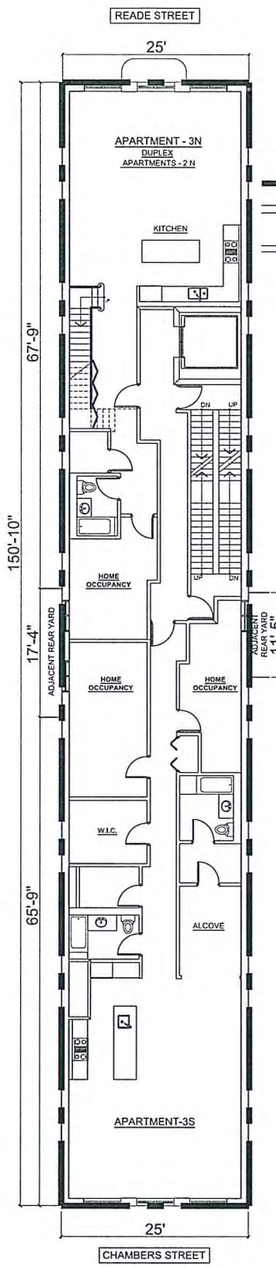
2-PROPOSED CELLAR PLAN



3-PROPOSED 2ND FLOOR MEZ PLAN



4-PROPOSED 2ND FLOOR PLAN



5-PROPOSED 3RD FLOOR PLAN

DRAWING LEGEND

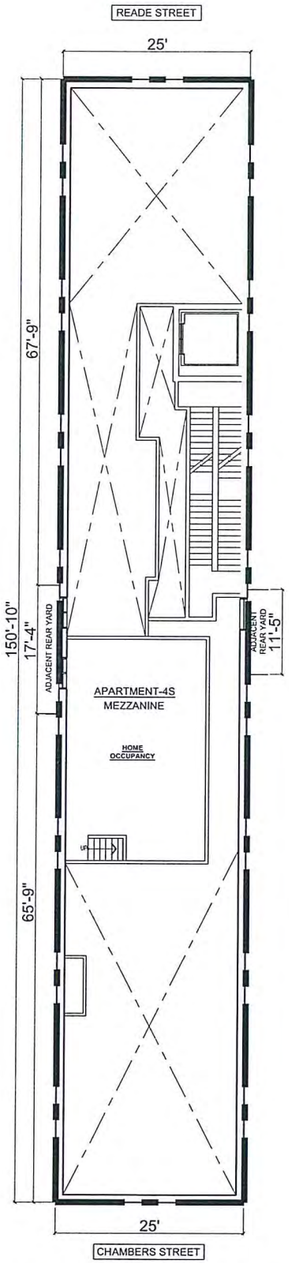
- ZONING LOT LINE
- EXTERIOR BUILDING WALL
- INTERIOR PARTITION

ALL INTERNAL PARTITIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY

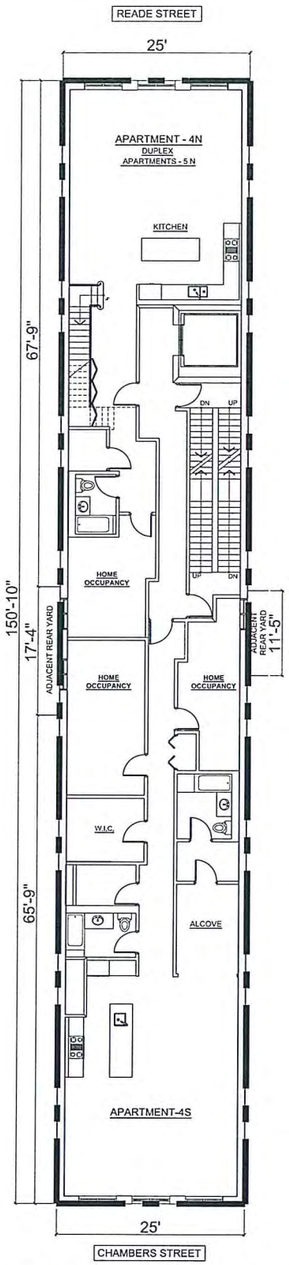
0 10 20 30 40 50 100
FEET
GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013
CPC 07	PROPOSED FLOOR PLANS	DATE: 11-21-18
		SHEET 8 OF 19 SEAL:

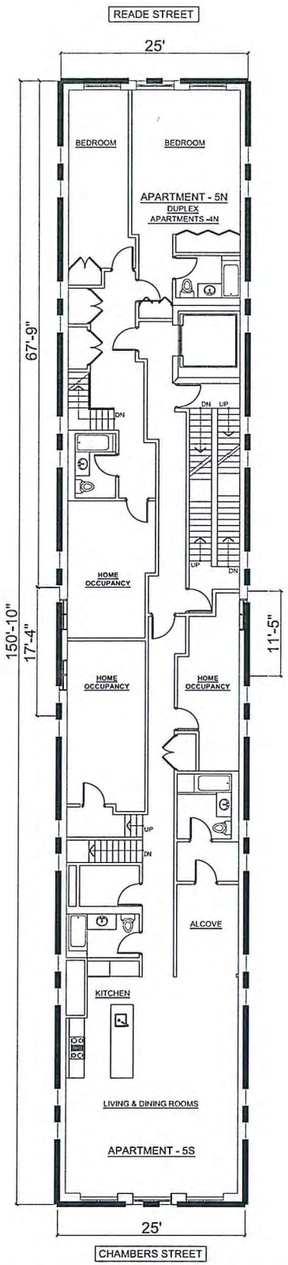
REGISTERED ARCHITECT JOSEPH PELL LOMBARDI STATE OF NEW YORK NO. 010267 THE UNIVERSITY OF THE STATE OF NEW YORK



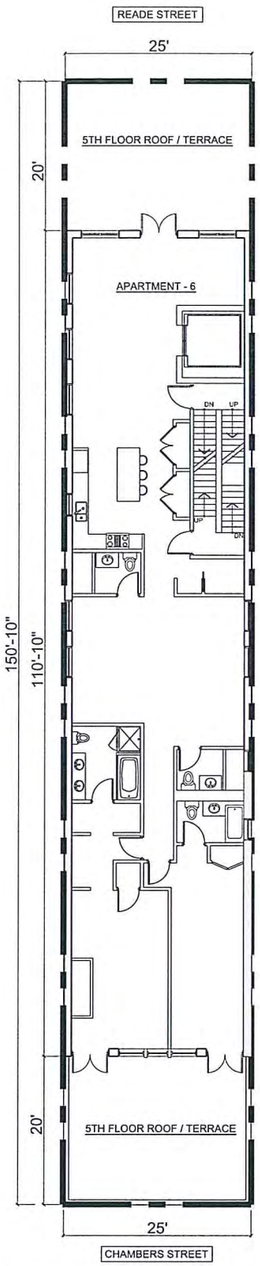
1-PROPOSED 4TH FLOOR MEZZ PLAN



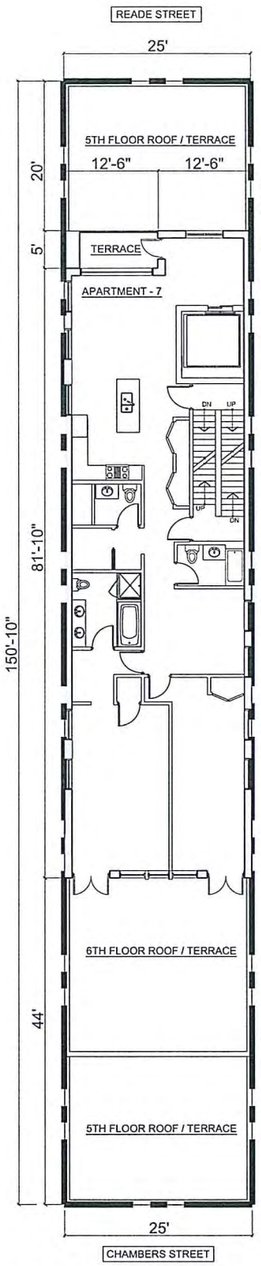
2-PROPOSED 4TH FLOOR PLAN



3-PROPOSED 5TH FLOOR PLAN



4-PROPOSED 6TH FLOOR PLAN



5-PROPOSED 7TH FLOOR PLAN

DRAWING LEGEND

ZONING LOT LINE

EXTERIOR BUILDING WALL

INTERIOR PARTITION

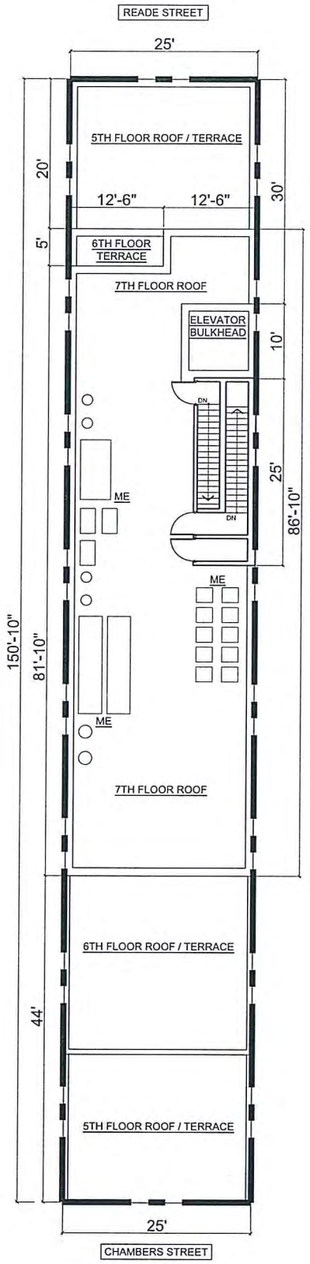
ALL INTERNAL PARTITIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY

0 10 20 30 40 50 100

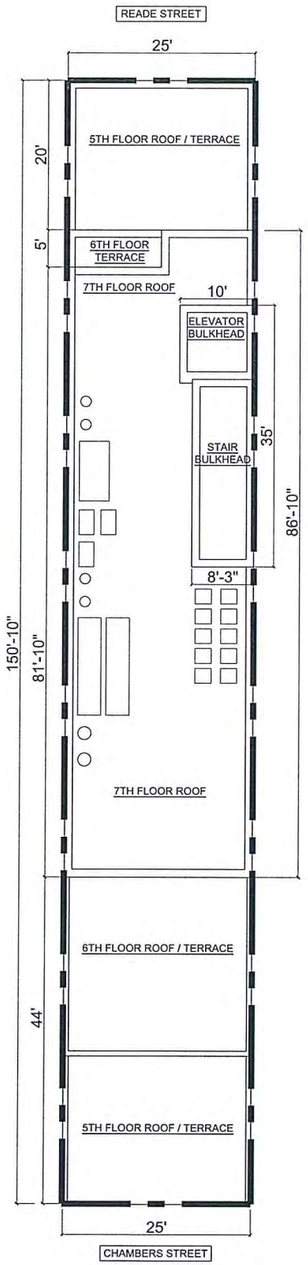
FEET

GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013
CPC 08	PROPOSED FLOOR PLANS	DATE: 11-21-18
		SHEET 9 OF 19 SEAL:



1-PROPOSED BULKHEAD PLAN



2-PROPOSED ROOF PLAN

DRAWING LEGEND

ZONING LOT LINE

EXTERIOR BUILDING WALL

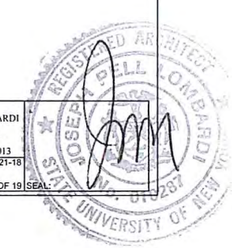
INTERIOR PARTITION

ALL INTERNAL PARTITIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY

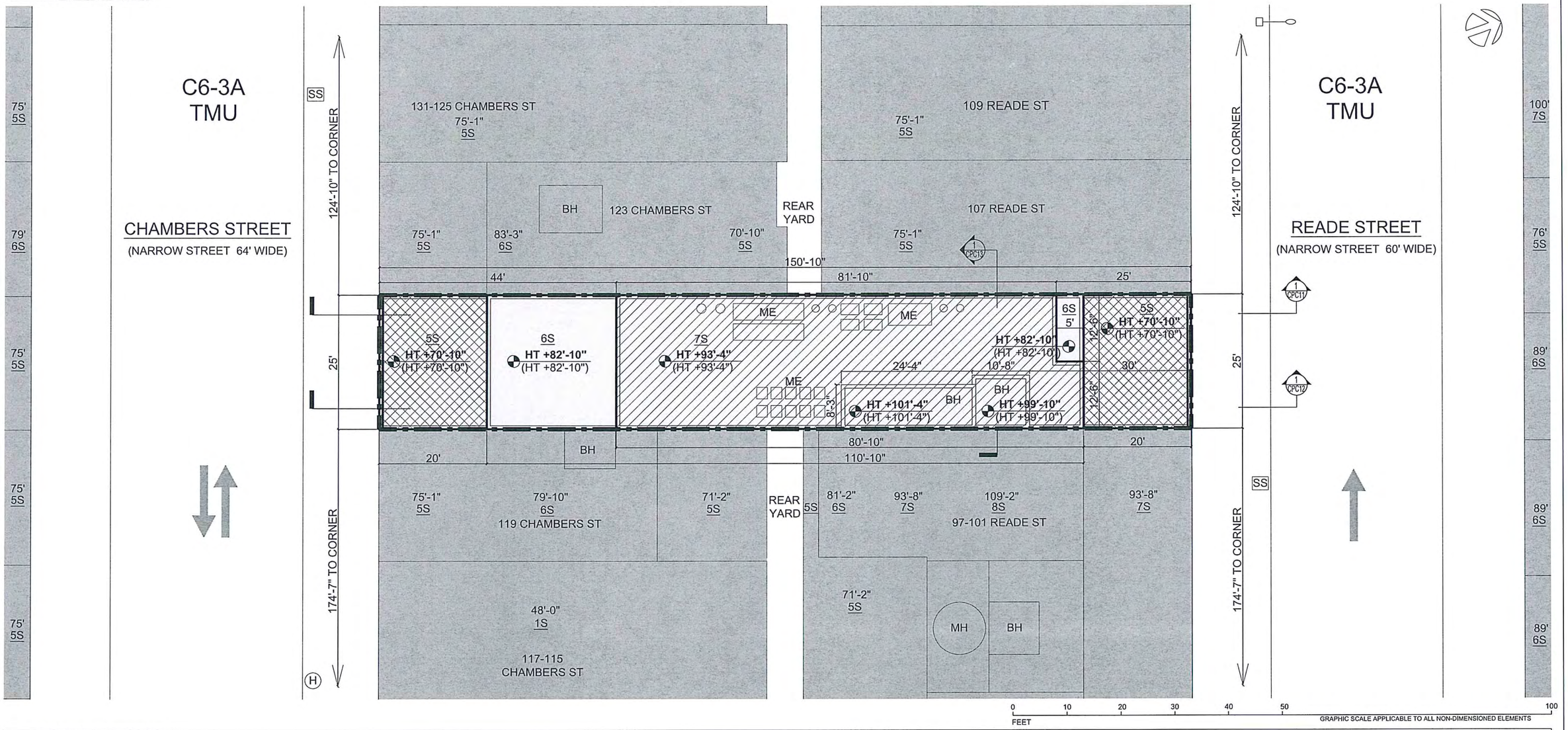
0 10 20 30 40 50 100
FEET

GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 11-21-18
CPC 09	PROPOSED FLOOR PLANS	SHEET 10 OF 19 SEAL



1- WAIVER SITE PLAN



DRAWING LEGEND

C6-3A ZONING DISTRICT

5S # STORIES

60' BUILDING HEIGHT

ROAD DIRECTION

ZONING LOT LINE

ILLUSTRATIVE BUILDING LINE

PROPOSED MAXIMUM BUILDING ENVELOPE

SS STREET SIGN

STREET LAMP

H FIRE HYDRANT

HT +93'-4" / (HT +93'-4") — DEVELOPMENT ENVELOPE HEIGHT / ILLUSTRATIVE BUILDING HEIGHT

BH ROOF BULKHEAD

ME ROOF MECHANICAL EQUIPMENT

EXISTING BUILDINGS

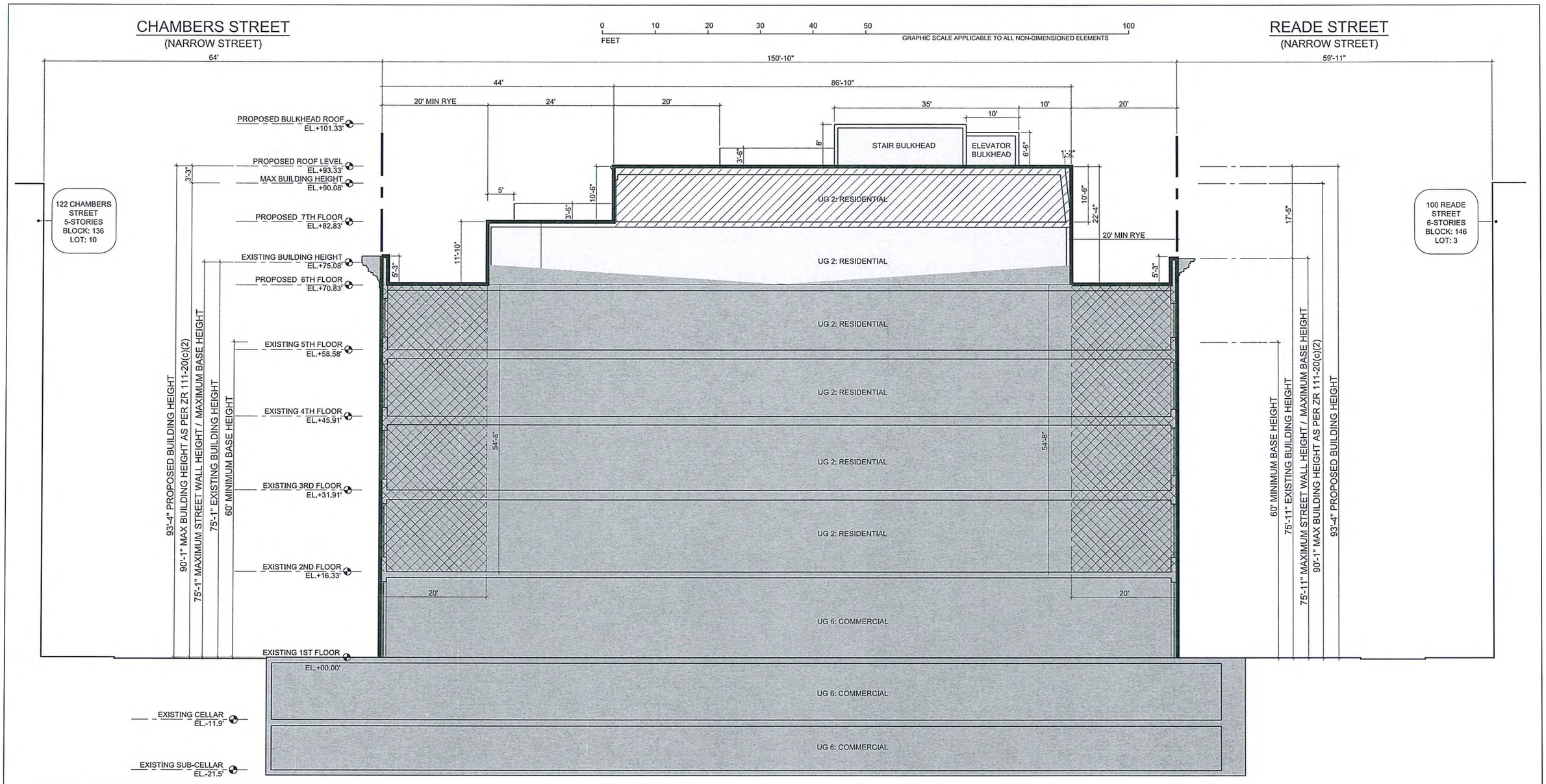
PROPOSED ENLARGEMENT/DEVELOPMENT

ZR 111-20(c)(2) HEIGHT AND STORY WAIVER PURSUANT TO ZR 74-711

EXISTING LEGAL NON-COMPLIANT REAR YARD EQUIVALENT

REGISTERED ARCHITECT
JOSEPH PELL LOMBARDI
No. 016287
STATE UNIVERSITY OF NEW YORK

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		
CPC 10	WAIVER PLAN	THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 3-25-19 SHEET 11 OF 19 SEAL:

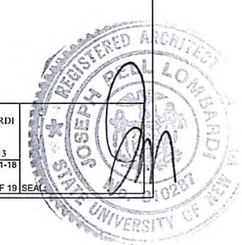


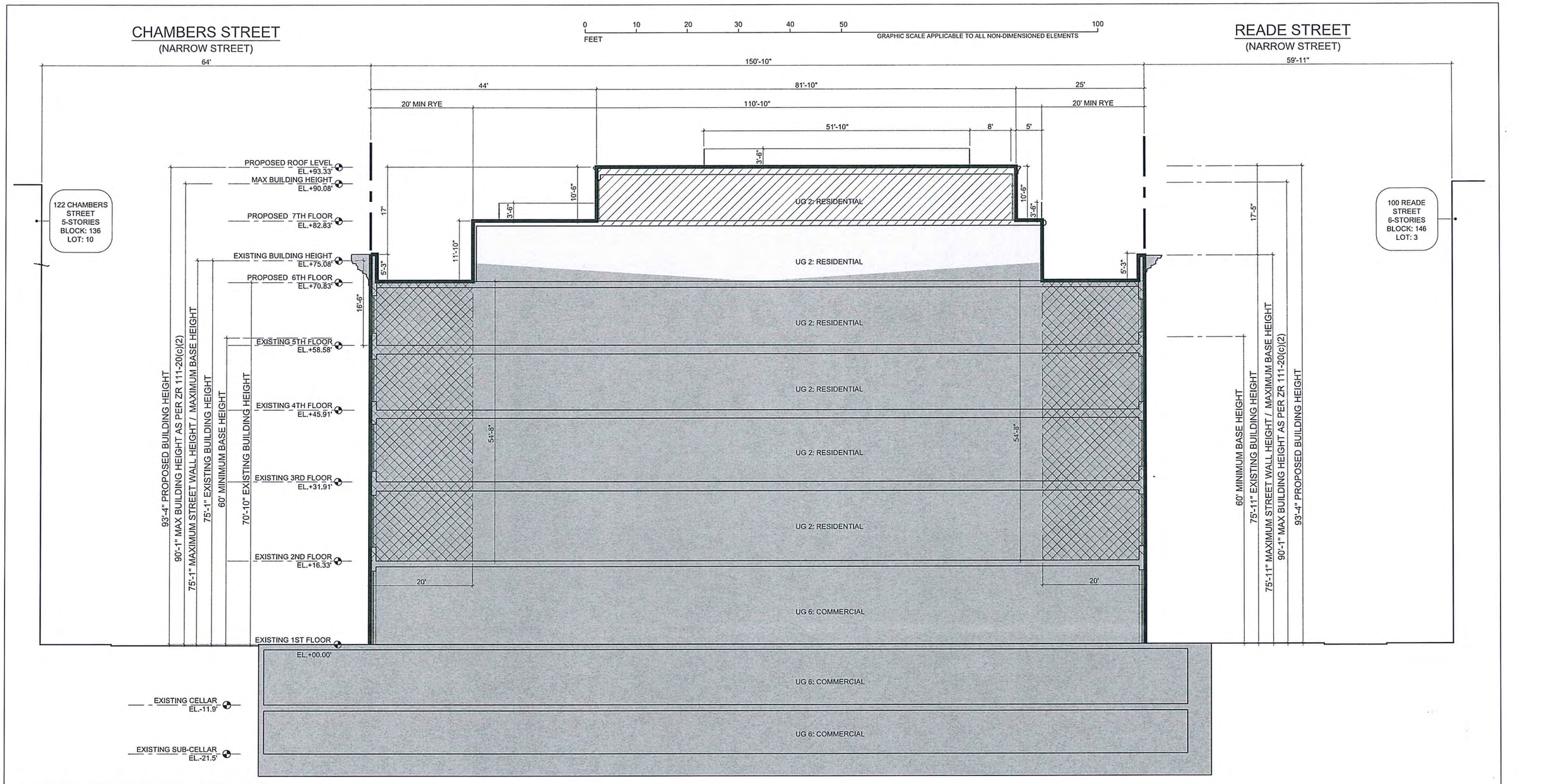
1- NORTH - SOUTH WAIVER SECTION B-B

DRAWING LEGEND

- ZONING LOT LINE
- ILLUSTRATIVE BUILDING LINE
- PROPOSED MAXIMUM BUILDING ENVELOPE
- EXISTING BUILDING
- PROPOSED ENLARGEMENT/DEVELOPMENT
- EXISTING LEGAL NON-COMPLIANT REAR YARD EQUIVALENT
- ZR 111-20(c)(2) HEIGHT AND STORY WAIVER PURSUANT TO ZR 74-711

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013
CPC 11	NORTH-SOUTH WAIVER SECTION A-A	DATE: 11-21-18
		SHEET 12 OF 19 SEAL





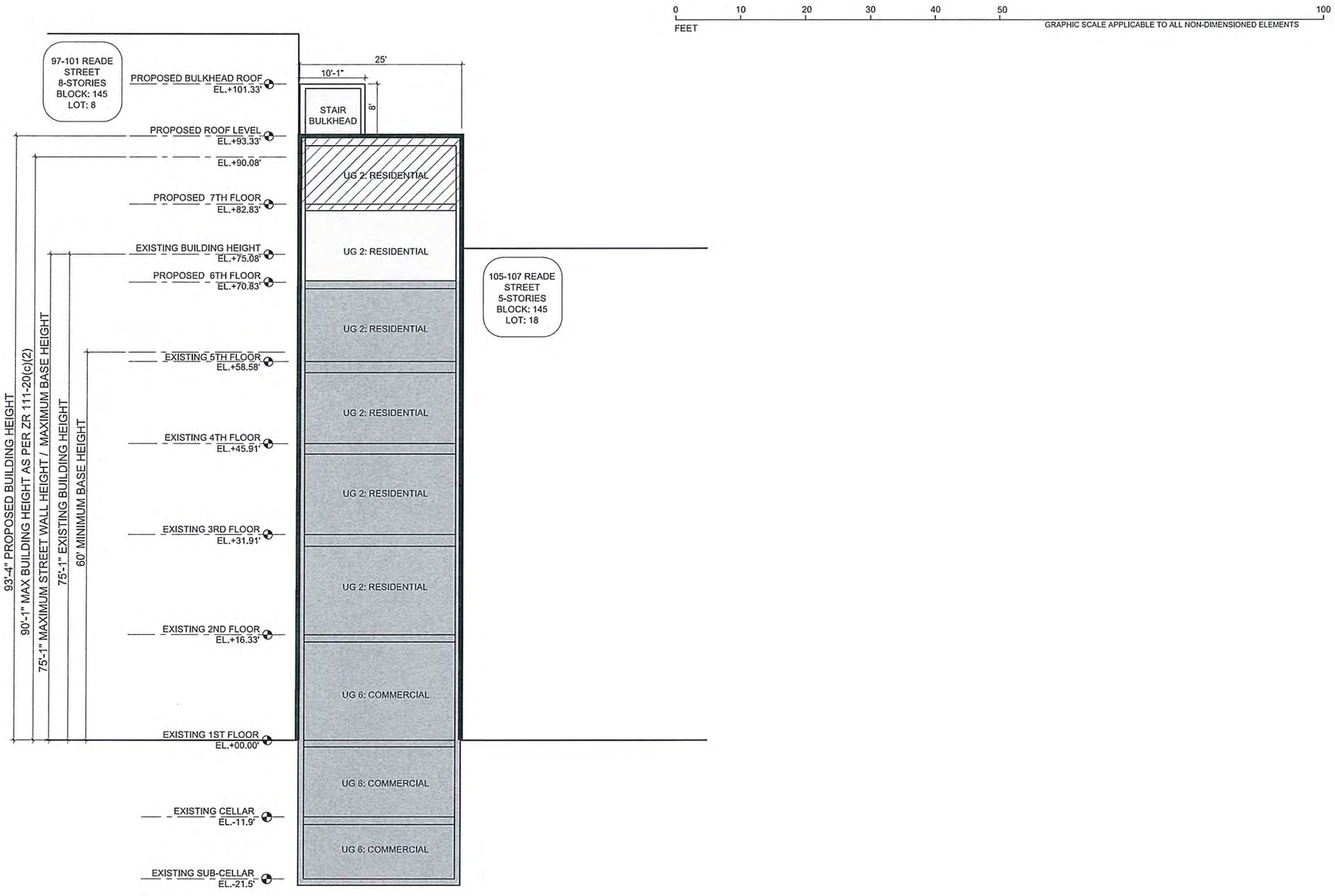
1- NORTH - SOUTH WAIVER SECTION A-A

DRAWING LEGEND

- ZONING LOT LINE
- ILLUSTRATIVE BUILDING LINE
- PROPOSED MAXIMUM BUILDING ENVELOPE
- EXISTING BUILDING
- PROPOSED ENLARGEMENT/DEVELOPMENT
- EXISTING LEGAL NON-COMPLIANT REAR YARD EQUIVALENT
- ZR 111-20(c)(2) HEIGHT AND STORY WAIVER PURSUANT TO ZR 74-711

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN			
CPC 12	NORTH-SOUTH WAIVER SECTION B-B	THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 3-25-19	SHEET 13 OF 19 SEAL:

JOSEPH PELL LOMBARDI No. 012287 STATE UNIVERSITY OF NEW YORK



1- EAST - WEST WAIVER SECTION C-C

DRAWING LEGEND

- ZONING LOT LINE
- ILLUSTRATIVE BUILDING LINE
- PROPOSED MAXIMUM BUILDING ENVELOPE
- EXISTING BUILDING
- PROPOSED ENLARGEMENT/DEVELOPMENT
- ZR 111-20(c)(2) HEIGHT AND STORY WAIVER PURSUANT TO ZR 74-711

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 11-21-18
CPC 13	EAST- WEST WAIVER SECTION C-C	SHEET 14 OF 19 SEAL:

CHAMBERS STREET
(NARROW STREET)

0 10 20 30 40 50 100
FEET
GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

READE STREET
(NARROW STREET)

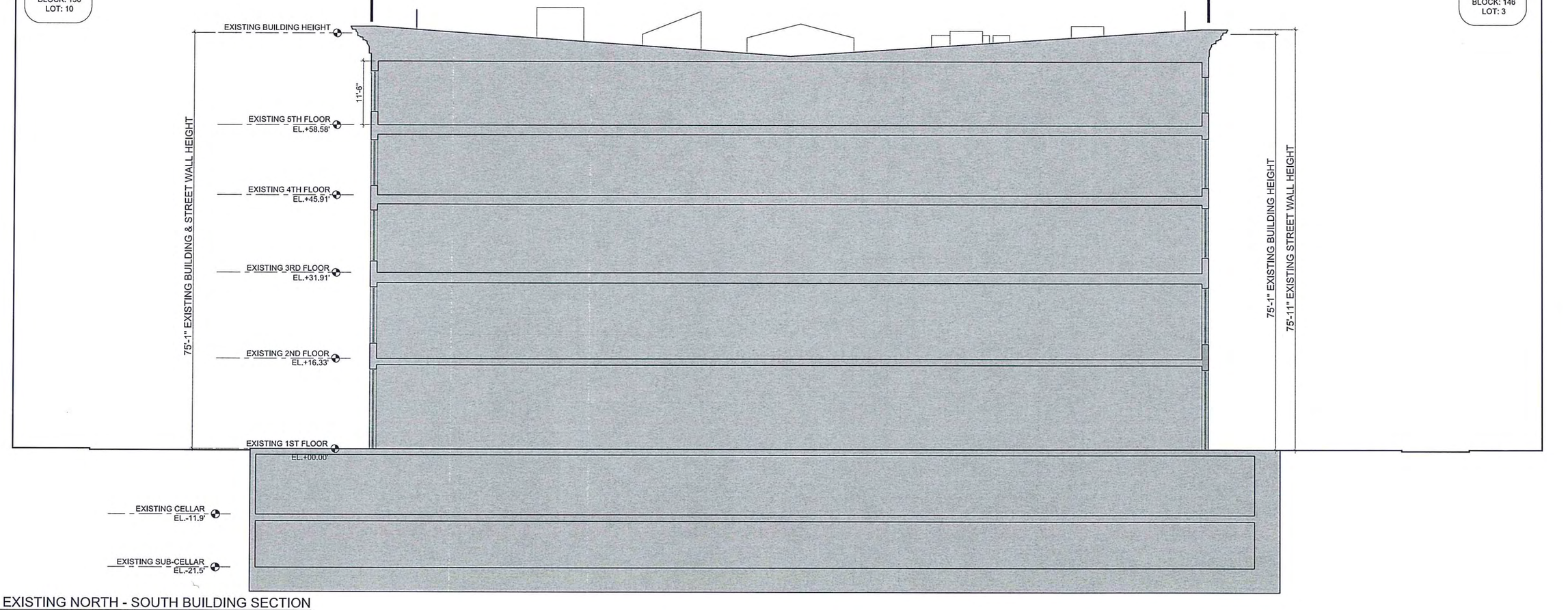
64'

150'-10"

60'

122 CHAMBERS STREET
5-STORIES
BLOCK: 136
LOT: 10

100 READE STREET
6-STORIES
BLOCK: 146
LOT: 3



1- EXISTING NORTH - SOUTH BUILDING SECTION

DRAWING LEGEND

ZONING LOT LINE

EXISTING BUILDING

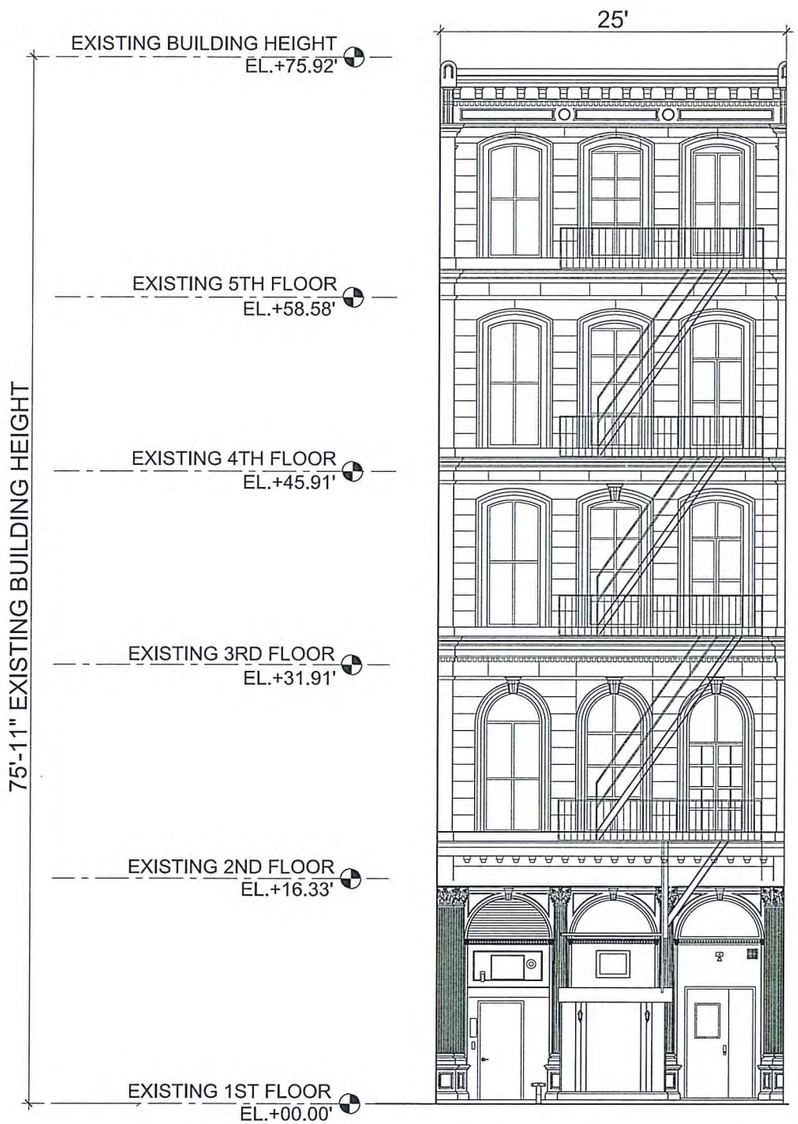
121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		
CPC 14	EXISTING NORTH - SOUTH BUILDING SECTION	THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 11-21-18
		SHEET15 OF 19 SEAL:

REGISTERED ARCHITECT JOSEPH PELL LOMBARDI NO. 026267 STATE OF NEW YORK UNIVERSITY OF

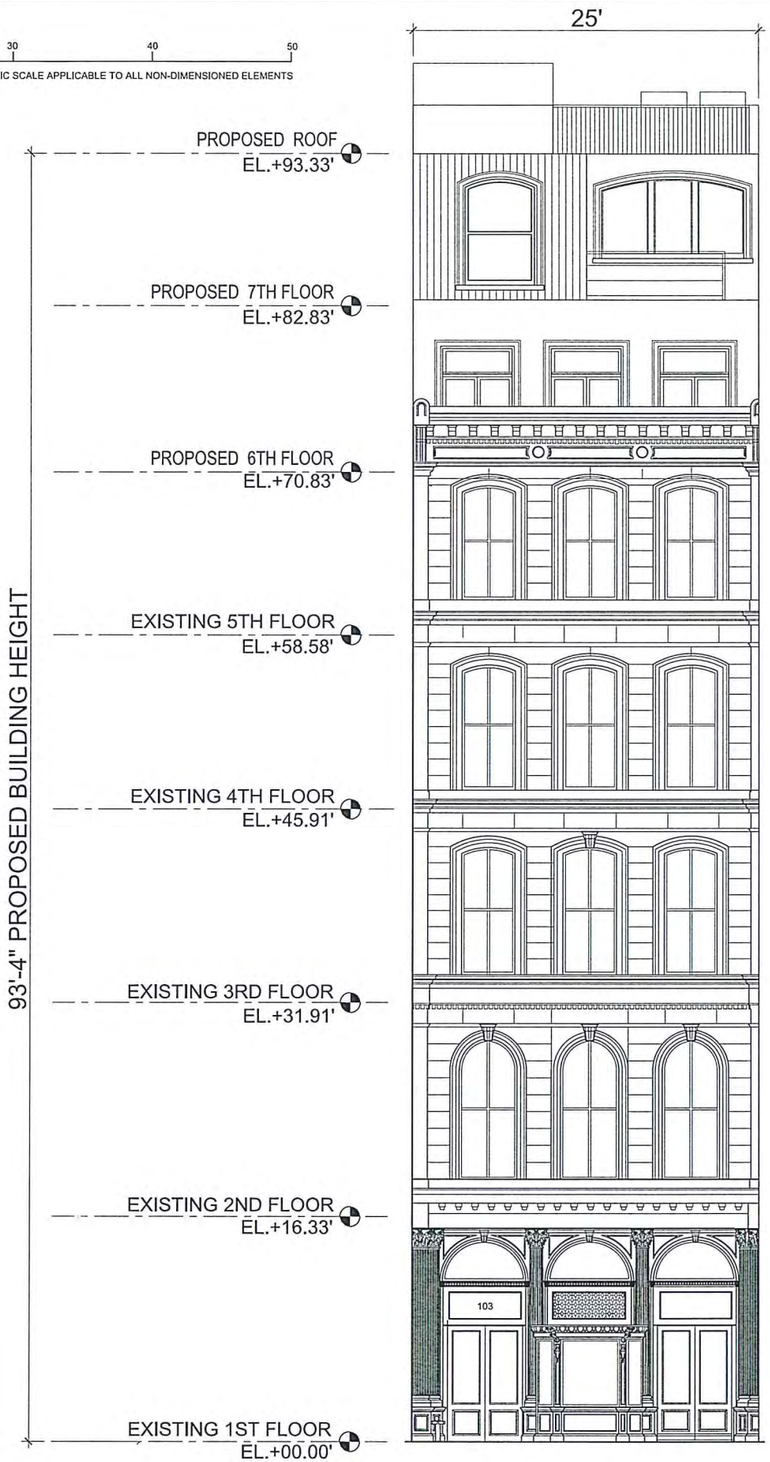
0 10 20 30 40 50

FEET

GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

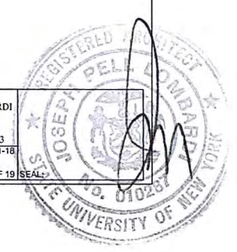


1 - EXISTING READE STREET ELEVATION



2 - PROPOSED READE STREET ELEVATION

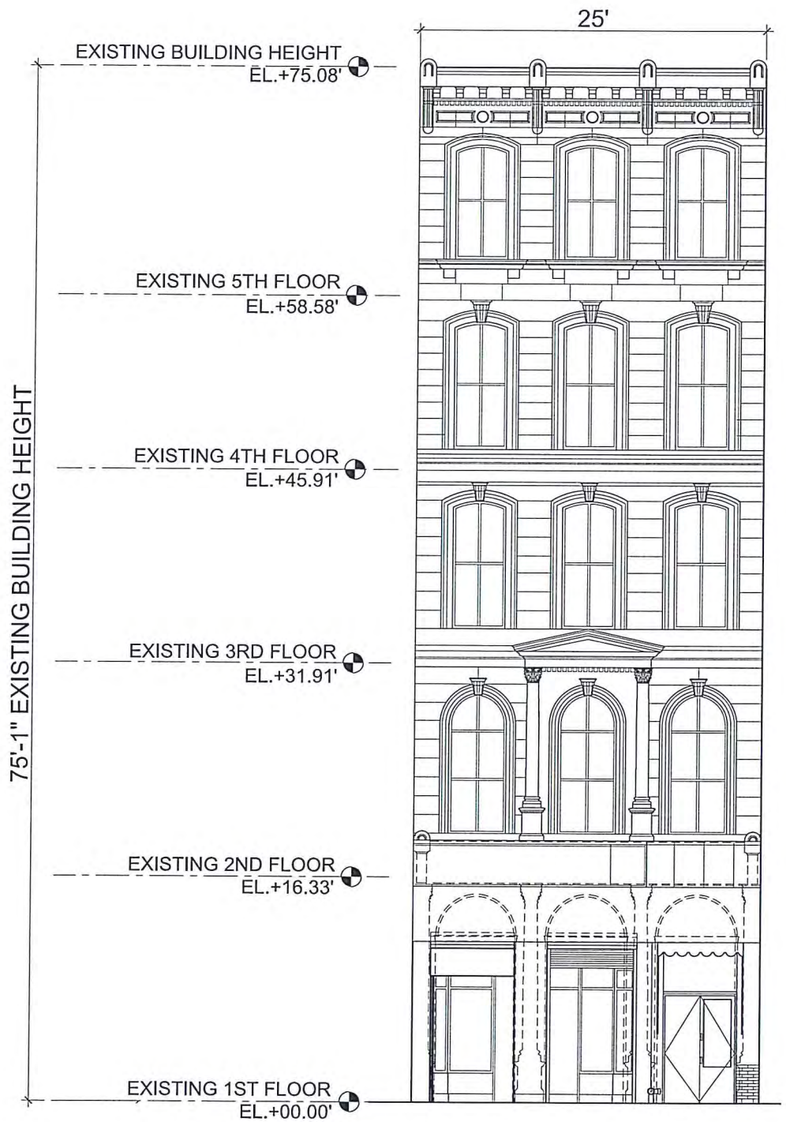
121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 11-21-18 SHEET 16 OF 19 SEAL:
CPC 15	EXISTING AND PROPOSED READE STREET ELEVATIONS	



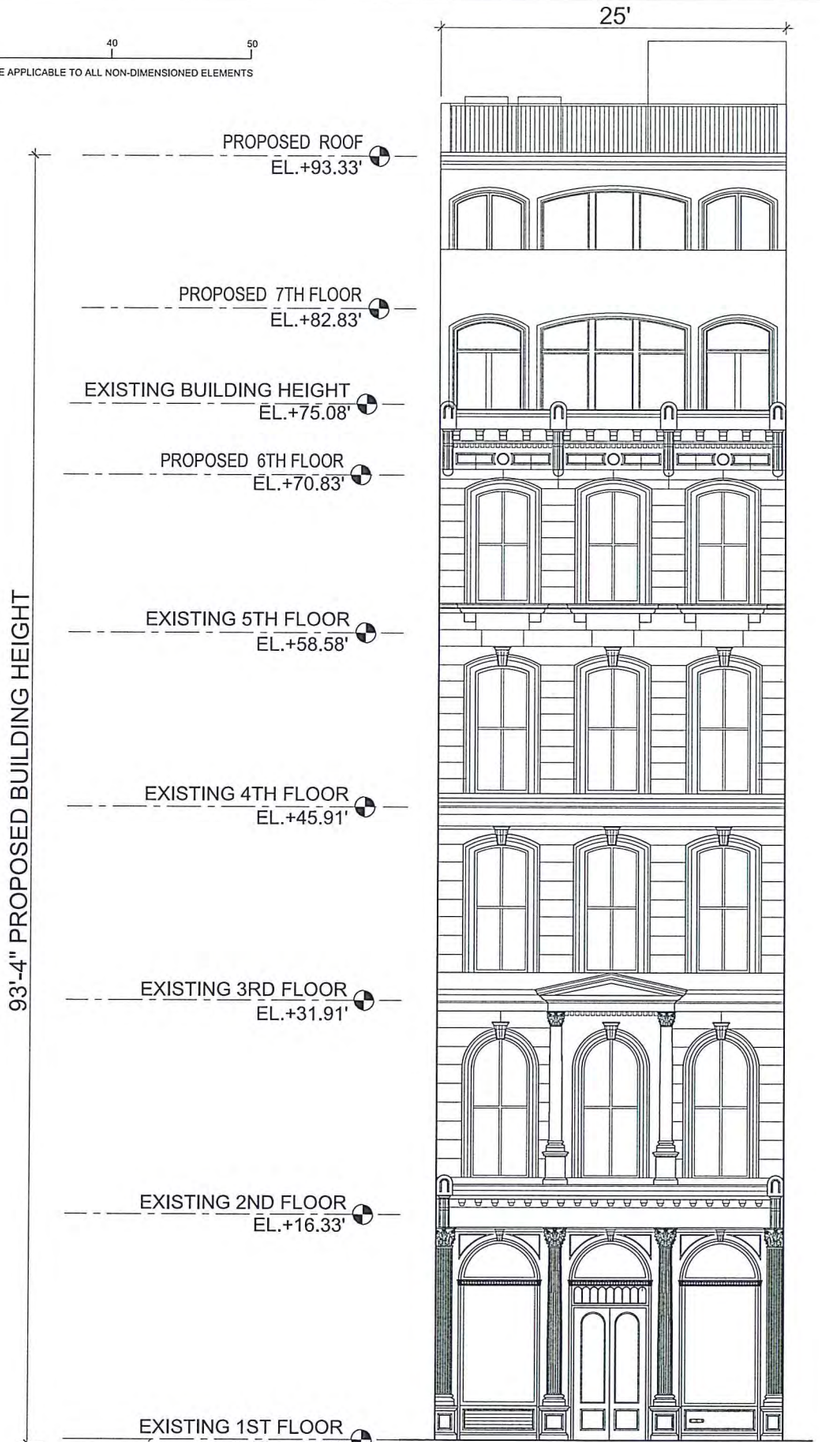
0 10 20 30 40 50

FEET

GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS



1 - EXISTING CHAMBERS STREET ELEVATION



2 - PROPOSED CHAMBERS STREET ELEVATION

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 11-21-18 SHEET 17 OF 19
CPC 16	EXISTING AND PROPOSED CHAMBERS STREET ELEVATIONS	

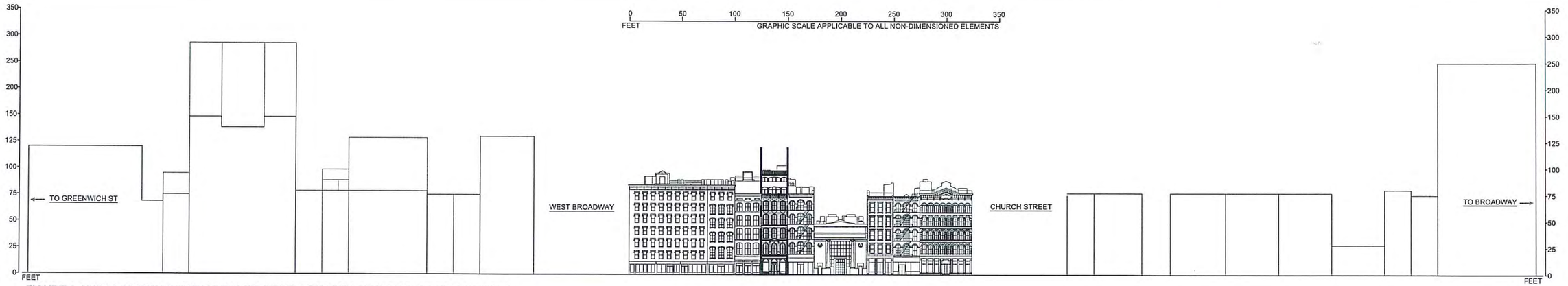


FIGURE 1: NEIGHBORHOOD CHARACTER DIAGRAM OF NORTH SIDE OF CHAMBERS STREET

KEY MAP

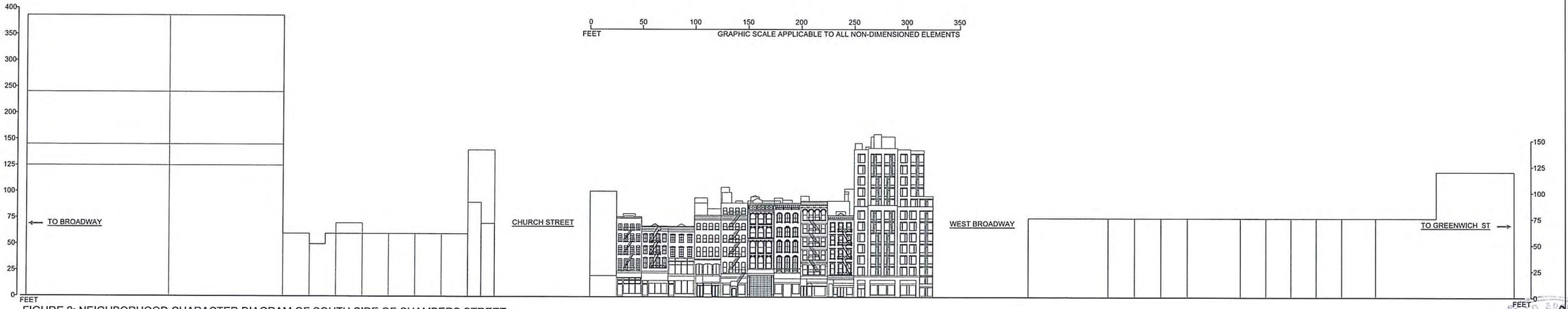


FIGURE 2: NEIGHBORHOOD CHARACTER DIAGRAM OF SOUTH SIDE OF CHAMBERS STREET

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		
CPC 17	CHAMBERS STREET NEIGHBORHOOD CHARACTER DIAGRAMS	THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 11-21-18 SHEET 18 OF 19 SEAL:

0 50 100 150 200 250 300 350
FEET GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

FIGURE 1: NEIGHBORHOOD CHARACTER DIAGRAM OF SOUTH SIDE OF READE STREET

KEY MAP

FIGURE 2: NEIGHBORHOOD CHARACTER DIAGRAM OF NORTH SIDE OF READE STREET

121 CHAMBER STREET AKA 103 READE STREET MANHATTAN		
CPC 18	READE STREET NEIGHBORHOOD CHARACTER DIAGRAMS	THE OFFICE OF JOSEPH PELL LOMBARDI ARCHITECT 412 BROADWAY NEW YORK, NY 10013 DATE: 11-21-18 SHEET 19 OF 19 SEAL:

ZONING
APPENDIX

APPLICANT'S DISCUSION OF CONDITIONS

Application for Special Permit Under ZR Section 74-711
to Add One-Story to Building in Tribeca South Historic District

121 Chambers/103 Reade Street
New York, New York

74-711

Landmark preservation in all districts

In all districts, for zoning lots containing a landmark designated by the Landmarks Preservation Commission, or for zoning lots with existing buildings located within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may permit modification of the use and bulk regulations, except floor area ratio regulations, provided that:

(a) The following conditions are met:

(1) any application pursuant to this Section shall include a report from the Landmarks Preservation Commission stating that a program has been established for continuing maintenance that will result in the preservation of the subject building or buildings, and that such use or bulk modifications, or restorative work required under the continuing maintenance program, contributes to a preservation purpose;

This application includes a report from the Landmarks Preservation Commission ("LPC"), dated January 28, 2019, stating that a program has been established for continuing maintenance that will result in the preservation of the existing building at 121 Chambers Street/103 Reade Street and further, that the proposed restorative work required under the continuing maintenance program contributes to a preservation purpose. The continuing maintenance program is contained within a Restrictive Declaration to be entered into in accordance with the guidelines and specifications of the LPC.

(2) any application pursuant to this Section shall include a Certificate of Appropriateness, other permit, or report from the Landmarks Preservation Commission stating that such bulk modifications relate harmoniously to the subject landmark building or buildings in the Historic District, as applicable; and

A Certificate of Appropriateness from the LPC, dated January 28, 2019, is attached hereto stating that the proposed plans showing the requested bulk modifications relate harmoniously to the Existing Building at 121 Chambers Street/103 Reade Street, i.e., the subject landmark building; and

(3) the maximum number of dwelling units should be as set forth in Section 15-111 (Number of permitted dwelling units).

The proposed development at 121 Chambers Street/103 Reade Street (the "Proposed Development") will contain eight dwelling units. Section 15-111 provides that the maximum number of dwelling units shall be determined in accordance with the applicable district regulations. In a C6-3A/TMU zoning district, the

maximum number of dwelling units is the maximum amount of residential floor area permitted on the zoning *lot* divided by 680. The maximum residential floor area ratio in Area A3 of the TMU is the floor area permitted in a C6-3A zoning district, or 7.52. As the lot area is 3,771 square feet, a maximum of 28,357.92 square feet of residential floor area is permitted. The Proposed Development will include 3,735 square feet of commercial floor area, which would allow a maximum of 24,622.92 square feet of residential floor area and 36 dwelling units. The Proposed Development will have 20,879 square feet of residential floor area, allowing 30 dwelling units, and will include eight dwelling units, less than the maximum permitted.

ATTACHMENT 11: APPLICANT'S DISCUSION OF FINDINGS

Application for Special Permit Under ZR Section 74-711
to Add One-Story to Building in Tribeca South Historic District

121 Chambers/103 Reade Street
New York, New York

74-711

Landmark preservation in all districts

In all districts, for zoning lots containing a landmark designated by the Landmarks Preservation Commission, or for zoning lots with existing buildings located within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may permit modification of the use and bulk regulations, except floor area ratio regulations, provided that:

* * * * *

(b) In order to grant a special permit, the City Planning Commission shall find that:

(1) such bulk modifications shall have minimal adverse effects on the structures or open space in the vicinity in terms of scale, location and access to light and air; and

The Applicant is requesting a waiver of ZR Section 111-20(c)(2) to allow the construction of one-story (seventh floor) with an additional 3'3" in height above an as of right one-story enlargement of an existing through block building. The additional one-story/3'3" increase in height will have minimal adverse effects on the structures or open space in the vicinity of the Proposed Development.

The existing building (the "Existing Building") is a five story plus cellar and sub-cellar building in the Tribeca South Historic District. The Existing Building rises to a height of 75'11" on Reade Street and 75'1" on Chambers Street. Without the waiver, the Existing Building could be enlarged by a one-story addition with a height of 15 feet, raising the total building height to 90'1". With the waiver (the "Proposed Development"), the Proposed Development will have two new stories and a height of 93'4". The Proposed Development would lower the ceiling of the existing fifth floor and roof of the Existing Building and the new sixth floor would be sunk into the existing fifth floor, rising to a height of 82'10. The seventh story (the "Seventh Floor") would then raise the height of the Proposed Development to 93'4", which is 3'3" above the height that would be permitted without the waiver.

The buildings on the block on which the Proposed Development is located vary from their historic heights, generally approximately 75', to a height of 109'2". Three of the four buildings that abut the Proposed Development have added at least one story. 119 Chambers Street, the abutting building to the east, rises to a building height of 79'10", and to the west, 123 Chambers Street has a height of 83'3". On Reade Street, the building to the east, 97-101 Reade Street, has varying heights between 81'2" (at the rear) and 109'2". The building opposite the Proposed Development on the north side of Reade Street is only 5 feet lower than the Proposed Development and many of the buildings on the north side of Reade Street are taller than the Proposed Development. Similarly, on the south side of Chambers Street, the

buildings opposite the Proposed Development are approximately the same height, although farther east and west there are both taller and shorter buildings. Thus, the Proposed Building will not be out of scale with the surrounding buildings

The additional 3'3" in height requested in connection with the new Seventh Floor will have minimal impact on the light and air to neighboring buildings. The setbacks of the Seventh Floor, 44 feet on Chambers Street and 20/24 feet on Reade Street, meet or exceed both the minimum required 15 foot setbacks and the rear yard equivalent of 20 feet on both street frontages. These setbacks will ensure that the neighboring buildings will continue to have plenty of light and air from the street.

The 44 foot setback on Chambers Street (significantly larger than required) and the 20/24 foot setback on Reade Street (where 20' is required) ensure that the Seventh Floor will not be visible from either Chambers Street or Reade Street. The Seventh Floor will not generally be visible from public spaces, although a small portion will be visible from the east side of Church Street between Chambers and Warren Streets over several other buildings, and from the open space at the intersection of West Broadway and Hudson Street through the intervening rear yards.

(2) such use modifications shall have minimal adverse effects on the conforming #uses# within the building and in the surrounding area.

No use modifications are requested.

The Commission may prescribe appropriate additional conditions and safeguards which will enhance the character of the development and buildings on the zoning lot.

CONCLUSION

As set forth above, this application satisfies the requirements of ZR Section 74-711, and the applicant requests that the City Planning Commission approve the requested special permit to allow the construction of a seventh floor on the building at 121 Chambers Street/103 Reade Street.

HISTORIC AND CULTURAL RESOURCES APPENDIX

DEPT BLDGS. 122871669 Job Number

SC160705027 Scan Code

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 NO EFFECT

ISSUE DATE:	EXPIRATION DATE:	DOCKET #:	CNE #:
09/07/16	9/7/2020	192473	CNE 19-2734

ADDRESS:	BOROUGH:	BLOCK/LOT:
121 CHAMBERS STREET HISTORIC DISTRICT TRIBECA SOUTH	MANHATTAN	145 / 10

Display This Permit While Work Is In Progress

ISSUED TO:

Steve Dluzyn
121 Chambers Street, LLC
130 East 59th Street, Suite 14A
New York, NY 10022

Pursuant to Section 25-306 of the Administrative Code of the City of New York, the Landmarks Preservation Commission hereby approves certain alterations to the subject premises as proposed in your application completed on September 07, 2016.

The approved work consists of interior alterations only at the sub-cellar, cellar, 1st, 2nd, 3rd, and 4th floors, including the demolition of nonbearing partitions and finishes, as shown on drawings T-001.00, DM-100.00, DM-101.00, and DM-102.00, dated August 31, 2016, and prepared by Joseph Pell Lombardi, R.A.; all submitted as components of the application.

The Commission has reviewed the application and these drawings and finds that the work will have no effect on significant protected features of the building.

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 James Russiello.

Meenakshi Srinivasan
Chair

PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Joseph Pell Lombardi, R.A., The Office of Joseph Pell Lombardi, Architect

cc: Cory S. Herrala, LPC Director of Technical Affairs, Sustainability and Resiliency

DEMOLITION NOTES

1. CONTRACTOR SHALL PERFORM ALL OPERATIONS OF DEMOLITION AND REMOVAL INDICATED ON THE DRAWINGS AND AS MAY BE REQUIRED BY THE WORK. ALL WORK SHALL BE DONE CAREFULLY AND NEATLY, IN A SYSTEMATIC MANNER.

2. ALL EXISTING SURFACES AND EQUIPMENT TO REMAIN SHALL BE FULLY PROTECTED FROM DAMAGE. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR DAMAGE AND SHALL MAKE REPAIRS REQUIRED WITHOUT ADDITIONAL COST TO THE OWNER.

3. NO DEBRIS SHALL BE ALLOWED TO ACCUMULATE ON THE SITE. DEBRIS SHALL BE REMOVED BY THE CONTRACTOR AS THE JOB PROCEEDS. THE SITE SHALL BE LEFT BROOM CLEAN AT THE COMPLETION OF DEMOLITION.

4. NO STRUCTURAL ELEMENTS SHALL BE REMOVED UNLESS PORTIONS AFFECTED ARE ADEQUATELY SUPPORTED BY EITHER TEMPORARY SHORING OR NEW STRUCTURAL ELEMENTS AS REQUIRED TO PROTECT THE STABILITY AND INTEGRITY OF THE EXISTING STRUCTURE.

5. ALL ADJOINING PROPERTY AFFECTED BY ANY OPERATIONS OF DEMOLITION SHALL BE PROTECTED AS PER THE REQUIREMENTS OF ARTICLE 19 OF THE NEW YORK CITY BUILDING CODE.

6. REMOVE AND RELOCATE ALL WIRING, PLUMBING AND MECHANICAL EQUIPMENT AFFECTED BY REMOVAL OF PARTITIONS. REMOVED PIPES AND/OR LINES SHALL BE CUT TO A POINT OF CONCEALMENT BEHIND OR BELOW FINISH SURFACES, AND SHALL BE PROPERLY CAPPED OR

7. THE CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN ALL TEMPORARY BARRIER AND GUARDS, AND ALL TEMPORARY SHORING AND BRACING AS REQUIRED BY DEPARTMENT OF BUILDING RULES AND

8. THE CONTRACTOR SHALL PROVIDE ADEQUATE WEATHER PROTECTION FOR THE BUILDING AND ITS CONTENTS DURING THE COURSE OF THE WORK. ALL OPENINGS IN ANY WALL OR ROOF SHALL BE PROTECTED FROM ALL FORMS OF WEATHER OR WATER PENETRATION.

9. DEMOLITION WORK SHALL BE CARRIED OUT ACCORDING TO THE RULES OF THE BUILDING DEPARTMENT AND NOT WITHOUT TIMELY NOTIFICATION TO THE BUILDING FEPARTMENT OR ITS SCOPE. GENERAL CONTRACTOR IS TO SURVEY EXTENT OF DEMOLITION WITH AN AUTHORIZED REPRESENTATIVE OF THE BUILDING DEPARTMENT AND ADVISE ARCHITECT IMMEDIATELY OF ANY CIRCUMSTANCES THAT MIGHT INTERFERE WITH THE JOB'S PROGRESS.

TENANT SAFETY NOTES (2014)

AS PER SECTION 28-104.8.4

1. EGRESS.
   AT ALL TIMES IN THE COURSE OF CONSTRUCTION PROVISION SHALL BE MADE FOR ADEQUATE EGRESS AS REQUIRED BY THIS CODE AND THE TENANT PROTECTION PLAN SHALL IDENTIFY THE EGRESS THAT WILL BE PROVIDED. REQUIRED EGRESS SHALL NOT BE OBSTRUCTED AT ANY TIME EXCEPT WHERE APPROVED BY THE COMMISSIONER.

2. FIRE SAFETY.
   ALL NECESSARY LAWS AND CONTROLS, INCLUDING THOSE WITH RESPECT TO OCCUPIED DWELLINGS, AS WELL AS ADDDITIONAL SAFETY MEASURES NECESSITATED BY THE CONSTRUCTION SHALL BE STRICTLY OBSERVED.

3. HEALTH REQUIREMENTS.
   SPECIFICATION OF METHODS TO BE USED FOR CONTROL OF DUST, DISPOSAL OF CONSTRUCTION DEBRIS, PEST CONTROL AND MAINTENANCE OF SANITARY FACLITIES AND LIMITATION OF NOISE TO ACCEPTABLE LEVELS SHALL BE INCLUDED.

   3.1. THERE SHALL BE INCLUDED A STATEMENT OF COMPLIANCE WITH APPLICABLE PROVISIONS OF LAW RELATING TO LEAD AND ASBESTOS.

4. COMPLIANCE WITH HOUSING STANDARDS.
   THE REQUIREMENTS OF THE NEW YORK CITY HOUSING MAINTENANCE CODE , AND, WHERE APPLICABLE, THE NEW YORK STATE MULTIPLE DWELLING LAW SHALL BE STRICTLY OBSERVED.

5. STRUCTURAL SAFETY.
   NO STRUCTURAL WORK SHALL BE DONE THAT MAY ENDANGER THE OCCUPANTS.

6. NOISE RESTRICTONS.
   WHERE HOURS OF THE DAY OR THE DAYS OF THE WEEK IN WHICH CONSTRUCTION WORK MAY BE UNDERTAKEN ARE LIMITED PURSUANT TO THE NEW YORK CITY NOISE CONTROL CODE, SUCH LIMITATIONS SHALL BE STATED.

NOTES :

1. THE BUILDING IS NOT LOCATED IN FLOOD HAZARD ZONE AS PER MAP #3604970184F.
2. NO CHANGE TO USE, EGRESS OR OCCUPANCY IS INVOLVED UNDER THIS APPLICATION.
3. EXISTING USE IS AS PER C.O. #102504540.

LEGEND

- EXISTING WALL TO BE REMOVED
- EXISTING FIRE-RATED WALLS (2-HR & 1.5 HR) & DOORS (3/4 HR & 1.5 HR) TO REMAIN
- EXISTING SMOKE DETECTOR
- EXISTING EXIT SIGN

INDEX OF DRAWINGS

TECHNICAL REPORT

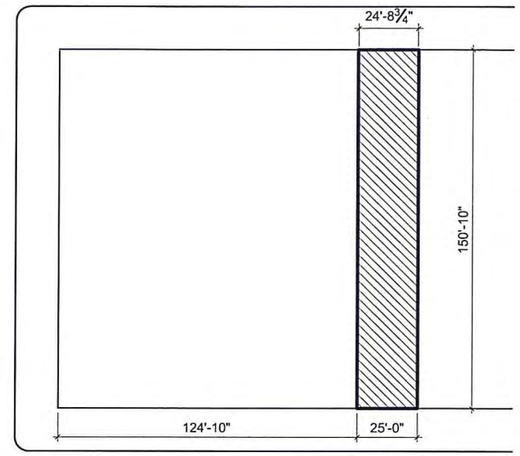
1. FINAL INSPECTION AS PER DIRECTIVE 14/75.
2. TR 8

OTHER CITY AGENCIES APPROVAL

1. LANDMARKS PRESERVATION COMMISSION
   C.N.E. # 19-2473
   DOCKET # 19-2734
   DATE 9-7-16

READE STREET

WEST BROADWAY



CHAMBERS STREET

BLOCK NO. : 145
LOTS NO. : 10
ZONING DISTRICT : C6-3A IN TMU
MAP NO. : 12b

PLOT PLAN
NOT TO SCALE

THE
OFFICE OF
JOSEPH PELL LOMBARDI
& ASSOCIATES
ARCHITECTS
412 BROADWAY
NEW YORK, N.Y. 10013
(212) 349-0700

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

121 CHAMBERS STREET / 103 READE STREET NEW YORK, NY

REV.	DATE

Accepted for OPPN
Professional Certification
MANHATTAN
Date: OCT 26 2016

121 CHAMBERS STREET
/ 103 READE STREET
NEW YORK, NY

DWG. TITLE:
PLOT PLAN, NOTES
INDEX OF DRAWINGS

SEAL & SIGNATURE:

ISSUE DATE

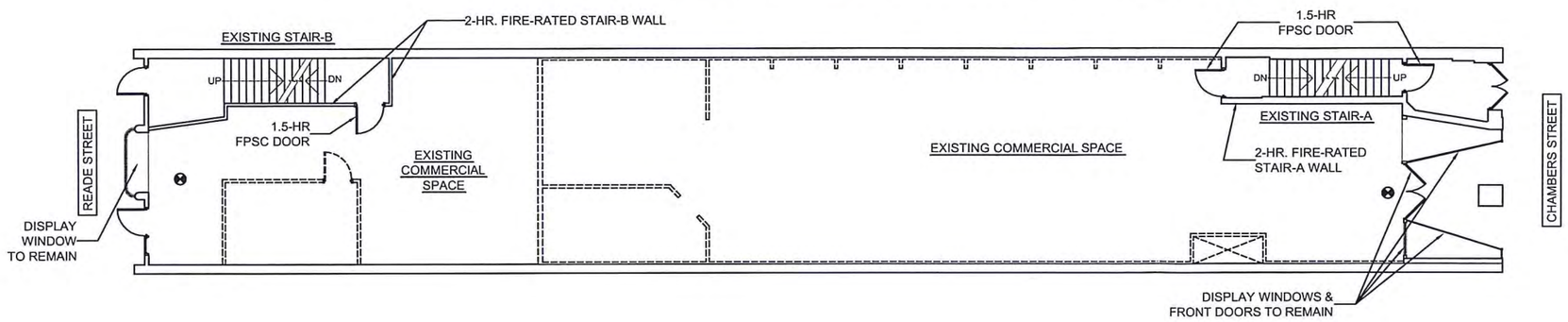
SCALE
AS NOTED

JOB NO.
1608.00

DRAWING REFERENCE NO.
DM-001.00

DEPT. BLDGS. 122871669 Job Number
SC160705012 Scan Code

NO EXTERIOR WORK

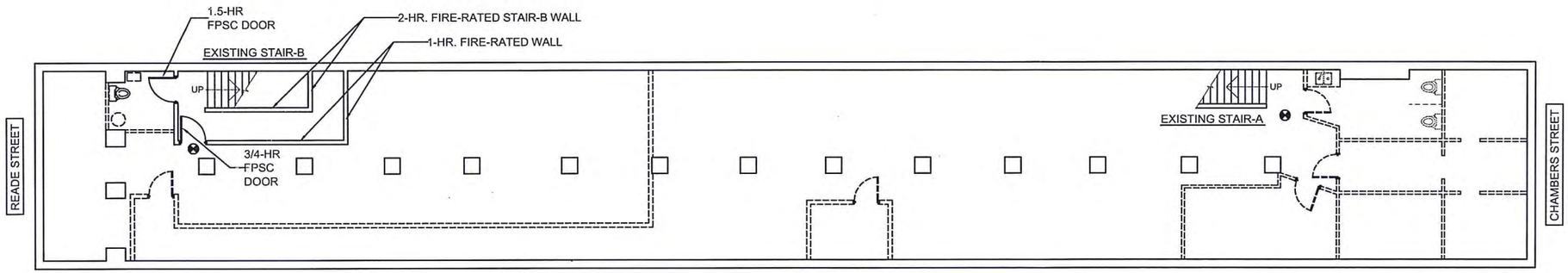


FIRST FLOOR DEMOLITION PLAN
SCALE : 1/8" = 1'-0"

DEMOLITION NOTES :

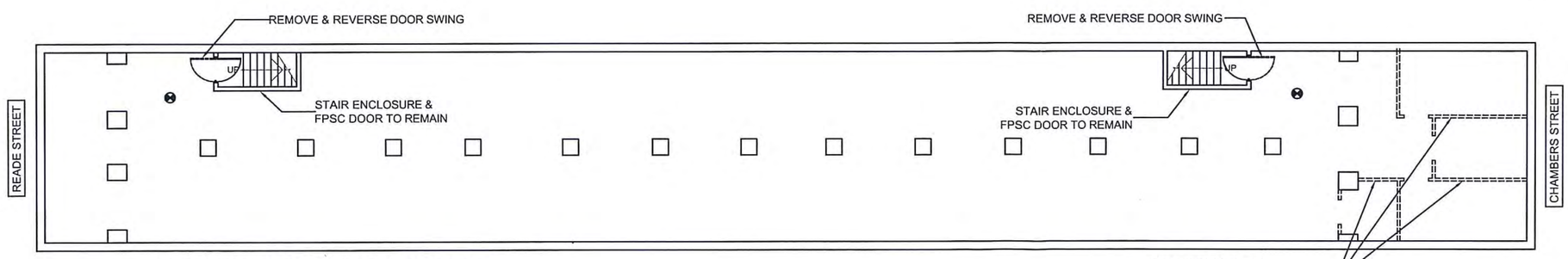
UNLESS OTHERWISE NOTED,

1. EXISTING INTERIOR PARTITIONS TO BE DEMOLISHED AS SHOWN. EXISTING CEILINGS, FLOOR FINISHES, FIXTURES, EQUIPMENTS, PIPES, WIRING, DUCTS ARE TO BE REMOVED WHERE INDICATED ON THESE FLOORS ONLY.
2. ALL WINDOWS, SHAFTS WALL & FLOOR OPENINGS ARE TO BE ENCLOSED WITH RAILING & SAFETY NET DURING DEMOLITION WORK.
3. THE SITE IS TO BE CLEARED OF ALL DEBRIS.
4. CAP ALL LINES WHERE PLUMBING FIXTURES ARE TO BE REMOVED. DO NOT DISTURB EXISTING RESIDENTIAL TENANTS' GAS LINES.
5. DISCONNECT AND CAP GAS LINES AS REQUIRED DURING DEMOLITION WORK.
6. DO NOT REMOVE OR DISCONNECT ANY EXISTING RISER, HEADS OR OTHER SPRINKLER EQUIPMENT.
7. PROVIDE FIRE EXTINGUISHERS ON EVERY FLOOR.



CELLAR DEMOLITION PLAN
SCALE : 1/8" = 1'-0"

NOTE :
NO EXTERIOR DEMOLITION UNDER THIS APPLICATION.



NOTE : REMOVE NON-LOADBEARING PARTITIONS EXCEPT STAIR ENCLOSURES & FPSC DOORS

SUB-CELLAR DEMOLITION PLAN
SCALE : 1/8" = 1'-0"

Accepted for OPPN #1/04
Professional Certification
MANHATTAN OCT 2 6 2016
Date:

THE OFFICE OF
JOSEPH PELL LOMBARDI & ASSOCIATES ARCHITECTS
412 BROADWAY
NEW YORK, N.Y. 10013
(212) 349-0700

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

121 CHAMBERS STREET / 103 READE STREET
NEW YORK, NY

REV. DATE

121 CHAMBERS STREET
/ 103 READE STREET
NEW YORK, NY

DWG. TITLE
SUB-CELLAR TO FIRST FLOOR DEMOLITION PLANS

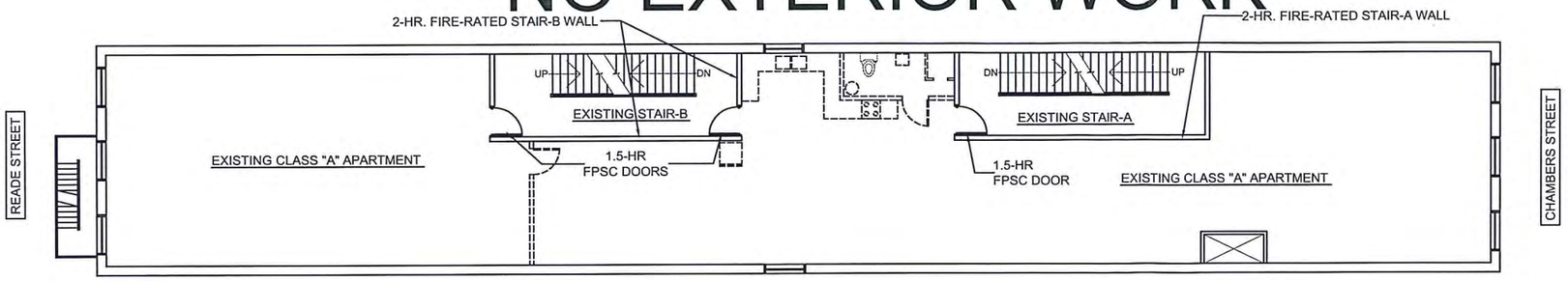
SEAL & SIGNATURE

ISSUE DATE 08-31-16
SCALE 1/8" = 1'-0"
JOB NO. 1608.00

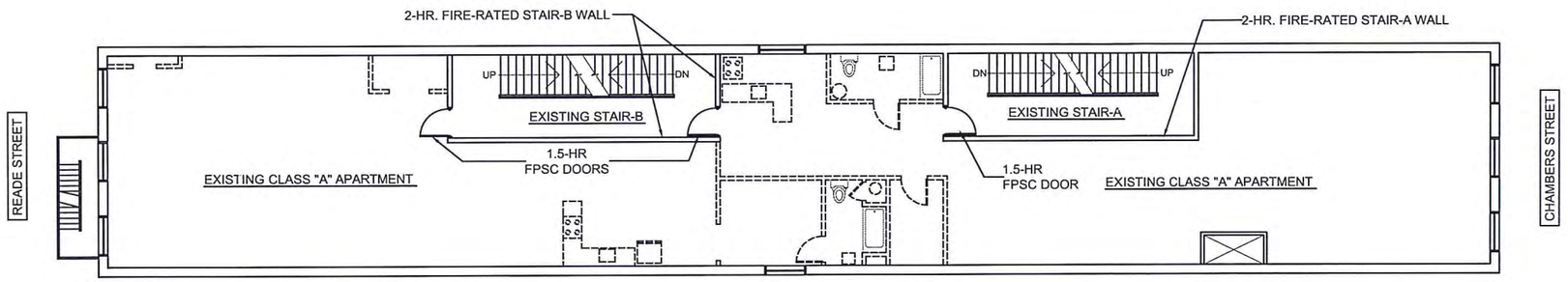
DRAWING REFERENCE NO.
DM-100.00
3 OF 5

DEPT. BLDGS. 122871669 Job Number
SC160705038 Scan Code

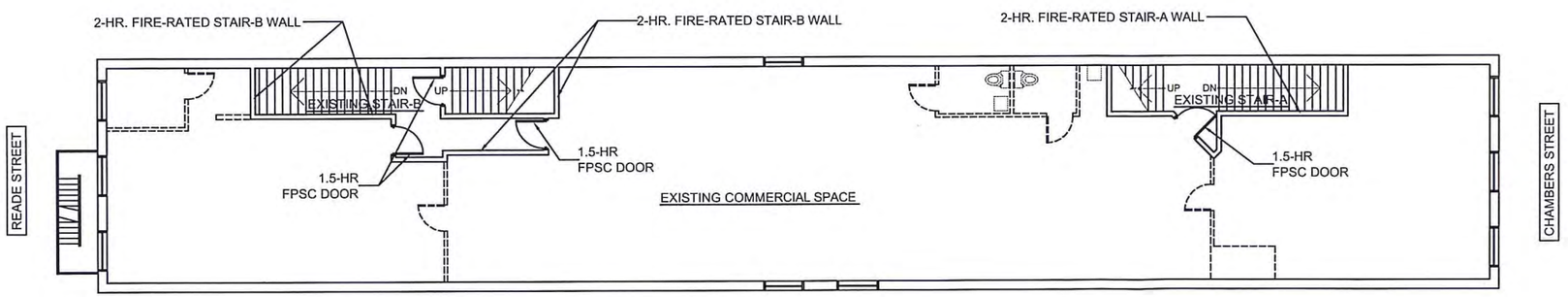
NO EXTERIOR WORK



FOURTH FLOOR DEMOLITION PLAN
SCALE : 1/8" = 1'-0"



THIRD FLOOR DEMOLITION PLAN
SCALE : 1/8" = 1'-0"



SECOND FLOOR DEMOLITION PLAN
SCALE : 1/8" = 1'-0"

DEMOLITION NOTES :

UNLESS OTHERWISE NOTED,

1. EXISTING INTERIOR PARTITIONS TO BE DEMOLISHED AS SHOWN. ALL CEILINGS, FLOOR FINISHES, FIXTURES, EQUIPMENTS, PIPES, WIRING, DUCTS TO BE REMOVED WHERE INDICATED.
   a) NO DEMOLITION WORK IS PERMITTED IN OCCUPIED CLASS "A" APARTMENTS.
   b) SEE TENANT SAFETY NOTES ON NOISE, DUST CONTROL.
   c) EXISTING ELECTRICAL, GAS, PLUMBING/WATER, SPRINKLER SYSTEMS ARE NOT TO BE DISTURBED.

NOTE :

NO EXTERIOR DEMOLITION UNDER THIS APPLICATION.

THE
OFFICE OF
JOSEPH PELL LOMBARDI
& ASSOCIATES
ARCHITECTS
412 BROADWAY
NEW YORK, N.Y. 10013
(212) 349-0700

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

121 CHAMBERS STREET
/ 103 READE STREET
NEW YORK, NY

REV.	DATE

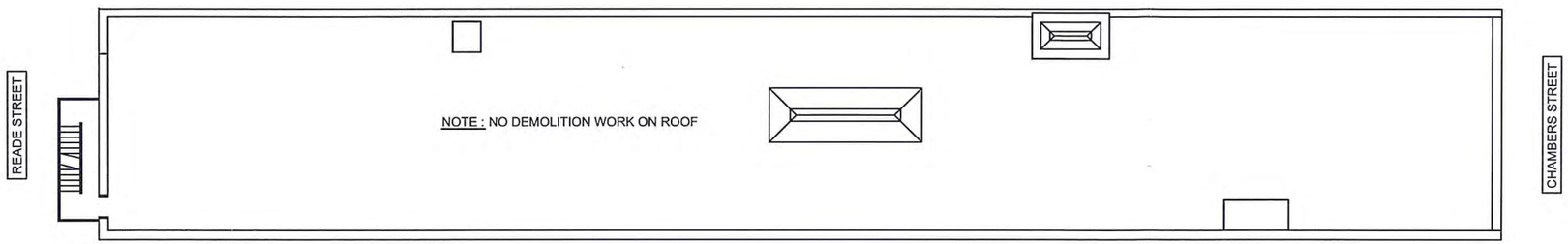
121 CHAMBERS STREET
/ 103 READE STREET
NEW YORK, NY

DWG. TITLE
2ND TO 4TH FLOOR
DEMOLITION PLANS

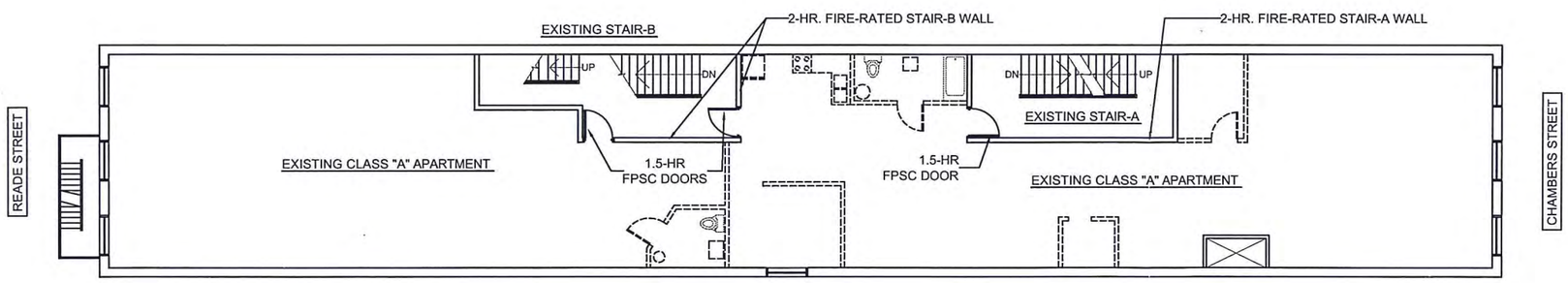
SEAL & SIGNATURE

ISSUE DATE 08-31-16
SCALE 1/8" = 1'-0"
JOB NO. 1608.00
DRAWING REFERENCE NO.
DM-101.00

DEPT. BLDGS. 122871669 Job Number



EXISTING ROOF PLAN
SCALE : 1/8" = 1'-0"



FIFTH FLOOR DEMOLITION PLAN
SCALE : 1/8" = 1'-0"

NO EXTERIOR WORK

DEMOLITION NOTES :

UNLESS OTHERWISE NOTED,

1. EXISTING INTERIOR PARTITIONS TO BE DEMOLISHED AS SHOWN. ALL CEILINGS, FLOOR FINISHES, FIXTURES, EQUIPMENTS, PIPES, WIRING, DUCTS TO BE REMOVED WHERE INDICATED.

   a) NO DEMOLITION WORK IS PERMITTED IN OCCUPIED CLASS "A" APARTMENTS.

   b) SEE TENANT SAFETY NOTES ON NOISE, DUST CONTROL.

   c) EXISTING ELECTRICAL, GAS, PLUMBING/WATER, SPRINKLER SYSTEMS ARE NOT TO BE DISTURBED.

Accepted for OPPN #1/04
Professional Certification
MANHATTAN
OCT 26 2016
D

NOTE :

NO EXTERIOR DEMOLITION UNDER THIS APPLICATION.

THE
OFFICE OF
JOSEPH PELL LOMBARDI
& ASSOCIATES
ARCHITECTS
412 BROADWAY
NEW YORK, N.Y. 10013
(212) 349-0700

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

121 CHAMBERS STREET
/ 103 READE STREET
NEW YORK, NY

REV. DATE

121 CHAMBERS STREET
/103 READE STREET
NEW YORK, NY

DWG. TITLE
5TH FLOOR
DEMOLITION PLAN
EXISTING ROOF PLAN

SEAL & SIGNATURE

ISSUE DATE
08-31-16

SCALE
1/8" = 1'-0"

JOB NO.
1608.00

DRAWING REFERENCE NO.
DM-102.00

5 OF 5

DEPT. BLDGS. 122871669 Job Number
SC160705039 Scan Code

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

June 7, 2017

ISSUED TO:

Steve Dluzyn
121 Chambers Street, LLC
130 East 59th Street, Suite 14A
New York, NY 10022

Re: **STATUS UPDATE LETTER**
LPC-19-10613
SUL-19-10613
121 CHAMBERS STREET
Tribeca South Historic District
Manhattan
Block/Lot: 145 / 10

This letter is to inform you that at the Public Meeting of May 9, 2017, following the Public Hearing of the same date, the Landmarks Preservation Commission voted to approve a request to issue a report to the City Planning Commission pursuant to 74-711 of the Zoning Resolution for a Modification of Use and Bulk at the subject premises.

This approval will expire on May 9, 2023.

However, before the Landmarks Preservation Commission can issue a report to the City Planning Commission, the following items must be submitted to the Landmarks Preservation Commission:

1) a final restrictive declaration and cyclical maintenance plan; and

2) final specifications for restorative work.

Upon receipt, review and approval of this material, the report will be issued.

Please note that all drawings, including amendments which are to be filed at the Department of Buildings, must be approved by the Landmarks Preservation Commission.

Thank you for your cooperation.

James Russiello

Please Note: THIS IS NOT A PERMIT

cc: Caroline Kane Levy, Deputy Director; Jason Friedman, The Office of Joseph Pell Lombardi, Architect; Jared Knowles, Director of Preservation; John Weiss, Deputy Counsel; Jason Friedman, R.A., The Office of Joseph Pell Lombardi, Architect; Joseph Pell Lombardi, R.A., The Office of Joseph Pell Lombardi, Architect; Elizabeth Lawrence Canon, The Office of Joseph Pell Lombardi, Architect; Robin A. Kramer, Esq., Duval & Stachenfeld LLP

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 NO EFFECT

ISSUE DATE:	EXPIRATION DATE:	DOCKET #:	CNE
03/12/18	3/12/2022	LPC-19-22596	CNE-19-22596

ADDRESS:	BOROUGH:	BLOCK/LOT:
121 CHAMBERS STREET	Manhattan	145 / 10
Tribeca South Historic District		

Display This Permit While Work Is In Progress

ISSUED TO:

Steve Dluzyn
121 Chambers Street LLC
130 East 59th Street, Suite 14A
New York, NY 10022

Pursuant to Section 25-306 of the Administrative Code of the City of New York, the Landmarks Preservation Commission hereby approves certain alterations to the subject premises as proposed in your application completed on March 01, 2018.

The approved work consists of restorative work at both the Reade Street (north) and Chambers Street (south) facades, including cleaning with a low-pressure water rinse, select sandstone patching, removing the ground floor modern storefront infill, including all metal sign bands and the sidewalk canopy at Chambers Street; replacing deteriorated and missing in-kind cast-iron decorative details at the Corinthian capitals and storefront cornice; repainting all cast-iron elements with dark brownstone colored rust inhibiting paint and zinc-rich primer coat; conserving any discovered internal 19th century storefront bay roll-down iron gates and keeping these stored in their rolled-up stage and conserved in their existing housing, and installing six (6) lunette windows at each arched storefront bay at both facades; work at the Reade Street (north) facade, including constructing a curved display window projecting bay at the central bay over paneled bulkhead with a decorative cornice and trim moldings at the pier to match a similar structure present in historic photographs; installing two (2) glazed paneled wood double doors with simple transoms at the two (2) entrances, with all wood infill with a light brown painted finish; and retaining in place the existing cast-iron vault lights; removing the three (3) non-historic arch-headed double-hung wood windows at the 2nd floor, and removing the nine (9) two-over-two, three-over-three, and four-over-four double-hung segmental arch-

headed wood windows, and installing twelve (12) two-over-two double-hung wood windows that match the configuration and details of the historic windows, repairing the existing and replacing where necessary the profiled brickmolds, and all with a light brown painted finish (Sherwin-Williams 6158 "Sawdust"); work at the Chambers Street (south) façade, including installing a new painted wood and glass storefronts with a paneled bulkhead at the westernmost bay, a painted metal louver at the easternmost bay bulkhead in lieu of the central panel; glazed paneled wood double doors with a decorative transom at the central bay, with all wood infill with a light brown painted finish; conservation and retention of the concealed vault lights under the concrete at the Chambers Street sidewalk; removing three (3) non-historic two-over-two double-hung wood windows with fixed arch-headed overlights at the 2nd floor; removing nine (9) two-over-two double-hung segmental arch-headed wood windows at the 3rd through 5th floors, and installing twelve (12) two-over-two double-hung wood windows that match the configuration and details of the historic windows, repairing the existing and replacing where necessary the profiled brickmolds, and all with a light brown painted finish (Sherwin-Williams 6158 "Sawdust"); exterior work at the secondary facades that are not visible from any public thoroughfare, including removing masonry and installing six (6) six-light aluminum casement windows in new openings at the 2nd through 5th floor mezzanine levels at the west façade, with a black painted finish; removing three (3) windows at the 2nd through 4th floors and infilling the openings with brick, and removing masonry and installing five (5) four-over-four double-hung aluminum windows in new openings at the 1st through 5th floors at the east façade; roof work including removing two (2) skylights and constructing a 9’ tall stucco-clad stair bulkhead, as described in letters dated November 30, 2017 and January 17, 2018 and prepared by Elizabeth Canon of The Office of Joseph Pell Lombardi, Architect, in an report titled “Exterior Paint Color Investigation” dated January 2017 and prepared by Richbrook Conservation of New York, a program report titled “Existing Condition Report and Building Restoration Program” dated November 29, 2017 and prepared by The Office of Joseph Pell Lombardi, Architect, and as shown product specification sheets, historic and existing condition photographs, and site visit photographs from site visits on March 23rd, May 3rd and 9th, 2017, and on drawings labeled A-001.00, A-002.00, Z-001.00, DM-100.00, DM-101.00, DM-102.00, A-100.00, A-101.00, A-102.00, A-103.00, A-200.00, A-201.00, A-202.00, A-203.00, A-204.00, A-205.00, A-206.00, A-300.00, A-301.00, A-302.00, A-400.00, A-401.00, A-402.00, P-001.00, P-100.00, P-101.00, P-102.00, M-100.00, M-101.00, and M-102.00 dated January 17, 2018 and prepared by Joseph Pell Lombardi, R.A., and drawings labeled S-100.00, S-101.00, S-102.00, and S-103.00 dated (revised) January 17, 2018 and prepared by William James OHanilon, P.E., and submitted as components of the application.

In reviewing this proposal, the Commission notes that the Tribeca South Historic District Designation Report describes 121 Chambers Street (aka 103 Reade Street) as an Italianate style store and loft building built in 1860-1861; 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 historic district. The Commission further notes that at a Public Hearing and Meeting of May 9, 2017 the Landmarks Preservation Commission voted to approve a proposal to construct a two-story rooftop addition and remove a fire escape at the Reade Street façade (LPC 19-3880) and to issue a report to the City Planning Commission relating to an application for a Modification of Use and Bulk pursuant to Section 74-711 of the Zoning Resolution (LPC 19-10613).

With regard to the proposal, the Commission finds that certain aspects of the work are in accordance with the provisions set forth in Title 63 of the Rules of the City of New York, Section 2-14 for sandstone restoration; Section 2-17(c)(1) for restoration of facade features and storefronts; Section 2-19(e)(1) for construction of rooftop additions; and Section 2-15(b) for new window openings. Furthermore, with regard to these or other aspects of the work, the Commission finds that the proposed work is restorative in nature; that the work will not result in damage to or loss of any significant historic fabric; that the cleaning of the sandstone will utilize the gentlest effective methods available to remove the existing layers of paint without damaging the masonry; that only low pressure water rinses, not to exceed 500 psi, will be used; that the removal of the existing modern storefront infill will eliminate unsympathetic alterations that detract from the

significant architectural features of the building, without causing the removal of any historic fabric; that the proposed finishes will match the historic finishes, as documented by a historic finish analysis; that the existing joints will be raked by hand only; and that the proposed work will support the special architectural and historic character of the building and historic district. Based on these findings, the work is approved.

Please see Title 63 of the Rules of the City of New York for complete text of any Rule section(s) cited in this permit: http://www1.nyc.gov/site/lpc/applications/rules-guides.page

PLEASE NOTE: This permit is contingent upon the Commission's review and sample approvals for cleaning, sandstone patching, cast-iron repair and replacement, the conservation and storage of concealed roll-down iron gates, and storefront element shop drawings, and additional paint and finish analysis at the storefront cornice and infill as per the recommendations of the cited Exterior Paint Color Investigation report prior to the commencement of work. Masonry samples should be installed adjacent to clean, original surfaces being repaired; allowed to cure; and cleaned of residue. Submit clear, color digital photographs of all samples to James Russiello via JRussiello@lpc.nyc.gov for review, or to schedule a site visit. 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.

The Commission has reviewed the application and these drawings and finds that the work will have no effect on significant protected features of the building.

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 James Russiello.

Meenakshi Srinivasan
Chair

PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Elizabeth Lawrence Canon, The Office of Joseph Pell Lombardi, Architect

cc: Caroline Kane Levy, Deputy Director; Elizabeth Lawrence Canon, The Office of Joseph Pell Lombardi, Architect

NYC Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 19DCP036M
Project:
Address: 121 CHAMBERS STREET, **BBL:** 1001450010
Date Received: 8/27/2018

There are no shadow sensitive resources or impacts involved in this project. All work to proceed as per LPC issued permits under the NYC Landmarks Law.

Gina Santucci 9/21/2018

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 33600_FSO_GS_09212018.doc

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:	EXPIRATION DATE:	DOCKET #:	COFA
01/28/19	5/9/2025	LPC-19-26119	COFA-19-26119

ADDRESS:	BOROUGH:	BLOCK/LOT:
121 CHAMBERS STREET	Manhattan	145 / 10
Tribeca South Historic District		

Display This Permit While Work Is In Progress

ISSUED TO:

Steve Dluzyn
121 Chambers Street, LLC
130 East 59th Street, Suite 14A
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 May 9, 2017, 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 on April 12, 2017, and as you were notified in Status Update Letter 19-03880 (19-3880) issued on June 7, 2017.

The proposal, as approved, consists of removing a fire escape at the Reade Street (north) façade, and patching the former attachment points; constructing a two-story rooftop addition with a sixth floor that is set back 20' from both street façades, and an L-shaped seventh floor set back farther from both facades with the recessed facade at Reade Street, all with cable railings setback atop the sixth floor roof terraces; installing mechanical equipment and railings atop the seventh floor roof, all not visible from all public thoroughfares, as shown in a digital presentation, titled "121 Chambers Street / 103 Reade Street," dated May 9, 2017 and prepared by The Office of Joseph Pell Lombardi, Architect, including 31 slides, consisting of existing condition, historic, and mockup photographs, drawings, photomontages, as well as a model and material and paint finish analysis, all presented as components of the application at the Public Hearing and Public Meeting.

Supplemental drawings labeled Z-001.00, A-101.00, A-102.00, A-103.00, A-200.00, A-201.00, A-202.00, A-

203.00, A-204.00, A-300.00, A-301.00 and A-302.00 dated September 25, 2018, a drawing labeled A-001.00 dated April 20, 2018, a drawing labeled A-400.00 dated May 25, 2018, and a drawing labeled A-100.00, dated November 30, 2018, and all prepared by Joseph Pell Lombardi, R.A. were submitted on January 2, 2019.

In reviewing this proposal, the Commission noted that the Tribeca South Historic District Designation Report describes 121 Chambers Street (aka 103 Reade Street) as an Italianate style store and loft building built in 1860-1861; 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 historic district. The Commission Staff further notes that Certificate of No Effect 19-22596 (LPC 19-22596) was issued on March 12, 2018 for associated restorative work.

The Commission further noted that at the Public Hearing and Meeting of May 9, 2017 the Landmarks Preservation Commission voted to issue a positive report to the City Planning Commission relating to an application for a Modification of Use and Bulk pursuant to Section 74-711 of the Zoning Resolution (LPC 19-10613).

With regard to this proposal, the Commission found that the fire escape at the Reade Street façade is neither decorative nor original to the building, and not part of a continuous grouping of fire escapes on the block front and therefore its removal will restore the façade to its original appearance and allow for its full repair; that the existing vault lights at the Reade Street entrances are highly deteriorated, and that the restoration and relocation of some of the remaining cast-iron vault light steps, and replacement in kind of deteriorated cast-iron vault light steps, will help return this portion of the building closer to its historic condition; that the construction of the rooftop addition will not damage or destroy any significant architectural features of the roof; that the two-story addition will be set back at both the north and south elevations, at both levels, and will not overwhelm the scale and massing of the building; that the two-story rooftop addition will be minimally visible from public thoroughfares, and partially visible between buildings at West Broadway, and only seen from limited vantage points at oblique angles against a complex roofscape and never directly over the front facades; that the stucco and brick materials for the proposed rooftop addition are in keeping with materials frequently used to clad the utilitarian roof bulkheads often found on buildings of this age and type in this historic district, helping the addition to blend with the roofscapes; and that the work will not detract from the building, the street, or the Tribeca South Historic District. Based on these findings, the Commission determined the work to be appropriate to the building and the historic district and voted to approve it with the stipulation that the Commission required that all restorative materials match the original materials.

The Commission authorized the issuance of a Certificate of Appropriateness upon receipt, review and approval of two or more sets of signed and sealed Department of Building filing drawings showing the approved design, and incorporating the required change to the associated restorative work permits.

Subsequently, the Commission received revised mockup study photographs, including those conducted by staff on May 9, 2017 and August 30, 2018, and presentation drawings labeled "121 Chambers Street / 103 Reade Street" LPC-1 through LPC-28 dated May 9, 2017 and prepared by the Joseph Pell Lombardi & Associates Architects.

Accordingly, staff reviewed these materials and found that the intent of the design approved by the Commission has been maintained in that the rooftop addition is not visible at either the Chamber Street side of the building or the Reade Street side of the building; and noted that these materials include additional work, consisting of work at the Reade Street façade, including restoring cast-iron vault lights at the entrance thresholds; installing new cast-iron vault lights at the threshold of the projecting bay at the central bay, and the spanning the width of the building surrounding the curved central bay, excepting a diamond-plate metal

basement access hatch at the eastern entrance bay, and resetting the existing bluestone pavers beyond. With regard to this additional work, staff found that rebuilding the vaults will support the long-term preservation of the building by reducing damage to the structure through water infiltration; that the replacement of the remaining cast iron and vault lights is warranted by their deteriorated and unsound condition; that the restoration of the remaining cast-iron vault lights and threshold step and installation of new cast-iron vault lights will help return a historic feature in a unified composition. Based on these and the above findings, the drawings have been marked approved with a perforated seal, and Certificate of Appropriateness 19-26119 is being issued.

The Commission notes that this permit is being issued for work subject to the review of the Department of City Planning for a modification of use and bulk, pursuant to Section 74-711; and this permit is issued contingent upon the Commission's review and approval of the final Department of Building filing set of drawings. No work may begin until the final drawings have been marked approved by the Landmarks Preservation Commission with a perforated seal. Once the final drawings have been received and approved, they will be marked as approved with a perforated seal.

PLEASE NOTE: This permit is contingent upon the Commission's review and approval of shop drawings for the cast-iron vault lights prior to the commencement of work. Submit clear, color digital photographs of all samples to James Russiello for review, or contact staff to schedule a site visit.

PLEASE ALSO NOTE: This permit is being issued in conjunction with Modification of Use and Bulk 19-31935 (LPC 19-31935).

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 James Russiello.

Sarah Carroll
Chair

PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Jason Friedman, The Office of Joseph Pell Lombardi, Architect

cc: Caroline Kane Levy, Deputy Director; Jason Friedman, The Office of Joseph Pell Lombardi, Architect; Mark A. Silberman, LPC General Counsel; John Weiss, LPC Deputy Counsel; Cory Herrala, LPC Acting Director of Preservation; Joseph Pell Lombardi, R.A., The Office of Joseph Pell Lombardi, Architect; Elizabeth Lawrence Canon, The Office of Joseph Pell Lombardi, Architect; Robin A. Kramer, Esq.,

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

January 28, 2019

ISSUED TO:

Marisa Lago, Chair
New York City Planning Commission
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: LPC-19-31935
MOU-19-31935
121 CHAMBERS STREET
Tribeca South Historic District
MANHATTAN
Block/Lot: 145 / 10

At the Public Meeting of May 9, 2017, following the Public Hearing of the same date, the 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, to permit the Modification of Bulk regarding a height waiver of Z.R. 111-20(c)(2) to permit enlargement of at the existing building at 121 Chambers Street (aka 103 Reade Street), Manhattan Block 145, Lot 10, as put forward in the application completed on April 12, 2017, and as the owner was notified in Status Update Letter 19-10613 (19-10613) issued on June 7, 2017. 121 Chambers Street (aka 103 Reade Street) is an Italianate style store and loft building built in 1860-1861.

In voting to issue the report, the Landmarks Preservation Commission (LPC) found that the applicant has agreed to undertake work to restore the building at 121 Chambers Street (aka 103 Reade Street) 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 building is maintained in a sound, first-class condition; and 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 constructing a two-story rooftop addition, removing a fire escape, and relocating vault lights, as described in Certificate of Appropriateness 19-26119 (LPC 19-26119). The Commission also approved certain restorative work under Certificate of No Effect 19-22596 (LPC 19-22596) was issued on March 12, 2018. The restorative work at both the Reade Street (north)

and Chambers Street (south) facades, includes cleaning masonry, sandstone patching, replacing storefront infill, restoring missing decorative cast-iron details, conserving and retaining any discovered internal 19th-century storefront bay roll-down iron gates, replacing windows throughout, retaining in place the existing cast-iron vault lights, and restoring the vault lights to the reconfigured platform at Reade Street, conserving and retaining the concealed vault lights under the concrete at the Chambers Street sidewalk, and painting the storefront, ironwork, and windows as determined by a historic finish analysis.

In reaching a decision to grant the Certificate of Appropriateness, the Commission reviewed the proposed work and found that the fire escape at the Reade Street façade is neither decorative nor original to the building, and not part of a continuous grouping of fire escapes on the block front and therefore its removal will restore the façade to its original appearance and allow for its full repair; that the existing vault lights at the Reade Street entrances are highly deteriorated, and that the restoration and relocation of some of the remaining cast-iron vault light steps, and replacement in kind of deteriorated cast-iron vault light steps, will help return this portion of the building closer to its historic condition; that the construction of the rooftop addition will not damage or destroy any significant architectural features of the roof; that the two-story addition will be set back at both the north and south elevations, at both levels, and will not overwhelm the scale and massing of the building; that the two-story rooftop addition will be minimally visible from public thoroughfares at the Church Street and Reade Street, and partially visible between buildings at West Broadway, and only seen from limited vantage points at oblique angles against a complex roofscape and never directly over the front facades; that the stucco and brick materials for the proposed rooftop addition are in keeping with materials frequently used to clad the utilitarian roof bulkheads often found on buildings of this age and type in this historic district, helping the addition to blend with the roofscapes; and that the work will not detract from the building, the street, or the Tribeca South Historic District. Based on these findings, the Commission determined the work to be appropriate to the building and the historic district and voted to approve it with the stipulation that the Commission required that all restorative materials match the original materials.

In reaching a decision to issue a favorable report to the CPC, the LPC found that the restorative work to be approved pursuant to Certificate of No Effect 19-22596, including repairing and cleaning deteriorated masonry, cast iron and metalwork, repointing masonry, repainting metal and wood elements, replacing deteriorated windows, vault light restoration, as well as the installation of storefronts based on historic photographs, will return the building closer to its historic appearance; that the restorative work will reinforce the architectural and historic character of the building and the historic district; that the restorative work will bring the building up to 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; that the owners of the designated building, have committed themselves to establishing a cyclical maintenance plan that will be legally enforceable by the Landmarks Preservation Commission under the provisions of a Restrictive Declaration, which will bind all heirs, successors and assigns, and which will be recorded at the New York County Registrar's Office; and that a harmonious relationship exists between the bulk waiver and the building and streetscape.

The Declaration requires the owner(s) and all heirs, successors and assigns (the “Declarant”) to hire a qualified preservation professional, whose credentials are to be approved by LPC, every seven years to undertake a comprehensive inspection of the designated buildings’ exterior and such portions of the interior(s) which, if not properly maintained, would cause the designated buildings 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 sound, first-class condition and shall make such repairs within time periods approved by the LPC.

This favorable report is being issued contingent upon the restoration work being determined by the

Landmarks Preservation Commission to be thorough and restoring the landmark to a sound, first-class condition. 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 building 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 James Russiello.

Sarah Carroll
Chair

cc: Caroline Kane Levy, Deputy Director; Jason Friedman, The Office of Joseph Pell Lombardi, Architect; Mark A. Silberman, LPC General Counsel; John Weiss, LPC Deputy Counsel; Cory Herrala, LPC Acting Director of Preservation; Joseph Pell Lombardi, R.A., The Office of Joseph Pell Lombardi, Architect; Elizabeth Lawrence Canon, The Office of Joseph Pell Lombardi, Architect; Robin A. Kramer, Esq., Duval & Stachenfeld LLP; Steve Dluzyn, 121 Chambers Street, LLC, c/o HUBB NYC Properties

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 15, 2019

ISSUED TO:

Steve Dluzyn
121 Chambers Street, LLC
130 East 59th Street, Suite 14A
New York, NY 10022

Re: **MISCELLANEOUS/AMENDMENTS**
LPC-19-36066
MISC-19-36066
121 CHAMBERS STREET
Tribeca South Historic District
MANHATTAN
Block/Lot: 145 / 10

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission issued Certificate of Appropriateness 19-26119 (LPC 19-26119) on January 28, 2019, approving a proposal for removing a fire escape at the Reade Street (north) façade, and patching the former attachment points; restoring cast-iron vault lights at the entrance thresholds; installing new cast-iron vault lights at the threshold of the projecting bay at the central bay, and the spanning the width of the building surrounding the curved central bay, excepting a diamond-plate metal basement access hatch at the eastern entrance bay, and resetting the existing bluestone pavers beyond; constructing a two-story rooftop addition with a sixth floor that is set back 20' from both street façades, and an L-shaped seventh floor set back farther from both facades with the recessed facade at Reade Street, all with cable railings set back atop the sixth floor roof terraces; installing mechanical equipment and railings atop the seventh floor roof, all not visible from any public thoroughfare, at the subject premises. Additionally, the Commission issued Modification of Use and Bulk 19-31935 (LPC 19-31935) on January 28, 2019 as a report to the City Planning Commission in support of an application for a Special Permit, pursuant to Section 74-711 of the Zoning Resolution, to permit the Modification of Bulk regarding a height waiver of Z.R. 111-20(c)(2) to permit enlargement of the existing building.

Subsequently, on February 8, 2019, the Commission received a proposal for an amendment to the work approved under Certificate of Appropriateness 19-26119. The proposed amendment consists of modifying and reducing the scope of work at the roof to include constructing a single-story addition, in lieu of a two-story

addition, and related interior alterations, that retains the fenestration and dormer setbacks at the north and south facades and the original footprint plan, as described in email correspondence dated February 13, 2019 and prepared by Robin A. Kramer of Duval & Stachenfeld LLP and email correspondences dated March 6 and 12, 2019 and prepared by Jason Friedman of The Office of Joseph Pell Lombardi, Architect, and as shown on drawings labeled A-001.00, Z-001.00, A-100.00, A-101.00, A-102.00, A-103.00, A-200.00, A-201.00, A-300.00, A-301.00 and A-302.00 dated (as issued) March 1, 2019 and prepared by Joseph Pell Lombardi, R.A..

Accordingly, the Commission reviewed the request and finds that the revised scope of work is in keeping with the intent of the original approval. Based on these findings, Certificate of Appropriateness 19-26119 is hereby amended.

SAMPLES REQUIRED: Pursuant to Title 63 of the Rules of the City of New York, Section 2-11(b)(5) and 2-11(b)(7) for Repair, Restoration, Replacement and Re-creation of Building Façades and Related Exterior Elements, Certificate of Appropriateness 19-26119 was issued contingent upon the Commission's review and approval of shop drawings for the cast-iron vault lights at locations requiring repair, prior to the commencement of work. Review instructions in the subsection cited above before preparing samples. Submit clear, color digital photographs of all samples to James Russiello via email at JRussiello@lpc.nyc.gov for review, or contact staff to schedule a site visit.

The Commission notes that this permit is being issued for work subject to the review of the Department of City Planning for a modification of use and bulk, pursuant to Section 74-711; and this permit is issued contingent upon the Commission's review and approval of the final Department of Building filing set of drawings. No work may begin until the final drawings have been marked approved by the Landmarks Preservation Commission with a perforated seal. Once the final drawings have been received and approved, they will be marked as approved with a perforated seal.

PLEASE ALSO NOTE that Certificate of Appropriateness 19-26119 was issued in conjunction with Modification of Use and Bulk 19-31935 (LPC 19-31935) both on January 28, 2019, and with Certificate of No Effect 19-22596 (LPC 19-22596), as amended by Miscellaneous/Amendment 19-36855 (LPC 19-36855), on March 12, 2018 and March 15, 2019, respectively.

This amendment is issued on the basis of the building and the site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if actual building or site conditions vary or if original of 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 during the review process.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of the approval. The approved work is limited to what is contained in the perforated documents. Other work 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 fines. This letter constitutes the permit amendment; a copy must be prominently displayed at the site while work is in progress. Any additional work or further amendments must be reviewed and approved separately. Please direct inquiries regarding this property to James Russiello, Landmarks Preservationist.

James Russiello

cc: Caroline Kane Levy, Deputy Director; Jason Friedman, The Office of Joseph Pell Lombardi, Architect; Mark A. Silberman, LPC General Counsel; John Weiss, LPC Deputy Counsel; Cory Herrala, LPC Director of Preservation; Joseph Pell Lombardi, R.A., The Office of Joseph Pell Lombardi, Architect; Elizabeth Lawrence Canon, The Office of Joseph Pell Lombardi, Architect; Robin A. Kramer, Esq., Duval & Stachenfeld LLP; Steve Dluzyn, 121 Chambers Street, LLC, c/o HUBB NYC Properties

121 CHAMBERS STREET

DECLARATION

Dated: As of _____, 2019

Location:

121 Chambers Street
Block 145 Lot 10
New York County, New York

Record & Return to:

Duval & Stachenfeld LLP
555 Madison Avenue
New York, New York 10022
Att'n: Robin A. Kramer, Esq.

TABLE OF CONTENTS

Page

DECLARATION, made as of the ____ day of _____, 2018 by 121 CHAMBERS ST LLC, having an address at c/o HUBB NYC Properties LLC, 579 Fifth Avenue, 4th Floor, New York, NY 10017 ("Declarant"):

W I T N E S S E T H:

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 145, Lot 10 on the Tax Map of the City of New York, County of New York, and by the street address 121 Chambers Street, and is more particularly described on Exhibit A attached hereto (the "Subject Property") and on which is located a five(5)-story structure (the "Designated Structure");

WHEREAS, Declarant proposes to renovate and enlarge the Designated Structure;

WHEREAS, the Subject Property together with the Designated Structure(s) constitute(s) the Subject Premises (the "Subject Premises"); and

WHEREAS, Royal Abstract of New York LLC (the "Title Company") has certified as of December 8, 2017, that Declarant is the sole party in interest ("Party in Interest"), as that term is defined in the zoning lot definition in Section 12-10(c) of the Zoning Resolution of the City of New York (the "Zoning Resolution"), to the Subject Premises, a copy of which certification is attached hereto as Exhibit B (the "Parties in Interest Certification"); and

WHEREAS, as shown on the Parties in Interest Certification, the parties ;

WHEREAS, as of the date hereof, the Title Company has determined there has been no change in the Parties in Interest Certification and Declarant represents and warrants that Declarant is the only known Party in Interest to 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 Tribeca South Historic District because of its special character or historical or aesthetic interest or value; and

WHEREAS, at the public hearing on May 9, 2017, Declarant requested that the LPC issue a report to the City Planning Commission of the City of New York (the "CPC") for an application under Section 74-711 of the Zoning Resolution for a special permit (the "Special Permit") to modify the provisions of ZR Section 111-20(c)(2) to allow the construction of an additional story above an as-of-right enlargement of an existing building; and

WHEREAS, at the public meeting on May 9, 2017, following said public hearing, pursuant to Docket No. LPC-19-3880, the LPC voted to approve a request to issue the report to the CPC for the special permit application (the "Application"), and to issue Certificate of Appropriateness No. _____ (the "C of A"), dated _____, which allows the alteration and enlargement of the Designated Structure in the Tribeca South Historic District. A copy of the C of A is annexed hereto as Exhibit C; and

WHEREAS, Section 74-711 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:

1.01 "Application" shall mean the application to the City Planning Commission for the Special Permit.

1.02 "Buildings Department" shall mean the New York City Department of Buildings, or any successor to the jurisdiction thereof.

1.03 "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.

1.04 "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.

1.05 "City" shall mean the City of New York.

1.06 "City Council" shall mean the New York City Council or any successor to the jurisdiction thereof

1.07 "CPC" shall mean the New York City Planning Commission, or any successor to the jurisdiction thereof.

1.08 "Declarant" shall mean the named Declarant and the heirs, successors and assigns of the named Declarant including, without limitation, any owner 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.

1.09 "DCP" shall mean the New York City Department of City Planning or any successor to the jurisdiction thereof.

1.10 "Designated Structure" shall have the meaning set forth in the Recitals.

1.11 "Force Majeure" shall mean: strike, lockout or labor dispute(s); inability to obtain materials or reasonable substitutes therefor 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 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 of New York (the "City"), State of New York (the "State") or United States Government, or any agency or instrumentality of any of the foregoing, 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 2.02 and 6.02 hereof.

1.12 "Landmark Work" shall refer to the restoration work on the Designated Structure as described in the C of A.

1.13 "LPC" shall mean the Landmarks Preservation Commission of New York City or any successor to the jurisdiction thereof.

1.14 "Mortgagee" shall mean, as such term may be applicable after the date hereof, (a) the institutional first mortgagee of all or substantially all of the Subject Premises, or (b) the first mortgagee of a condominium unit within the Designated Structure.

1.15 "Party(ies) in Interest" shall have the meaning set forth in the Recitals.

1.16 "Special Permit" shall mean the special permit described on page 3 hereof.

1.17 "Special Permit Restricted Space" shall mean the two (2)-story addition to the Designated Structure.

1.18 "Zoning Resolution" shall mean the Zoning Resolution of the City of New York.

Article II.
DEVELOPMENT, PRESERVATION, REPAIR AND MAINTENANCE OF THE SUBJECT PROPERTY

2.01 Drawings. Declarant covenants and agrees to develop the Subject Premises substantially in accordance with the [following drawings/prepared by the Office of Joseph Pell Lombardi, Architect]

2.02 Certificate of Occupancy.

(a) The issuance of the Special Permit is premised on, inter alia, the performance of the following restoration work on the Designated Structure in conformity with the C of A and the requirements thereof:

Clean all masonry surfaces with Rotec Vortex cleaning process system to remove top layers of dirt. The Vortex process uses pressures from 10 to 55 psi mixed with water that can be precisely regulated within the range of 1 to 15 gallons per hour mixed with extremely fine micro abrasive powders, selected exactly to suit the low-pressure technique and remove dirt and paint surfaces without damaging the original masonry surface beneath. Sample cleaning areas will be performed prior as approved by architect, owner & LPC.

Patch and repair all cracked, spalled, deteriorated, metal embankments and punctured areas of sandstone at locations indicated in drawings. For areas larger than three inches, square cut and repatch area with color matching Jahn material as approved by architect, owner and LPC. Provide samples & mockups of matching color, texture and finish for architect approval.

Replace deteriorated & cracked mortar joints at locations as indicated on drawings. Cut mortar joint to a minimum depth of ¾ inches; install new Spec Mix mortar color to match existing throughout as approved by architect, owner & LPC.

Prime and paint the existing cornice with a color that matches the earliest known color using zinc-rich primers and exterior grade metal paint.

Any cast iron storefront elements that have deteriorated beyond repair, or are missing altogether, shall be replaced with cast iron components of the appropriate style, scale, and appearance and painted to match the original column as per paint analysis report.

All of the existing windows will be replaced with painted wood two-over-two true divided light double-hung windows of varying heights. All new window profiles will match existing original historic. All original brick moldings that can be restored will be. Otherwise, all windows will receive matching painted wood window brick moldings.

On Reade Street, a new cast-iron and glass vault light sidewalk will be installed, including uncovering existing non-visible vault lights and resetting existing bluestone sidewalk flags.

The Reade Street fire escape removal will not leave gaps, holes, or unsightly conditions on the marble facade. All fire escape stone connection points will be repaired with Jahn patches no more than three inches square. Remove all existing deteriorated metal anchors embedded in the façade at locations as indicated on the drawings and as directed by the architect. Cut damaged sandstone back, remove metal corroded areas and replace with in kind color-match Jahn Patch. Submit samples patch for architect, owner and LPC to approve.

At the Reade Street show window, remove all twentieth century additions covering the original show window. All existing work will be repaired and consolidated. New elements will be added based on historic photos and investigation.

(b) Declarant shall give written notice that the to the LPC seven days prior to applying for a temporary certificate of occupancy ("TCO") or permanent certificate of occupancy ("PCO") for the Special Permit Restricted Space. No TCO or PCO for the Special Permit Restricted Space 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 2.2(d) hereof, that (X) a Force Majeure has occurred and (Y) 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 Property. The Chairperson of the LPC shall issue said notice 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.

(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 2.02(b) hereof.

(d) Force Majeure.

(i) 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 (ii) below.

(ii) 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 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 Property, 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 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.

(e) 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 other than the Special Permit Restricted Space; or (ii) obtaining permits or building notices from the Building's 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.

2.03 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 C of A 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.

2.04 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:

(i) 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 C of A, and thereafter, shall be made on or within every five years from the date of such initial inspection. In the event that Declarant has accepted a TCO or a PCO for the Special Permit Restricted Space without having first received the Notice of Compliance, the first periodic inspection shall be made on or within thirty (30) days of the fifth (5^{th}) 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 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, as well as those portions to the mechanical systems that are accessible to and under the control of building management, which, if not properly maintained, could affect the condition of the exterior. [The Periodic Inspection shall include (but not be limited to) the portions of the Designated Structure set forth in Exhibit D.]

(ii) 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.

(iii) 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 New York City Department of Buildings 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 Department of Buildings, pursuant to Title 1 RCNY §32-03(b)(2)(vii).

(iv) 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 which is uncontested during the stay pursuant to a permit.

(v) 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 forty-five (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 (9) months of the date of the Periodic Report or Emergency Incident Report. If for reasons beyond Declarant's control, as reasonably determined by the Chairperson of the LPC, such work cannot be completed within nine (9) 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:

(i) 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 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.

(ii) 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.

(iii) 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 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 clauses (A) and (B), above, that Declarant make an application to the LPC for permission to demolish the remaining portions of the Designated Structure.

(iv) With regard to the work to be performed pursuant to subparagraph (iii)(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.

(v) With regard to the work to be performed pursuant to subparagraph (iii)(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 Department of Buildings 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" issued by the Department of Buildings. 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 (9) months for reasons beyond Declarant's control, as reasonably determined by the Chairperson of the LPC, 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 which 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. 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 to diligently 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 the Declarant and shall have the right to enter onto the Subject Property and to charge said Declarant for all the actual cost of such work, together with actual administrative and legal fees incurred in the collection thereof. Such actual costs shall include, but not be limited to, reasonable payments by the City of New York 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 6.02.

Article III.
CONDOMINIUM BOARD

3.01 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 board of managers of such condominium (the "Board") shall have the responsibility to carry out all of Declarant's obligations set forth in this Declaration and the authority to exercise all of Declarant's rights under this Declaration and upon such conversion, Declarant shall be released from its liability thereunder.

3.02 Board. The Board shall require that each owner of a condominium unit (the "Unit Owner") appoint the Board as his or her Attorney-in-Fact with respect to modification, amendment, or cancellation of the Declaration.

3.03 Condominium Declaration. 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 By-laws which shall incorporate an obligation by the Board to comply with the provisions of Article 3 of this Declaration. In addition, the offering plan and by-laws for such condominium shall include the following language: This building is obligated by a restrictive declaration to be maintained in a sound, first-class condition in perpetuity. This obligation includes a thorough inspection of the building every five years and the preparation of an existing conditions report that shall be submitted to the Landmarks Preservation Commission. All work identified in the

existing conditions report as necessary to maintain this building in a sound, first-class condition must be expeditiously undertaken.

Article IV.
EFFECT AND ENFORCEMENT

4.01 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": (a) 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 (b) final approval of the Special Permit pursuant to Section 197-d of the New York City Charter. The Declaration shall become effective immediately 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 without any other action by Declarant, and shall be of no force or 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 occupancy of the Special Permit Restricted Space, Declarant shall promptly, after receipt of such letter, obtain a revised or amended certificate of occupancy from the Buildings Department

reflecting the cessation of any such occupancy of the Special Permit Restricted Space.

4.02 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. 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.

4.03 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.

4.04 Notice and Cure

(a) Before any agency, department, commission or other subdivision of the City institutes any proceeding or proceedings to enforce the terms or conditions of this Declaration because of any violation hereof, it shall give Declarant not less than 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 Premises, or any part thereof, including ground lessees; provided the LPC has received notice of said parties in accordance with Section 6.02. 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 Board and to any owner of space occupied by retail uses in the Designated Structure; provided that the LPC has received notice of said parties in accordance with Section 6.02.

(b) 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 4.04(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.

(c) If after due notice as set forth in this Section 4.04, Declarant and/or 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.

4.05 Acknowledgement of Covenants. 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.

4.06 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.

4.07 Governing Law. This Declaration shall be governed by and construed in accordance with the laws of the State of New York.

4.08 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.

4.09 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 for 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, limited and general partners, affiliates, officers, employees, shareholders or directors of Declarant.

(b) The restrictions, covenants and agreements set forth in this Declaration shall be binding upon the Declarant and any successor-in-interest only for the period during which Declarant and any successor-in-interest 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 Declarant a party-in-interest. At such time as the named Declarant has no further fee interest in the Subject Premises and is no longer a party-in-interest of the Subject Premises, Declarant's obligations and liability with respect to this Declaration shall wholly cease and terminate from and after the conveyance of Declarant's interest and Declarant's successors-in-interest in the Subject Premises by acceptance of such conveyance automatically shall be deemed

to assume Declarant's obligations and liabilities here-under 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 execute this Declaration. 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

5.01 Amendment or Cancellation. Except as provided in paragraph 4.01 above, this Declaration may be amended or canceled only upon application by LPC on behalf of Declarant and only with the express written approval of the CPC and, solely in the event that the New York City Council reviewed the Special Permit pursuant to Section 197-d of the New York City Charter, of the New York City Council, 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 5.04 or 4.01.

5.02 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 New York City Council or any other agency or department of the City of New York.

5.03 Recording and Filing. Any modification, amendment or cancellation of this Declaration, except pursuant to paragraph 5.04 or 4.01, shall be executed and recorded in the same manner as this Declaration. Following any modification, amendment or cancellation, Declarant shall immediately record such modification, amendment or cancellation and provide one fully executed and acknowledged 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.

5.04 Surrender or Nullification. Notwithstanding anything to the contrary contained herein, in the event that Declarant does not construct the Special Permit Restricted Space pursuant to the Special Permit, Declarant may surrender the Special Permit to the CPC and proceed with any use or development of the Subject Property 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 Property pursuant to the Special Permit.

Article VI. NOTIFICATIONS

6.01 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.

6.02 Notices. 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, if intended for Declarant, to 121 Chambers St LLC, c/o HUBB NYC Properties LLC, 579 Fifth Avenue, 4th Floor, New York, NY 10017, with a copy to Robin A. Kramer, Esq., Duval & Stachenfeld LLP, 555 Madison Avenue, New York, New York 10022; if intended for the CPC, to the CPC at 120 Broadway, 31st Floor, New York, NY 10271 (or then-official address), Att: Chairperson; if intended for the LPC, to the

LPC at 1 Centre Street, 9th Floor N, New York, NY 10007 (or then-official address), Att: Chairperson; and if intended for the City Council, to the City Council at the Office of the Speaker, City Council, City Hall, New York, New York 10007. Declarant, or its representatives, by notice given as provided in this paragraph 6.02, may change any address for the purposes of this Declaration. Each notice, demand, request, consent, approval or other communication shall be sent by (a) registered or certified mail, postage prepaid, return receipt requested, (b) nationally recognized overnight courier services for next business day delivery, or (c) 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, the next business day if sent by overnight delivery for next day delivery, or, if delivered by hand, when actually received.

6.03 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.

121 CHAMBERS ST LLP

By: _____
Name:
Title:

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the ____ day of _____, 201__, before me personally came _____, to me known, who being by me duly sworn, did depose and say that s/he resides at _____; that s/he is the _____of the Declarant described in and which executed the foregoing instrument; that s/he had authority to sign same; and s/he acknowledged to me that s/he executed the same as the act and deed of said entity for the use and purposes herein set forth.

_____
Notary Public

SCHEDULE OF EXHIBITS

Exhibit A	-	Metes and Bounds of Subject Property
Exhibit B	-	Parties in Interest Certification
Exhibit C	-	Certificate of Appropriateness
[Exhibit D	-	Periodic Inspection Elements

HAZARDOUS MATERIALS APPENDIX

NYC Environmental Protection

Vincent Sapienza, P.E.
Commissioner

Angela Licata
Deputy Commissioner of Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
Fax (718) 595-4422
alicata@dep.nyc.gov

April 2, 2018

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

Re: 121 Chambers Street (103 Reade Street)
Block 145, Lot 10
CEQR # 77DCP460M

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the March 2018 Reasonable Worst-Case Development Scenario memo prepared by Compliance Solutions Services, LLC and the August 2016 Phase I Environmental Site Assessment (Phase I) prepared by CNS Environmental, on behalf of HUBB 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 (ZR) Section 74-711 ("Landmarks preservation in all districts") to waive the special bulk provisions for Areas A1 through A7 of the Special Tribeca Mixed Use District (TMU) of ZR Section 111-20(c)(2) ["Area A3 - Special regulations for narrow buildings"]. The proposed action would facilitate a proposal by the applicant to construct a one-story addition above a one-story enlargement permitted as-of-right to an existing five-story building within the Tribeca South Historic District of Manhattan Community District 1. The proposed action would result in the occupancy of the new 7th floor by residential space. The property is zoned C6-3A and is within Area 3 (General Mixed-Use Area) of the TMU. Block 145 is bound by Reade Street to the north, Church Street to the east, Chambers Street to the south, and West Broadway to the west.

The August 2016 Phase I report revealed that historical on-site and surrounding area land uses consisted of a variety of residential and commercial uses including residential dwellings with ground floor commercial, buried gasoline tanks, office buildings etc. Regulatory databases identified 47 spills, 4 historical auto body shops and 8 historical dry cleaners within 1/8 mile; 12 underground storage tank sites, 60 aboveground storage tank sites and 2 dry cleaners within 1/4 mile; 69 leaking storage tank sites, 1 voluntary cleanup site, 1 brownfield site and 5 manufactured gas plant sites within 1/2 mile of the project site.

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

- As this project consists of a vertical enlargement, DEP finds that there is no new pathway for exposure to hazardous materials and no additional hazardous materials analysis is necessary.

Future correspondence and submittals related to this project should include the following CEQR # **77DCP460M**. If you have any questions, you may contact Scott Davidow at (718) 595-7716.

Sincerely,

Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
S. Davidow
T. Estesen
M. Wimbish
R. Antelmi – DCP
O. Abinader – DCP

CNS ENVIRONMENTAL
A REAL ESTATE SERVICES COMPANY

August 1, 2016

Attn: Mr. John Sgarlat, Acquisitions
HUBB NYC Properties
130 E 59th Street, Suite 14A
New York, NY 10022

Re: Executive Summary of Phase I Environmental Site Assessment
Site: 121 Chambers Street / 103 Reade Street, New York City, NY 10007
CNS Job # D236

Dear Mr. Sgarlat,

As per your request, CNS Environmental (CNS) performed a Phase I Environmental Site Assessment (ESA) in compliance with ASTM Standard E 1527-13 and E1528-14 of 121 Chambers Street /103 Reade Street (Block #: 145, Lot: 10) in New York City, NY; referred to hereafter as the subject site.

The property is situated on a 3,788 square foot parcel, improved with an approximate 18,500 square foot five-story mixed-use building with a cellar and sub-cellar within the ***Tribeca South Historic District*.**

The subject site is situated in an urban area characterized by commercial and residential structures with retail storefronts on the ground level. The subject site extends from the southwest to northeast with frontage along both Chambers Street and Reade Street, and is currently bound to the north by Reade Street with mixed-use properties beyond; to the east and west by mixed use properties along Reade and Chambers Streets; and to the south by Chambers Street with mixed-use properties beyond. The elevation of the subject site is at 25-feet above mean sea level, with the regional topography indicating an anticipated groundwater flow in a general northwesterly direction towards the Hudson River, respectively.

Below is a brief overview of the findings.

Data Gaps

During the completion of this ESA, the following three (3) data gaps were identified; however were not deemed as significant in relation to identifying conditions indicative of releases or threatened releases:

- Access to the ground floor retail space occupied by Tribeca Upholstery & Draperies at 103 Reade Street and the 2nd Floor office space were not provided. Due to access being prohibited, CNS must consider this a "data gap" as per ASTM E1527-13; however based upon the operations and utilization of these spaces, has not been deemed significant in relation to identifying the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property.

- The Property Owner Questionnaire has not been returned to CNS for review and comment. Due to this fact, CNS has considered this a "data gap" as per ASTM 1527-13, however it is not deemed as significant in relation to identifying conditions indicative of releases or threatened releases based on a review of ascertainable environmental records and reports as indicated herein.

- The Purchase Price of the property with respect to its Fair Market Value was not disclosed to CNS. Due to this fact, CNS has considered this a "data gap" as per ASTM 1527-13, however it is not deemed as significant in relation to identifying conditions indicative of releases or threatened releases based on a review of ascertainable environmental records and reports as indicated herein.

Findings

1. The subject site has been developed with its current structure since 1860-1861. Based upon the *Tribeca South Historic Designation Report (December 1992),* prior use of the Subject Site was determined to be a masonry store and loft building (c. 1860-c.1880); a liquor store at Chambers Street and a hardware and cutlery wholesaler at Reade Street (c. 1880-c.1920). From 1920 forward, the Subject Site has been occupied by retail, commercial and/or residential tenants.

2. Sanborn Fire Insurance Maps from 2001-2005 depict the Subject Site with the label "cleaners" at the 103 Reade Street tenant space. As indicated herein, based upon City Directory listings, Tribeca Upholstery & Draperies has occupied this tenant space since at least 1993, who perform custom upholstery with no cleaning performed. It is CNS's opinion that this notation on Sanborn Maps is an error and should not be deemed to represent a potential environmental condition at the Subject Site, based upon the known operations of this tenant.

3. Based upon data supplied within the *Tribeca South Historic Designation Report (December 1992)*, the eastern abutting 101 Reade Street was occupied by a grocer, leather goods dealer and chemical manufacturing company until the 1920's, when it also included auto supply companies, printers and a box dealer. The western abutting 123 Chambers Street is noted to have been occupied sometime after the 1880's with a drug and chemical company, a metal plating firm, tilers and "japaners". Due to the fact that these structures are noted to be stores on the ground level; the operations of the businesses on the upper floors are not likely to represent a significant environmental concern to the Subject Site.

4. The ground level of the Subject Site is utilized as retail, where the 103 Reade Street space (northern tenant space) has been occupied by Tribeca Upholstery & Draperies since at least 1993 who perform custom upholstery with no cleaning performed; and the 121 Chambers Street space (southern tenant space) is currently vacant, and most recently occupied by a Beauty Supply/Variety store since at least 1998 until recently. Access to the upper floors is provided via an entrance along Reade Street adjacent to the storefront. The 2nd floor of the building is utilized as office, while the 3rd through 5th floors are utilized as residential apartments, with two apartments per floor on the north and south sides, respectively. The sub-cellar is accessed from the Reade Street retail space and was found to be completely vacant with unfinished exposed dirt floors. The cellar level is divided into two areas associated with their respective ground floor tenant spaces with a common hallway which provides access to both areas. The northern portion of the cellar is utilized by Tribeca Upholstery & Draperies for the storage of their materials and also houses the structure's utility room. The southern portion of the cellar was formerly utilized by the Beauty Supply/Variety store was vacant.

5. The site investigation did not identify any ASTs, USTs, Hazardous Substances, Petroleum Products, Hazardous Waste Disposal, impoundments or other unusual land uses at the subject site. The subject site is currently serviced by electric and natural gas provided by Con-Edison.

6. No pole-mounted or pad-mounted transformers were observed on or around the subject site, and no additional hydraulically-operated equipment was observed. Fluorescent light ballasts were observed

throughout the cellar and sub-cellar and accessible portions the ground floor, and have likely been replaced throughout the years.

7. Suspect building materials observed during the site visit consisted of 2' x 4' ceiling tile, gypsum wallboard and associated joint compound, plaster, 9" x 9" and 12" x 12" vinyl floor tile, underlayment material beneath the wood flooring, ceramic tile grout, window caulking and glazing and asphalt roofing materials.

8. Suspect lead-based paint was observed by CNS throughout the site building including stairway railings and fire escapes; and may also exist beneath visible surfaces based upon the age of the building.

9. CNS did not observe any water damage or evidence of mold at the subject site.

10. Only seven (7) jobs dated between 1998-2006 and five (5) ARA/LAA jobs dated between 1994-2016 were found with the property's BIN record, three (3) of which were associated with recent gas piping replacements in June 2016. The property was not identified with any open DOB or ECB violations, or any boiler records; however two (2) sidewalk elevators were noted to have been removed in 1992. Although no boiler records were identified, based upon a review of associated DOB Actions, an Oil Burner Permit application was recorded in 1957. CNS did not observe the presence of an oil burner or petroleum storage tank during the site visit.

11. NYC Housing Preservation and Development requires buildings to be registered that are occupied by residential tenants. The property was identified under NYCHPD Registration # 9260, registered to Ellen Ackerman through September 1, 2016. One (1) open violation was identified dated from 2000, associated with the failure to provide adequate lighting outside of the front entranceway.

12. Federal Radon Information was reported by the USEPA for a total of thirty-one (31) sites within New York County, NY. The average result within Living Areas was reported at 0.690 pico Curies per Liter (pCi/L) and the average result within Basements was reported at 1.490 pCi/, both of which are below the USEPA Action Level of 4.0 pCi/L. Additionally, NYS Radon information was also provided for the five boroughs of New York County. A total of 108 tests were performed within Manhattan, with an average result of 2.15 pico Curies per Liter (pCi/L), which is likewise below the USEPA Action Level of 4.0 pCi/L.

13. The subject site nor any of its abutting properties were identified on any Federal, State or Local regulatory database.

14. A Con-Edison Service Box # 29687 presumably located in front of the Subject Site's Chambers Street entrance, was identified as a RCRA Handler associated with lead waste with no documented violations, and is not likely to represent a significant environmental concern to the Subject Site.

15. The additionally identified RCRA Generators, PBS Sites, LTANKS Sites, Spills Sites and Drycleaners identified within the ASTM-required search radius of the Subject Site are not likely to represent a significant environmental concern based upon their current status, downgradient or cross gradient locations and/or their separating distance and intervening development including but not limited to building foundations, basement and sub-basement levels, parking garages, as well as utility and transit subway systems.

16. In order to determine if any environmental liens or activity and use limitations existed on the subject site, CNS was provided with an Environmental Lien Search Report which did not identify any environmental liens or other activity and use limitations on the subject site although did identify one deed. The instrument identified the Grantor as Ackerman Realty Co., a general partnership and the Grantee as Ackerman Realty Co., LLC, a NY limited liability company, and was recorded on 12/11/2007 within the New York City Register Instrument # 2007000607506, as summarized within Section 3.0, Subsection 3.2.3.

Conclusions and Recommendations

CNS Environmental has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice 1527-13 of 121 Chambers Street /103 Reade Street (Block #: 145, Lot: 10) in New York City, NY, referred to as the Subject Site. Any exceptions to, or deletions from this practice are described in Section 1 of this report, if applicable.

This assessment has revealed no evidence of *recognized environmental conditions* in connection with the Subject Site.

In addition, this assessment has revealed that *vapor encroachment conditions* at the subject site can be ruled out, because a vapor encroachment condition does not exist or is not likely to exist within the area of concern.

Business Environmental Risk Considerations

In addition, the following *non-ASTM scope* concerns should be considered:

- Suspect asbestos-containing building materials (ACM) consisting of 2' x 4' ceiling tile, gypsum wallboard and associated joint compound, plaster, 9" x 9" and 12" x 12" vinyl floor tile, underlayment material beneath the wood flooring, ceramic tile grout, window caulking and glazing and asphalt roofing materials, must be considered Presumed Asbestos Containing Materials (PACM) until bulk samples can be collected. If renovations are to occur within the building, the material should be sampled to confirm the presence or absence of asbestos; however the materials can be managed under an Operations and Maintenance (O&M) Program.

- Suspect lead-based paint was observed by CNS throughout the site building including stairway railings and fire escapes; and may also exist beneath visible surfaces based upon the age of the building. The lead-based paint stated herein, is applicable primarily to the residential dwellings via *The Local Laws of the City of New York for the Year 2004 - Local Law #1*. It is the responsibility of an owner of a property located in New York City to be familiar with Local Law #1 and to comply with its requirements. The law imposes the following property owner responsibilities, which include:

    a. Annual notifications by owners to all occupants, as well as to occupants upon lease-up, lease renewal, and agreement to lease or commencement of occupancy, inquiring if there are children under 6 years of age residing in the unit. Owners must include a notice about owner responsibilities under the law with each lease and must provide a pamphlet informing occupants about lead. There is also a requirement that owners physically inspect units when occupants do not respond, to determine if there is a child under 6 residing in the unit;

b. Owners must investigate units where children under 6 reside, as well as common areas in the property to find peeling paint, chewable surfaces, deteriorated subsurface, and friction and impact surfaces. This investigation must be conducted at least annually, or more often if the owner knows about a condition that may cause a lead hazard, or the occupant complains about such a condition;

c. Remediation of lead hazards, using safe work practices and trained workers;

d. Making apartments lead safe on turnover;

e. Using safe work practices for all repairs and renovations performed in a unit where a child under 6 resides and in the common areas of buildings with such units.

- CNS recommends that the NYCHPD violation be resolved, by correcting the conditions in accordance with the NYC Housing Maintenance Code, paying penalties and submitting Certificates of Correction to the NYCHPD. Information pertaining to Violations can be found at: http://www1.nyc.gov/site/hpd/owners/compliance.page.

Enclosed is the Phase I Environmental Assessment report. If you have any questions please call me at (516) 932-3228 x. 101.

Sincerely,

Charles Powers
President

AIR QUALITY APPENDIX

Job Name/Location: Tag #:

Date: For: ☐ File ☐ Resubmit

PO No.: ☐ Approval ☐ Other

Architect: GC:

Engr: Mech:

Rep:
(Company) (Project Manager)

ARUB060GSS4
Multi V™ S Heat Recovery
5.0 Ton Outdoor Unit

LG Life's Good

Performance:

Cooling Mode:

Rated Capacity (Btu/h)	60,000
Power Input[1] (kW)	6.00

Heating Mode:

Rated Capacity (Btu/h)	64,000
Power Input[1] (kW)	5.3

Rated Capacity is based on the following conditions:

Cooling:	Heating:
Indoor: 80°F DB / 67°F WB	Indoor: 70°F DB
Outdoor: 95°F DB	Outdoor: 47°F DB / 43°F WB

Electrical:

Power Supply (V/Hz/Ø)	208-230/60/1
MOP (A)	40
MCA (A)	25.4
Rated Amps (A)	
Compressor (A)	19.5
Fan (A) (Ea.)	0.5

Piping:

Refrigerant Charge (lbs)	8.8
Liquid Line (in, OD)	3/8
High Pressure Vapor Line (in, OD)	5/8
Low Pressure Vapor Line	3/4

Standard Features:

- Night Quiet Operation
- Fault Detection and Diagnosis

Optional Accessories:

☐ Low Ambient Baffle Kit - ZLABGP04A (2 required)

☐ Drain Pan Heater - PQSH1200

****Installation of an optional Low Ambient Wind Baffle Kit will allow operation down to -9.9°F in cooling mode.**

*10 OF THESE FOR RESIDENTIAL HVAC

Operating Range:

Cooling (°F DB)**	23-122
Heating (°F WB)	-13 - 61
Synchronous	
Cooling Based (°F DB)	14 - 81
Heating Based (°F WB)	14 - 61

Unit Data:

Refrigerant Type	R410A
Refrigerant Control	EEV
Max Number of Indoor Units[2]	12
Sound Pressure[3] dB(A)	57
Net Unit Weight (lbs)	256
Shipping Weight (lbs)	284
Communication Cable[4] (No x AWG)	2 x 18
Heat Exchanger Coating	GoldFin™

Compressor:

Type	HSS DC Scroll
Quantity	1
Oil/Type	PVE/FVC68D

Fan:

Type	Axial Flow Fan
Quantity	2
Motor/Drive	Brushless Digitally Controlled/Direct
Air Flow Rate (CFM)	3,885

Notes:

1.For AHRI ratings, refer to the AHRI website http://www.ahridirectory.org.
2.The combination ratio must be between 50 – 130%.
3.Sound Pressure levels are tested in an anechoic chamber under ISO Standard 3745.
4.Communication cable between ODU and IDU(s) must be 2-conductor, 18 AWG, twisted, stranded, and shielded. Ensure the communication cable shield is properly grounded to the ODU chassis only. Do not ground the communication cable at any other point. Wiring must comply with all applicable local and national codes.
5.Nominal data is rated 0 ft above sea level, with 25 ft of refrigerant line per indoor unit and a 0 ft level difference between outdoor and indoor units. All capacities are net with a combination ratio between 95-105%.
6.Power wiring cable size must comply with the applicable local and national codes.
7.The voltage tolerance is ± 10%.

Inverter

c ETL us Intertek

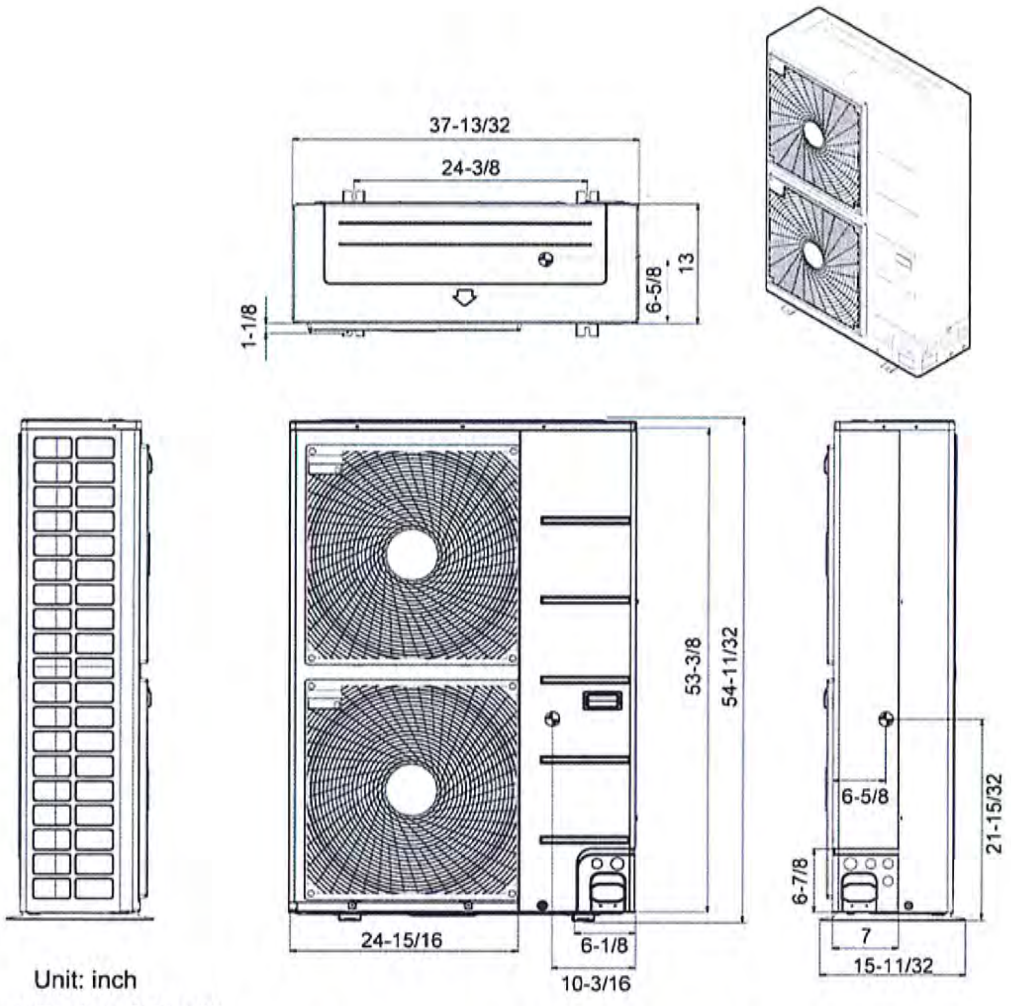
AHRI CERTIFIED www.ahridirectory.org
Variable Refrigerant Flow (VRF) Multi-Split AC and HP
AHRI Standard 1230

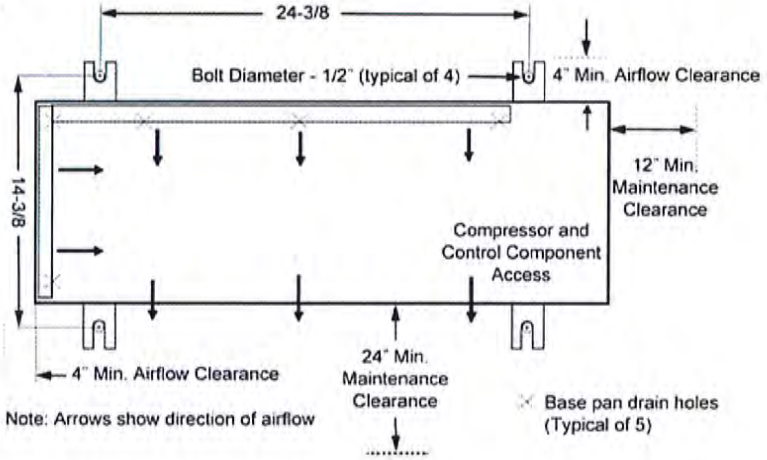
Job Name/Location:

ARUB060GSS4
Multi V™ S Heat Recovery
5.0 Ton Outdoor Unit

LG Life's Good

Tag #:
Date:
PO No.:

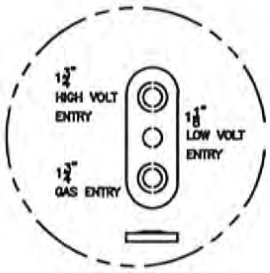




4 OF THESE FOR COMMERCIAL HVAC

RN SERIES
B - CABINET STANDARD ~ 9-15 TON

CLEARANCES	
LOCATION	* UNIT SIZE * 9 - 15 TON
OUTSIDE AIR (BACK)	48
CONTROLS SIDE (FRONT)	48
LEFT SIDE	6
RIGHT SIDE	48
TOP	UNOBSTRUCTED



DETAIL A

DETAIL B

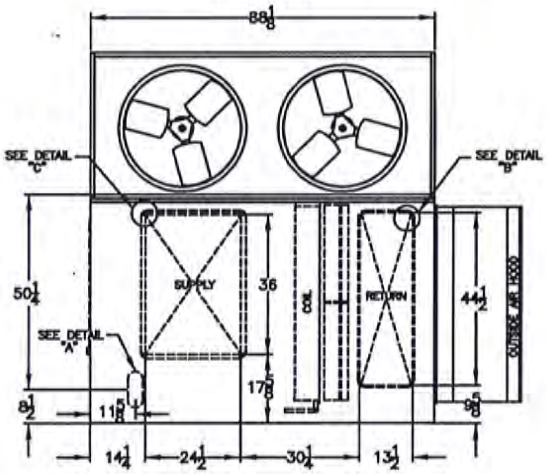
NUMBER OF CONDENSER FANS

9 & 11 TON - 1 FAN

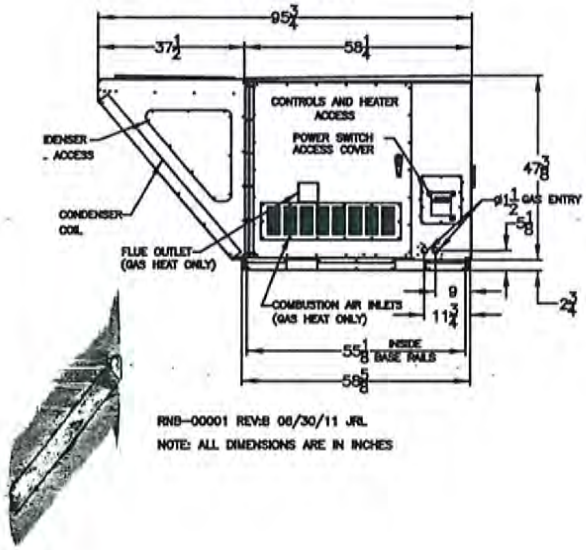
13 & 15 TON - 2 FANS

DETAIL C

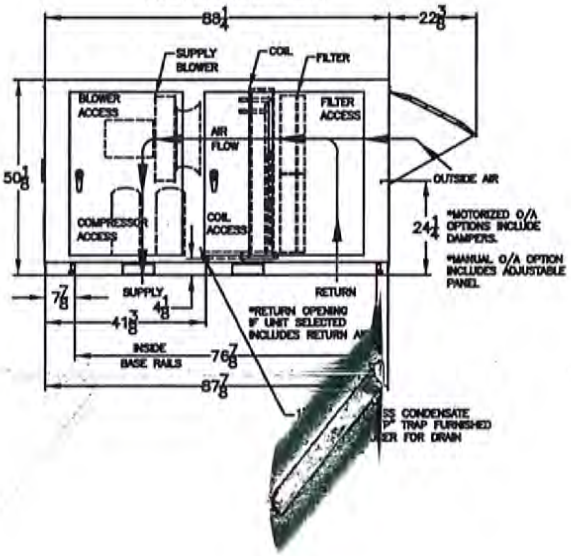
TOP VIEW



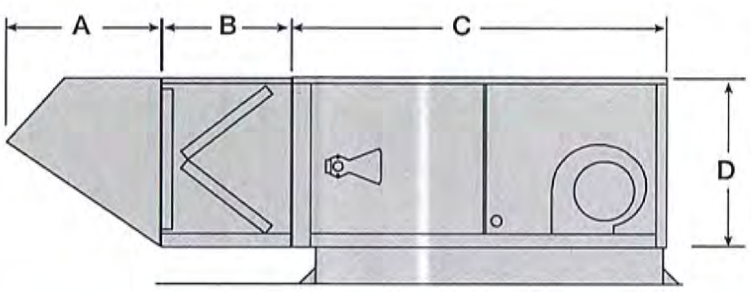
FRONT VIEW



RIGHT SIDE VIEW



Model DG Stand-Alone

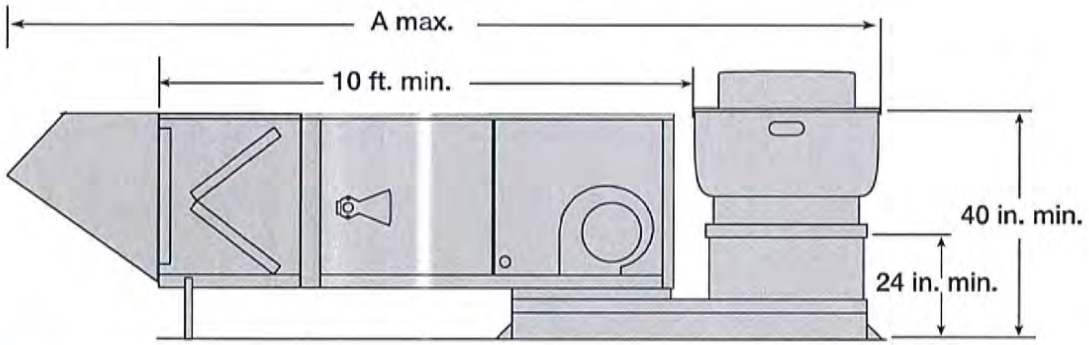


1 OF THESE FOR CORRIDOR MAKE UP AIR

Model	A			B	C	D	Width	Approximate Weight	Airflow Range (CFM)
	Aluminum Mesh	Louvered	Birdscreen						
DG-H10	31.8	27.5	26.2	27.8	78.3	33.8	28	600	800 - 3,000
DG-H20	34.8	30.3	32.2	30.3	86.3	33.8	37	700	2,600 - 6,500
DG-H30	65.3	33.3	28.1	33	101.8	42.5	48	1,100	6,500 - 15,000

All dimensions are shown in inches. All weights are shown in pounds and includes birdscreen weatherhood and 2-inch filter section.

Model DG with Combination Package



Model	A	Width	Approximate Weight
DG-H10	185.7	35.5	900
DG-H20	204.8	50	1,200
DG-H30	227.0	58.8	1,700

All dimensions are shown in inches and based on largest available CUBE exhaust fan.
All weights are shown in pounds and includes birdscreen weatherhood, 2-inch filter section, curb, fan pack extension and equipment support.

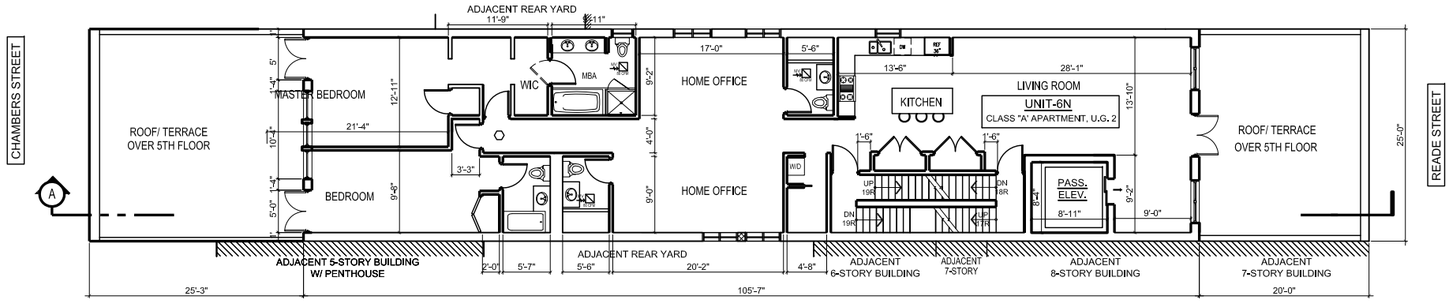


FIGURE 1: NO-ACTION SIXTH FLOOR PLAN

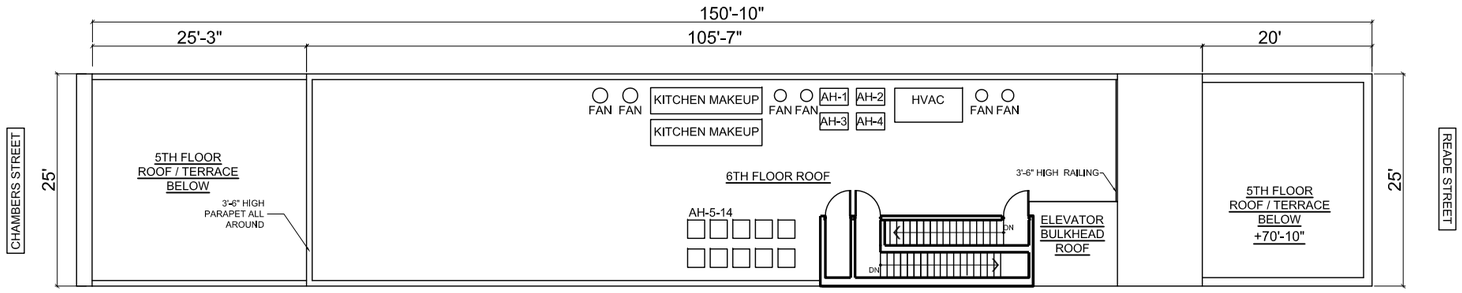


FIGURE 2: NO-ACTION ROOF PLAN

JOSEPH PELL LOMBARDI
& ASSOCIATES
ARCHITECTS

121 CHAMBERS STREET
/ 103 READE STREET
NEW YORK, NY

CPC-07

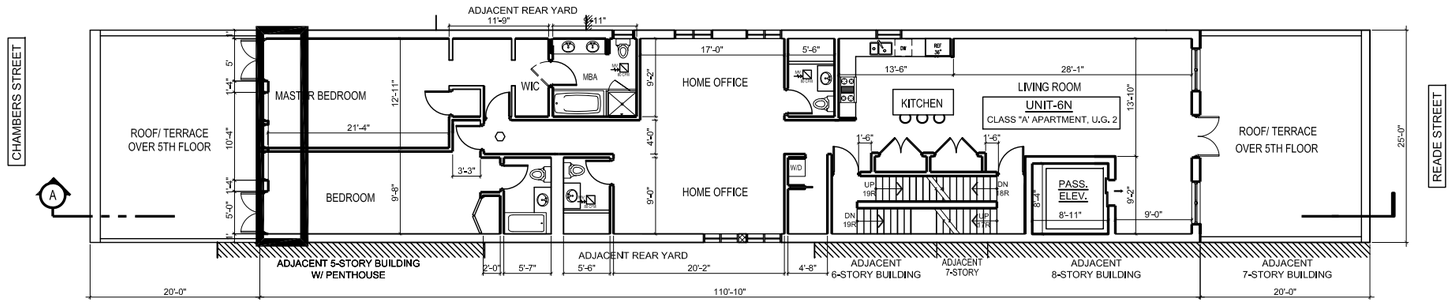


FIGURE 1: PROPOSED SIXTH FLOOR PLAN

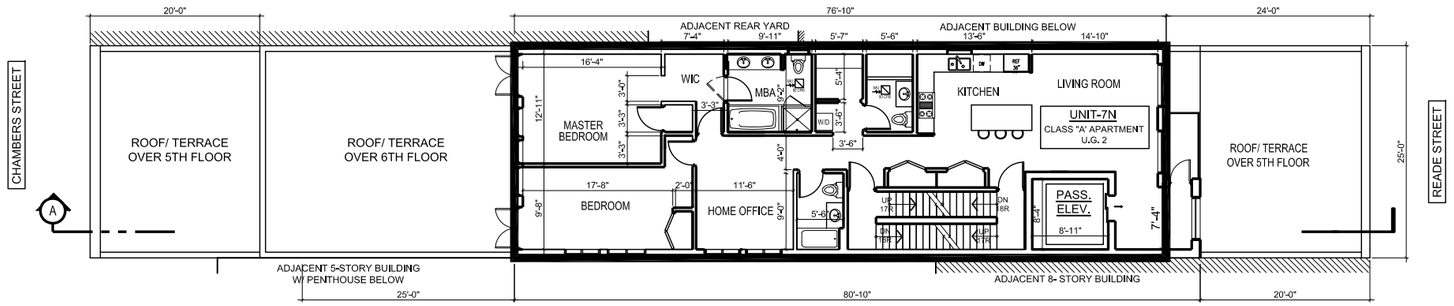


FIGURE 2: PROPOSED SEVENTH FLOOR PLAN

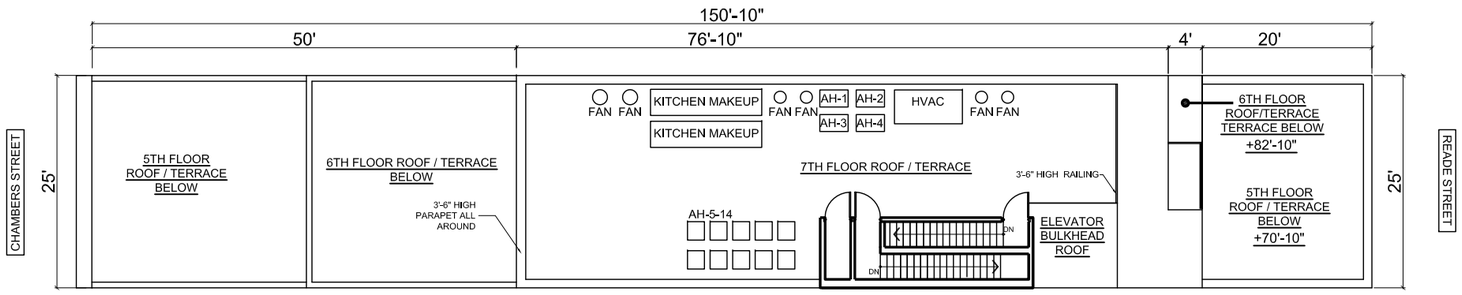


FIGURE 3: PROPOSED ROOF PLAN

SUBJECT TO 74-711
SPECIAL PERMIT

JOSEPH PELL LOMBARDI
& ASSOCIATES
ARCHITECTS

121 CHAMBERS STREET
/ 103 READE STREET
NEW YORK, NY

CPC-11

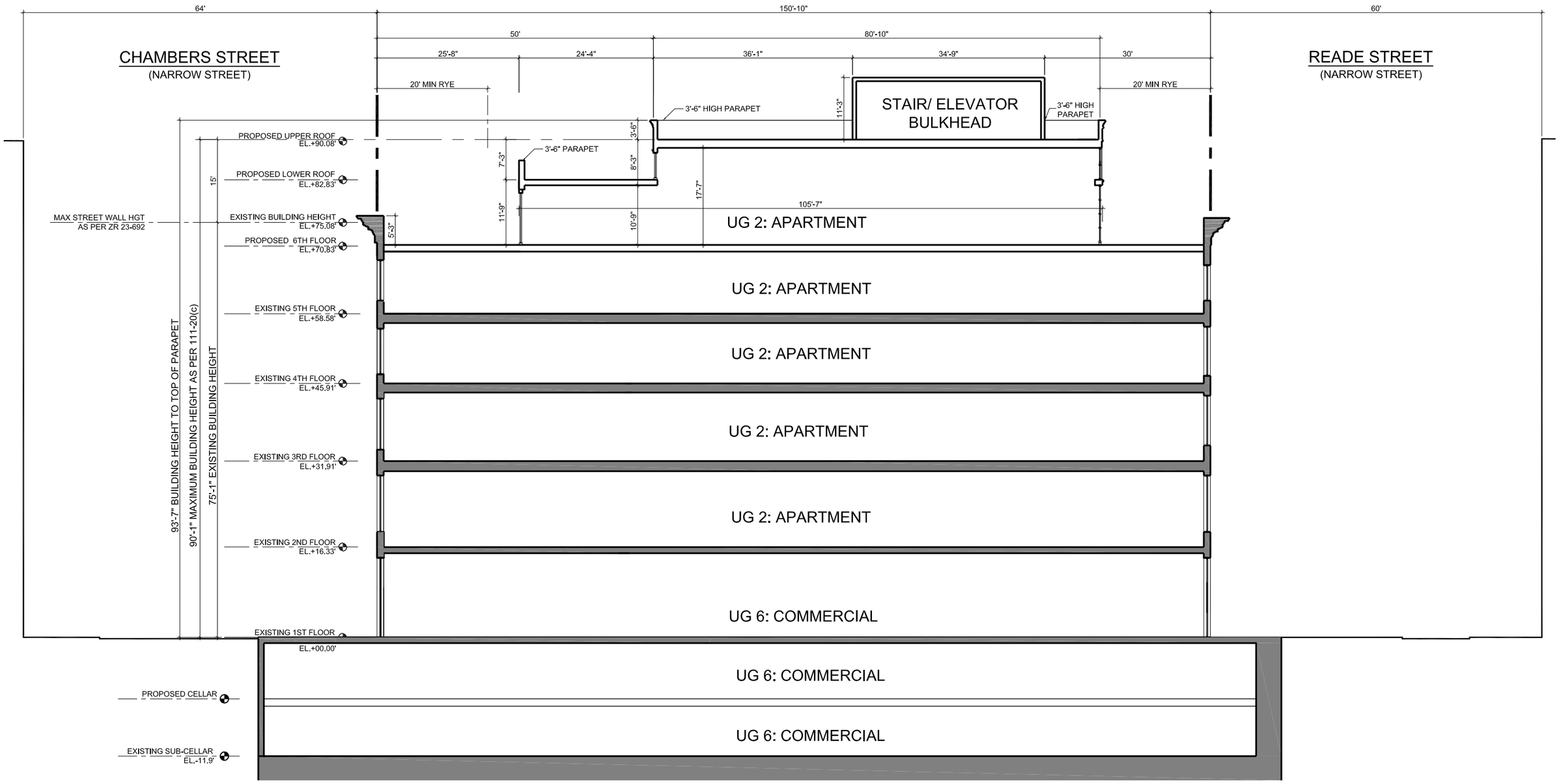


FIGURE 1: NO-ACTION BUILDING SECTION A-A

JOSEPH PELL LOMBARDI & ASSOCIATES ARCHITECTS

121 CHAMBERS STREET / 103 READE STREET
NEW YORK, NY

CPC-13

SUBJECT TO 74-711
SPECIAL PERMIT

CHAMBERS STREET
(NARROW STREET)

READE STREET
(NARROW STREET)

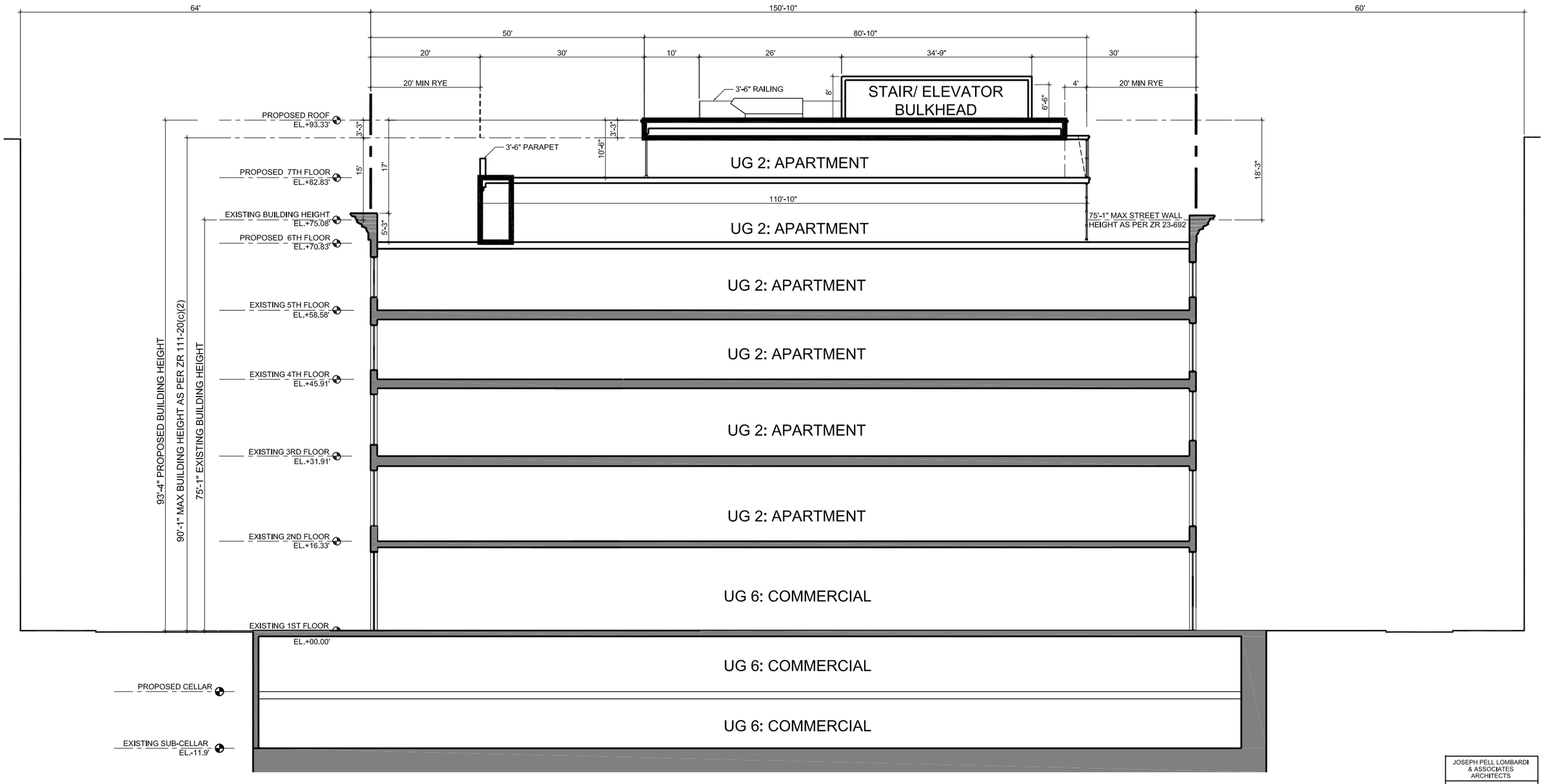


FIGURE 1: PROPOSED BUILDING SECTION A-A

JOSEPH PELL LOMBARDI
& ASSOCIATES
ARCHITECTS

121 CHAMBERS STREET
/ 103 READE STREET
NEW YORK, NY

CPC-14

Urban Cartographics

421 Seventh Avenue, Suite 1008 New York, NY 10001
718.427.5299 www.urbancartographics.com admin@urbancartographics.com

April 5, 2018

Sent via Electronic Mail: jstrauss-css@nyc.rr.com

John Strauss, President
Compliance Solutions Services, LLC
175 West 60th Street, #30A
New York, NY 10023

Re: Land Use Survey and DEP Air Quality Permit Research
121 Chambers Street

Dear Mr. Strauss,

In connection with your office's environmental review for the above referenced project, our office has completed an in-person land use survey and accompanying research regarding air quality permit folders at the NYC Department of Environmental Protection ("DEP").

Our work began with an in-person survey of the 400-feet surrounding the project area that identified active manufacturing uses and commercial uses with a potential for noxious emissions. That survey was performed on March 22, 2018; a list of properties researched is attached. It identified one site that might have an air quality permit on file at DEP.

Next, the identified site was researched on the DEP website to determine if it has active air quality permits. Our research found one permit corresponding to the site.

We next requested the opportunity to review the relevant permits folders at DEP; a copy of our email communication to DEP is attached.

Finally, on April 4, 2018, we visited the DEP office to review the folders. The permit folder requested was available for review. It was:

Address	Permit #	Owner/Tenant/User
16 Hudson Street	CW001917	One Hudson Park Inc. C/O The Andrews Organization

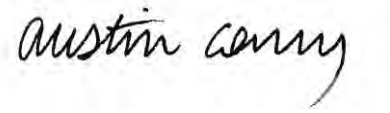
A scan of the above permit file is attached.

Urban Cartographics

421 Seventh Avenue, Suite 1008 New York, NY 10001
718.427.5299 www.urbancartographics.com admin@urbancartographics.com

Let me know if you require anything further in regards to this.

Sincerely,



Austin Coury

Encl.

Cofield, Brenda

From: Austin Coury <austin@urbancartographics.com>
Sent: Wednesday, March 28, 2018 5:14 AM
To: Narvaez, Angel; Cofield, Brenda
Subject: Request to View Air Quality Permit Folders

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Angel and Brenda,

I am writing to request the opportunity to review the following permit folders in connection with several land use applications:

61-63 Crosby Street

425 Broome Street - ~~CB075408~~, ~~CB075108~~ Reg. Reg
61-63 Crosby Street - ~~CA183485~~ Reg.
438 Broome Street - ~~CA084598~~ Reg
242 Lafayette Street - ~~CR337513~~ Reg

121 Chambers Street

16 Hudson Street - ~~CW001917~~ Pull

51 White Street

358 Broadway - ~~CB274901~~ Reg.
343 Broadway - ~~CB195506~~ Pull
91 Franklin Street - ~~CR681014~~ Reg.
89 Franklin Street - ~~CB134709~~ Reg.
87 Franklin Street - ~~CB021102~~ Reg
34 Walker Street - ~~CB057307~~

14 White Street

116 Franklin Street - ~~CB038510~~ Reg
3 White Street - ~~CB072306~~ Reg
220 West Broadway - ~~CA182689~~, ~~CA535285~~ Reg. II Pull
241 West Broadway - ~~CA000594~~ Reg
260 West Broadway - ~~CA286895~~, ~~CA058098~~, ~~CA277285~~, ~~PA015599~~ Reg Reg Reg Pull

Please let me know when these folders are available for review, or, if they cannot be located. Thank you.

Best,
Austin Coury

--
Urban Cartographics
421 Seventh Avenue, Suite 1008
New York, NY 10001

NYC Environmental Protection

Vincent Sapienza, P.E.
Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Environmental Compliance
59-17 Junction Blvd. 9th Floor, Flushing, NY 11373
Records Control (718) 595-3855

Michael Gilsenan
Assistant Commissioner
Environmental Compliance

CERTIFICATE TO OPERATE

FACILITY ADDRESS: 16 HUDSON STREET, Manhattan, NY10013

Installation #: **CW001917**
Issued: **3/16/2018**
Expiration: **3/14/2021**
Request ID: **227621**

OWNER : ONE HUDSON PARK INC C/O THE ANDREWS ORGANIZATION 666 BROADWAY NEW YORK NY10012

Boiler Make & Model: **ROCKMILLS - MP4-162**

Number of Boiler(s): **1**

Maximum Boiler Heat Input: **7.112** million BTU/hr.

Gross Output Rating: **5.42** million BTU/hr.

Burner Make & Model: **ICI - MMG-84P**

Number of burners: **1**

Fuel Type 1: **Natural Gas**

Maximum Fuel Delivery Rate: **7112 CFH**

Fuel Type 2: **No.2 Fuel Oil**

Maximum Fuel Delivery Rate: **50.8 GPH**

Burner Limitations:

PUMP: 8-7, PIN# 4, SCALE "C"

Special Conditions:

NA

The holder of this certificate of operation is responsible for the use of the equipment in accordance with all the applicable requirements and provisions of the New York City Air Pollution Control Code. Violations of the Air Pollution Control Code can result in the imposition of penalties by the Environmental Control Board. This Certificate must be posted in the vicinity of the designated equipment. It may not be transferred to any other equipment.

Application for Renewal of this certificate of operation must be submitted no later than ninety (90) days prior to the expiration date.

CW001917

R. Radhakrishnan, P.E.
Director of Engineering

ENGINEERING INSPECTION WORKSHEET + TESTO DATASHEET

Inspector:	KING	Insp Date:	3/14/2018	Triennial	
Application #:	CW001917	Address:	16 HUDSON STREET	Boro:	MANH

BOILER(S)	Number of :	1		Y/N?	Found in inspection:	
Make/Model	ROCKMILLS - MP4-1625			YES	CHECKED	
Lead Lag Sys						
BURNER(S)	Number of :	1		Y/N?	Found in inspection:	
Make/Model	ICI - MMG-84P			YES	CHECKED	
Fuel Type (1)	#2	Fuel Type (2)	NG	YES	CHECKED	
Firing Rate	50.8			YES	CHECKED	
Burner Limitations	PUMP: 8-7, PIN# 4, SCALE "C"			YES	CHECKED	
COMB CONT				Y/N?	Found in inspection:	
Mod Motor	M9174			YES	CHECKED	
Fir Rate Ctrl	L91			YES	CHECKED	
AIR HANDLING				Y/N?	Found in inspection:	
Fan	Yes with Sail Switch ACORN 453			YES	CHECKED	
Louver						
Baro Damper	20			YES	CHECKED	
P.O.D.R.						
Smoke Alarm	Fuel Watchman SP			YES	CHECKED	
CHIMNEY				Y/N?	Found in inspection:	
Height	68			YES	CHECKED	
No raincaps? Cleanout every 15'? Radial distance OK?				YES	CHECKED	
Additional comments:	Smoke Alarm Test -				Sail Switch Test -	
OK TO ISSUE CO						

Establishment Type:	Residential

BOILER #1				**BOILER #2**			
Firing Rate:	Hi	Firing Rate:	LOW	Firing Rate:	Hi	FiringRate:	LOW
Fuel:	2	Fuel:	2	Fuel:	NG	Fuel:	NG
Efficiency:	85.6	Efficiency:		Efficiency:	84.5	Efficiency:	
Tout=		ΔDr/H= 0.00132		Stack Ht = 68		ΔDr(inw.c.)= 0.08976	
BAOMETRIC DAMPER				**POWER OPERATED DRAFT REGULATOR**			
Fully open	0.06	in w.c.		Normal		in w.c.	
Fully closed	-0.15	in w.c.		Full Open		in w.c.	
Δ	0.21	in w.c.		Δ		in w.c.	

Reserve:	Adequate	
Performance Test:	Pass	
Smoke Bacharach #:	0	< for #4 and #6 oil only

Date / time	sec Runtir	Measure t	Fuel	% EFF	% O2	% CO2	% ExAir	ppm cCO	ppm cNO	ppm cNOx	°F Tamb	°F Tstack	inH2O Dra	ppm CO	ppm NO	ppm NOx	CA/CB	Boiler #	Engineer	Serial #
3/14/2018 10:59:53 tt	178992	Flue gas te	Natural gas	84.5	10.13	8.12	87.3	81	113	118	81.7	358.2	-	49	68	71	CW001917	1	KING	2650915
3/14/2018 11:01:24 tt	179083	Flue gas te	Fuel oil #2	85.6	3.70	12.93	20.0	32	98	103	81.9	467.0	-	31	94	99	CW001917	1	KING	2650915

NYC Environmental Protection

Vincent Sapienza, P.E.
Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
59-17 Junction Blvd. 9th Floor, Flushing, NY 11373
Records Control (718) 595-3855

SCHEDULE FOR INSPECTION

INSPECTION REQUEST

Date:	Fee:	Installation No.:	Expiration Date:	Request ID:
2/6/2018	$345	CW001917	9/4/2018	227621

Premise Address

16 HUDSON STREET						
Street Address				Name of Premise (if any)		
CEL	NA	Manhattan	10013	077399	00144	0001
Floor	Room No.	Borough	Zip Code	BIN	Block	Lot

Information of applicant.

Name of Applicant: ANTHONY FISCHETTI	Telephone: 718-815-8800	Fax:
Email Address: sharon@champion-combustion.com	Cell Phone:	
Role of Applicant: Licensed Oil Burning Equipment Installer		

Information of the owner of the equipment.

Name of Owner: ONE HUDSON PARK INC C/O THE ANDREWS ORGANIZATION	Telephone: 212-529-5688	Fax:
Email Address: lwilkofsky@andrewsbc.com	Cell Phone:	
Owner Address: 666 BROADWAY, NEW YORK, NY10012		

Information of authorized agent who can be contacted to schedule an inspection.

Name of contractor / Agent / Superintendent: Leonard R Sibrizzi	Telephone: 914-316-3181	Fax:
Email Address: sibrizziinspections@gmail.com	Cell Phone:	
Contact Address: 10 Saw Mill Road, Katonah, NY 10536		

☑ Original ☐ Renewal

I am requesting:

☑ **An Inspection at the above referenced address** ☐ **A Re-Inspection at the above referenced address**

My annual tune-up was conducted according to Section 2-09 of the new Engineering Criteria (Title 15 Chapter 2 of the Rules of the City of New York) on this date: 11/29/2017

CW001917

NYC Environmental Protection

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
59-17 Junction Boulevard, 9th Floor
Flushing, New York 11373
Records Control (718)595-3655

Rev 04/2014

PERFORMANCE TEST WORKSHEET

APPLICATION ID #: CW0019-17 **TEST DATE:** 11/29/2017

16 Hudson ST

ANALYZER USED FOR PERFORMANCE TEST:

☒ Testo Model #: 330-2LL ☐ Bacharach Model# _____

☐ Other: _____ (Make) _____ (Model)

Date of Last Calibration: 01/10/2017

ANNUAL PERFORMANCE TESTING MUST BE CONDUCTED FOR ALL FUELS (FUEL OIL AND NG) AT HIGH FIRE (80 TO 110 % LOAD) AND ALSO AT LOW FIRE FOR BOILERS EQUAL TO OR GREATER THAN 4.2 MMBTU/HR (30 GAL/HR)

	Test 1	Test 2	Test 3	Test 4	Test 5	Test 6
Boiler Number	1	1	1	1		
Load (%)	Lo	100	Lo	100		
Fuel Type (#2, #4, NG)	Ng	Ng	2	2		
Firing Rate (gph/cfh)		7112		50.2		
Combustion Efficiency (%)	84.3	81.9	86.9	84		
O_2 (%)	7.1	5	7	5.3		
CO_2 (%)	7.73	8.91	10.45	11.73		
Excess Air (%)	45.7	27.9	46.8	31.6		
Stack Temperature (°F)	326.1	479.8	344.8	500.2		
CO (ppm) (if available)	23	23	38	11.73		
NOx (ppm) (if available)						
SOx (ppm) (if available)						
Smoke Bacharach #:	0	0	0	0		

1. *For oil tests, if Combustion Efficiency ≥ 83, performance test = Passed; if < 83, performance test = Failed*
2. *For gas tests, if Combustion Efficiency ≥ 80, performance test = Passed; if < 80, performance test = Failed*
3. *If Smoke Bacharach # = > 3, Performance test = Failed*

QUALIFIED COMBUSTION TESTER:

☐ Licensed Installer ☐ Professional Engineer ☒ Other QCT

Name: Angelo Sibrizzi Phone #: (914) 316-3181 Fax #: (914) 243-9003

Company Name: Champion Combustion Email Address: Sibrizziinspections@gmail.com

Address: 10 Saw Mill Rd (Street) _____ (Apt.# / Room) Katonah (City) NY (State) 10536 (Zip)

☒ I hereby affirm under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief.

Signature: Angelo Sibrizzi License #: QCT001117 Date: 11/29/2017

***IMPORTANT: COMBUSTION ANALYZER PRINTOUTS SHOULD BE ATTACHED WITH THIS WORKSHEET AND TESTING SHOULD BE PERFORMED WITHIN 3 MONTHS OF SUBMITTAL OF THE INSPECTION REQUEST. ANNUAL PERFORMANCE TEST RESULTS MUST BE INCLUDED IN THE RECORDKEEPING BY THE OWNER FOR A MINIMUM OF FIVE (5) YEARS.**

NYC Environmental Protection

Vincent Sapienza, P.E.
Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Environmental Compliance
59-17 Junction Blvd. 9th Floor, Flushing, NY 11373
Records Control (718) 595-3855

Date: 2/6/2018

Application #: CW001917

Request ID: 227621

PAYMENT RECEIPT

CO Original

Applicant's Name: ANTHONY FISCHETTI

Owner Address:	**Facility Address:**
ONE HUDSON PARK INC C/O THE ANDREWS ORGANIZATION 666 BROADWAY, NEW YORK, NY10012	16 HUDSON STREET, Manhattan, NY10013

This is to inform you that the Department has received the below mentioned amount for your request submitted.

Fees Paid: $345 — E-Check Personal (Mode of payment) — CPY001209023 (Transaction #)

Total: $345

(inclusive of convenience fee of 2.49%)

CW001917

R. Radhakrishnan

R.Radhakrishnan, P.E.
Director of Air Engineering

NYC Environmental Protection

Vincent Sapienza, P.E.
Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
59-17 Junction Blvd. 9th Floor, Flushing, NY 11373
Records Control (718) 595-3855

Michael Gilsenan
Assistant Commissioner
Environmental Compliance

WORK PERMIT

FACILITY ADDRESS: 16 HUDSON STREET, Manhattan, NY 10013

Installation #: **CW001917**
Issued: **1/26/2018**
Expiration: **9/4/2018**
Request ID: **225269**

OWNER: ONE HUDSON PARK INC C/O THE ANDREWS ORGANIZATION, 666 BROADWAY, NEW YORK, NY 10012

Boiler Make & Model: **ROCKMILLS - MP4-162**

Maximum Boiler Heat Input: **7.112 million BTU/hr**

Burner Make & Model: **ICI - MMG-84P**

Fuel Type 1: **Natural Gas**

Fuel Type 2: **No.2 Fuel Oil**

Number of boiler(s): **1**

Gross Output Rating: **5.42 million BTU/hr**

Number of burners: **1**

Maximum Fuel Delivery Rate: **7112 CFH**

Maximum Fuel Delivery Rate: **50.8 GPH**

Burner Limitations:

PUMP: 8-7, PIN# 4, SCALE "C"

Special Conditions:

NA

The holder of this work permit is responsible for the use of the equipment in accordance with all the applicable requirements and provisions of the New York City Air Pollution Code. Violations of the Air Pollution Control Code can result in the imposition of penalties by the Environmental Control Board. This Certificate must be posted in the vicinity of the designated equipment. It may not be transferred to any other equipment.

Equipment may only be operated for testing purposes, not exceeding THIRTY (30) days, without first obtaining a Certificate of Operation from the Bureau of Environmental Compliance.

CW001917

R. Radhakrishnan, P.E.,
Director of Engineering

NYC Environmental Protection

Vincent Sapienza, P.E.
Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
59-17 Junction Blvd. 9th Floor, Flushing, NY 11373
Records Control (718) 595-3855

WORK PERMIT EXTENSION REQUEST - STATIONARY

1/17/18

Date:	Fee:	Installation No.:	Expiration Date:	Request ID:
1/16/2018	$172.5	CW001917	3/4/2018	225269

Premise Address

16 HUDSON STREET
Street Address

Name of Premise (if any)

Floor	Room No.	Borough	Zip Code	BIN	Block	Lot
CEL	NA	Manhattan	10013	077399	00144	0001

Information of applicant.	Name of Applicant: ANTHONY FISCHETTI	Telephone:	Fax:
	Email Address: sharon@champion-combustion.com	Cell Phone:	
	Role of Applicant: Licensed Oil Burning Equipment Installer		
Information of owner of the equipment.	Name of Owner: ONE HUDSON PARK INC C/O THE ANDREWS ORGANIZATION	Telephone: 212-529-5688	Fax:
	Email Address: lwilkofsky@andrewsbc.com	Cell Phone:	

Reason for Work Permit extension:

Waiting for Con Edison to bring Gas service into the building

☐ APPROVED ☐ DISAPPROVED

CW001917

NYC Environmental Protection

Vincent Sapienza, P.E.
Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Environmental Compliance
59-17 Junction Blvd. 9th Floor, Flushing, NY 11373
Records Control (718) 595-3855

Date: 1/16/2018

PAYMENT RECEIPT

Work Permit Extension

Application #: CW001917

Request ID: 225269

Applicant's Name: ANTHONY FISCHETTI

Owner Address:	Facility Address:
ONE HUDSON PARK INC C/O THE ANDREWS ORGANIZATION 666 BROADWAY, NEW YORK, NY10012	16 HUDSON STREET, Manhattan, NY10013

This is to inform you that the Department has received the below mentioned amount for your request submitted.

Fees Paid:	$172.5	E-Check Personal	CPY001157926
		Mode of payment	Transaction #

Total: $172.5

(inclusive of convenience fee of 2.49%)

CW001917

R. Radhakrishnan

R.Radhakrishnan, P.E.
Director of Air Engineering

NYC Environmental Protection

Vincent Sapienza, P.E.
Acting Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
59-17 Junction Blvd. 9th Floor, Flushing, NY 11373
Records Control (718) 595-3855

Michael Gilsenan
Assistant Commissioner
Environmental Compliance

WORK PERMIT

FACILITY ADDRESS: 16 HUDSON STREET, Manhattan, NY 10013

Installation #: **CW001917**
Issued: **3/4/2017**
Expiration: **3/4/2018**
Request ID: **203321**

OWNER: ONE HUDSON PARK INC C/O THE ANDREWS ORGANIZATION, 666 BROADWAY, NEW YORK, NY 10012

Boiler Make & Model: **ROCKMILLS - MP4-162**

Maximum Boiler Heat Input: **7.112 million BTU/hr**

Burner Make & Model: **ICI - MMG-84P**

Fuel Type 1: **Natural Gas**

Fuel Type 2: **No.2 Fuel Oil**

Number of boiler(s): **1**

Gross Output Rating: **5.42 million BTU/hr**

Number of burners: **1**

Maximum Fuel Delivery Rate: **7112 CFH**

Maximum Fuel Delivery Rate: **50.8 GPH**

Burner Limitations:

PUMP: 8-7, PIN# 4, SCALE "C"

Special Conditions:

NA

The holder of this work permit is responsible for the use of the equipment in accordance with all the applicable requirements and provisions of the New York City Air Pollution Code. Violations of the Air Pollution Control Code can result in the imposition of penalties by the Environmental Control Board. This Certificate must be posted in the vicinity of the designated equipment. It may not be transferred to any other equipment.
Equipment may only be operated for testing purposes, not exceeding THIRTY (30) days, without first obtaining a Certificate of Operation from the Bureau of Environmental Compliance.

CW001917

R. Radhakrishnan, P.E.,
Director of Engineering

NYC Environmental Protection

Vincent Sapienza, P.E.
Acting Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
59-17 Junction Blvd. 9th Floor, Flushing, NY 11373
Records Control (718) 595-3855

ORIGINAL-KEEP IN FILE

Michael Gilsenan
Assistant Commissioner
Environmental Compliance

FOSSIL FUELS COMBUSTION EQUIPMENT APPLICATION FORM APC 5-0

For Permit to Construct & Certificate to Operate

APPLICATION ID:	CW001917
UPDATED DATE:	2/28/2017
REQUEST ID:	203321

Facility / Owner / PERA Information:

1A. FACILITY NAME (IF ANY)	1B. FACILITY:
	EXISTING

1C. FACILITY LOCATION (NUMBER AND STREET ADDRESS)	1D. BOROUGH	1E. STATE	1F. BLOCK
16 HUDSON STREET	Manhattan	NY	00144

1G. LOT	1H. ZIP	1I. BUILDING IDENTIFICATION NUMBER (BIN)	1J. EQUIPMENT LOCATION	1K. NO. OF FLOOR	1L. NO. OF APTS
0001	10013	077399		6	25

1M. NO. OF ROOMS	1N. BUILDING TOTAL SQ FT.	1O.IS THIS EQUIPMENT A REPLACEMENT FOR EQUIPMENT PRESENTLY CERTIFIED?	1P. IF YES, PROVIDE THE INSTALLATION NUMBER OF THE EQUIPMENT IT IS REPLACING:
75	16023	Yes	CA028979 Exp. 10/13/2016

This is applicable only for Mobile Boilers

Office Location (Number and Street Address)	City	State	Zip

Serial No. of Burner	Serial No. of Boiler	Trailer No.	License Plate No.

2A. OWNER'S NAME	2B. NUMBER AND STREET ADDRESS	2C. CITY / BOROUGH	2D. STATE	2E. ZIP
ONE HUDSON PARK INC C/O THE ANDREWS ORGANIZATION	666 BROADWAY	NEW YORK	NY	10012

2F. EMAIL ADDRESS	2G. TELEPHONE	2H. FAX	2I. FACILITY CLASSIFICATION
lwilkofsky@andrewsbc.com	212-529-5688		I. RESIDENTIAL

3A. NAME OF P.E. OR R.A	3B. N.Y.S. P.E. OR R.A. LICENSE No.	3C. EMAIL ADDRESS
Joseph Bazini	087678	joe@baziniengineering.com

3D. TELEPHONE	3E. FAX	3F. COMPANY NAME
516-502-4837		Bazini Engineering, P.C.

3G. NUMBER AND STREET ADDRESS	3H. CITY / BOROUGH	3I. STATE	3J. ZIP
514 Meacham Avenue	Elmont	NY	11003

3K. NAME OF INSTALLER	3La. LICENSE TYPE	3L. LICENSE NUMBER	3M. EMAIL ADDRESS
ANTHONY FISCHETTI	LOBI	4254	anthonyf@champion-combustion.com

3N. TELEPHONE	3O. FAX	3P. COMPANY NAME
7188158800		CHAMPION COMBUSTION CORP

3Q. NUMBER AND STREET ADDRESS	3R. CITY / BOROUGH	3S. STATE	3T. ZIP
8019 17TH AVENUE	Brooklyn	NY	11214

Fee Information:

4A. Tax Exempt	4B. Tax Exempt Agency Name	4C. Fee Waiver	4D. Fee Waiver Reason
NO		NO	

ALL PERTINENT DETAILS CONCERNING THE FOLLOWING ITEMS AS WELL AS ANY OTHER INFORMATION NOT CONTAINED HEREIN BUT REQUIRED IN THE ENGINEERING CRITERIA FOR FUEL BURNING EQUIPMENT EFFECTIVE JULY 1, 1973 MUST BE INDICATED ON THE PLANS OR SUBMITTED AS SUPPLEMENTAL DATA

Chimney Information:

5B. CHIMNEY	5C. TYPE OF CHIMNEY	5D. CHIMNEY HT (FT)	5E. CHIMNEY INSIDE DIMEN. AT OUTLET (IN)	5F. RADIAL DISTANCE ABOVE(FT)	5G. RADIAL DISTANCE BELOW(FT)	5H. RAIN CAP OR COVER
Existing ✓	Residential ✓	68 ✓	19.5 ✓	29.5 ✓	21.8 ✓	NO ✓

5I. EXIT VELOCITY (F/S)	5J. EXIT FLOW RATE (SCFM)	6A. INDUCED DRAFT FAN	6B. Manufacturer	6C. Model Number	6D. Capacity	14G. BLOWDOWN & THR	14J. CAPACITY _ GPH PE
21.8	2707	Yes/New	ENERVEX	RSV-450	1.75 in w.c. at 2	NO	

Emission Monitor:

7A. CONTINOUS OPACITY MONITOR		7B. CONTINOUS Nox MONITOR		7C. CONTINOUS Sox MONITOR	
MAKE:		MAKE:		MAKE:	
MODEL NO.:		MODEL NO.:		MODEL NO.:	

Boiler:

8A. BOILER MAKE	8B. BOILER MODEL	8C. MAX INPUT RATING(MILLION BTU/HR)	8D. Number of Identical boilers applied for	8E. BOILER	8F. BOILER CATEGORY
ROCKMILLS	MP4-162	7.112	1	Exisiting	Scotch Marine Boiler

8G. TYPE OF BOILER	8H. HEATING SURFACE(FIRESIDE) In SQ. FT.	8I. GROSS OUTPUT MILLION BTU/HR.	8J. FIRING RATE (Gallons/Hr. or Cubic Ft/Hr.)	8K. ADDITIONAL COMBUSTION EQUIPMENT ON CHIMNEY OR IN BOILER ROOM:
Steel, Steam	625	5.42	48.9	NO

8L. AUTOMATIC PRESSURE DEVICE TO MAINTAIN BOILER STEAM		8M. AUTOMATIC TEMPERATURE DEVICE TO MAINTAIN BOILER WATER TEMP.	
PRESSURE@	5 PSIG (MINIMUM)	PRESSURE@	180 PSIG (MINIMUM)
MFR:	HONEYWELL	MFR:	HONEYWELL
CAT. NO.	L404	CAT. NO.	L4006A

N. LEAD LAG SYSTEM: No	8O. LEAD LAG SYSTEM	MAKE:
f you select NO, please ensure that boilers are interlocked)	MODEL:	OTHER:
P.TYPE OF LOAD ON BOILER:	8Q.Is It A Condensing Boiler	8R.Is The Boiler Part Of Cogeneration Unit
pace Heating, Hot Water	No	No

urner:

. BURNER MAKE	9B. BURNER MODEL	9C. NUMBER OF BURNERS	9D. BURNER	9E. BURNER TYPE Oil-Atomizers	9E. BURNER TYPE Natural Gas	9F. UNIT HEAT INPUT (MILLION BTU/HR)
	MMG-84P	1	New	Pressure Atomized Burners	Forced Draft Powers Gas Burner	7.112

A. Fuel Type 1	10B.Fuel Type 1 Hours/day	10C.Fuel Type 1 Days/year	10D. Fuel Type 1 Quantity/hour (gph/cfh)	10E. Fuel Type 1 Quantity/year (gph/cfh)	10F. Fuel Type 1 Max Fuel Delivery Rate
tural Gas	3	355	7112	7574280	7112 CFH

A. Fuel Type 2	11B. Fuel Type 2 Hours/day	11C. Fuel Type 2 Days/year	11D. Fuel Type 2 Quantity/hour (gph/cfh)	11E. Fuel Type 2 Quantity/year (gph/cfh)	11F. Fuel Type 2 Max Fuel Delivery Rate
o.2 Fuel Oil	3	10	50.8	1524	50.8 GPH

2. Burner Limitation Details:
-7' PUMP, '4' PIN, 'C' SCALE

Combustion Controller:

13A. COMBUSTION CONTROL TYPE	Full Modulation With Proven Low Fire Start

13B. HIGH / LOW MODULATING MOTOR	13E. FIRING RATE CONTROL
HONEYWELL	Yes
13C. MODULATING MOTOR NAME	13F. FIRING RATE CONTROL NAME
HONEYWELL	HONEYWELL
13D. MODULATING MOTOR MODEL. NO.	13G. FIRING RATE CONTROL CAT NO.
M9174C	L91B

Oil Handling:

14A. NUMBER OF PRIMARY OIL HEATERS	14B. MFR	14C. CAT. NO.	14D.Type	14E. CIRCULATION	14F. NON-CONTAMINATING

			None	None	NO

14G. BLOWDOWN & THROTTLING VALVES	14H. NO OF AUXILLARY (ELECTRIC HEATERS)	14I. CAPACITY(EA) WATTS
NO	0	

14J. CAPACITY _ GPH PER _ °F OIL TEMP RISE@ _ LBS STEAM _ °F H20 _ WATTS

14K. ELECTRIC HEATER(S) UNDER CONSTANT TEMPERATURE CONTROL	14L. OIL STATS AS PER PLAN DETAILS	14M. COLD OIL INTERLOCK	14N. TEMPERATURE GAUGES AS PER PLAN DETAILS	14O. ALL OIL PIPE LINES ADEQUATELY INSULATED
NO	NO	NO	NO	NO

Air/Gas Handling:

15A. INTAKE VENTILATION FAN(S)	Yes ✓	15E. EXHAUST FAN(S) IN BOILER ROOM.	NO
15B. MAKE:	ACORN ✓	15F. MAKE:	
15C. MODEL:	453 ✓	15G. MODEL:	
15D. CAPACITY:	2,800 CFM @ 1/4" S.P. ✓	15H. CAPACITY:	

15I.OPENING	15J. IT IS	15K. GROSS AREA (SQ. IN)	15L. EFFICIENCY %	15M. NET AREA(SQ IN)	15N. VENTILATION DUCT
NO	None				Yes Existing

16A.BAROMETRIC DAMPER	16B.NOMINAL SIZE (IN)	16C.NOMINAL AREA (SQ.IN)	16D.POWER OPERATED DRAFT REGULATOR WITH LOW DRAFT CUTOFF	16E. MFR.:	16F. CAT. No.:
Yes	20 ✓	314 ✓	NO		

17A.Do you have smoke alarm with combustion shutoff & audio-visual alarms?	17B.SMOKE ALARM MFR:	17C.SMOKE ALARM MODEL NUMBER:
Yes	FUEL WATCHMAN ✓	SP ✓

Emission Control:

18A. CONTROL EQUIPMENT STATUS	18B. POLLUTANT TYPE	18C. TYPE OF CONTROL	18D. % REMOVAL

CONTAMINANT		EMISSIONS (LB/MILLION BTU)		19C. HOURLY EMISSIONS (LBS/HR)	19D. ANNUAL EMISSIONS (LBS/YEAR)
NAME	CAS NUMBER	19A. ACTUAL	19B. HOW DETERMINED		
TOTAL PARTICULATES	NY079-00-0				
NITROGEN DIOXIDE	10102-44-0				
CARBON MONOXIDE	00630-08-0				

Additional Equipment

Installation No.	Description	Manufacturer	Model	Input (BTU/hr)

Additional Information
NA

CW001917

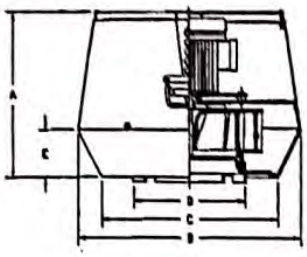
ENERVEX®
RSV 200–450 CHIMNEY FAN

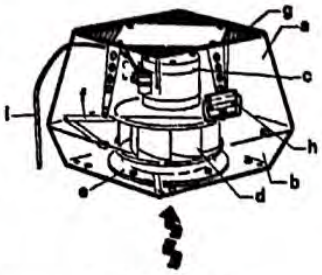
3912021 03.16 | Product Information

Specifications

Model			RSV 200	RSV 250	RSV 315	RSV 400	RSV 450
Discharge			Vertical				
Fan Type			Centrigusl Impeller				
Max. Discharge Velocity		FPM	1,729	2,222	2,771	2,752	4,134
Actual Discharge Velocity		FPM	2.9 x CFM	1.9 x CFM	1.2 x CFM	1.03 x CFM	1.03 x CFM
Voltage		VAC	1x120			3x208-240 / 3x400	
RPM			1600			1720	
Amps		A	1.4	2.9	5.8	3.5/1.8	6.5/3.6
Power Ratings		kW	0.10	0.16	0.35	0.75	1.5
		HP	0.15	0.2	0.5	1	2
Weight		lbs	47	60	88	127	155
		kg	18	26	35	58	70
Dimensions	A	in / mm	11.03 / 280	13.20 / 335	14.97 / 380	16.94 / 430	23.23 / 590
	B x B	in / mm	15.37 / 390	19.11 / 485	22.85 / 580	25.61 / 650	25.61 / 650
	C x C	in / mm	12.22 / 310	15.17 / 385	18.32 / 465	20.69 / 525	20.69 / 525
	Ø D	in / mm	7.88 / 200	9.65 / 250	12.41 / 315	15.76 / 400	15.76 / 400
	E	in / mm	3.15 / 80	3.94 / 100	4.53 / 115	5.12 / 130	8.54 / 217
Motor Starter Required			No	No	No	Yes [1]	Yes [1]
Variable Speed Motor			Yes	Yes	Yes	Yes	Yes
FA Sones				3.9	6.3	7.8	8.3
Temperature Rating		Interm.	625°F/329°C				
		Cont.	575°F/302°C				

1) NOT required if using a VFD.



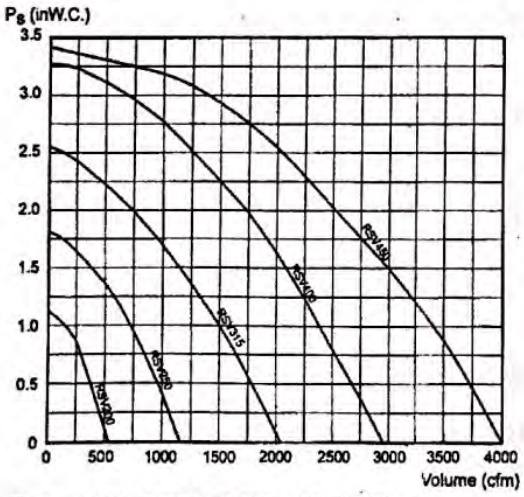


- **a** Top Section
- **b** Bottom Section
- **c** Motor
- **d** Centrifugal Impeller
- **e** Inlet for Impeller
- **f** Locking Hinge
- **g** Bird Screen
- **h** Carrying Handle
- **l** Wiring Conduit

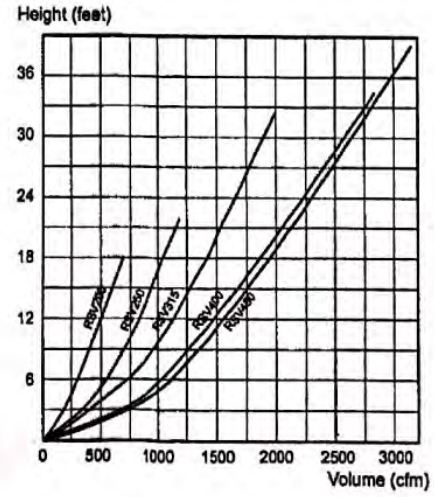
Sound Diagram

Model	Lw dB (measured in accordance with ISO 3744)							Lp dB(A)
	125Hz	250Hz	500Hz	1000Hz	2000Hz	4000Hz	8000Hz	
RSV 200	58	60	62	61	56	44	37	36
RSV 250	64	68	66	65	61	49	45	41
RSV 315	71	75	70	73	68	57	52	48
RSV 400	76	80	75	79	74	62	57	53
RSV 450	79	83	78	78	77	65	60	56

Capacity



Plume Height



Specifications are subject to change without notice.

ENERVEX Inc.
1685 Bluegrass Lakes Parkway
Alpharetta, GA 30004
USA

P: 770.587.3238
F: 770.587.4731
T: 800.255.2923
info@enervex.com
www.enervex.com

ENERVEX®
VENTING DESIGN SOLUTIONS

DRAFT CALCULATION

DRAFT CALCULATIONS BASED ON NYC DEP
"PROCEDURE FOR DETERMINING THE THEORETICAL PRESSURE DIFFERENTIAL REQUIREMENT FOR OIL FIRED COMUBSTION EQUIPMENT AND ASHRAE STANDARDS

ADDRESS: 16 HUDSON STREET **BORO:** MANHATTAN

BZ JOB NUMBER: 232/16 **DATE:** 2/28/2017

Stack Adequacy

Overfire Draft	= +	0.45 ✓	in. w.c.	(ROCKMILLS MP4-162)
Boiler Draft Loss	= -	0.45 ✓	in. w.c.	(ICI MMG-84P)
Total Friction Losses (pg 2)	= -	0.013	in. w.c.	
Total Bend Losses (pg 3)	= -	0.134	in. w.c.	
Total Transition Losses (pg 4)	= -	0.003	in. w.c.	
Stack Effect (pg 1)	= +	0.142	in. w.c.	
Draft Inducer	= +	✓ 1.75	in. w.c.	(ENERVEX RSV-450)
Total Gains =	= +	2.342	in. w.c.	
Total Losses =	= -	0.600	in. w.c.	
Safety Factor	=	10%		(TO BE WRITTEN AS 1.10)

NET AVAILABLE DRAFT = TOTAL GAINS - (TOTAL LOSSES X SAFETY FACTOR)

= 2.342344 - (0.600 X 1.10)

= **1.682** in. w.c. **THEREFORE DRAFT IS ADEQUATE**

STACK EFFECT -(Round Chimney)

TOTAL GPH: 50.8

Diameter = 19.5 in. Diameter^5 = 11.33096

Diameter = 1.63 ft.

Chimney Height:	68	ft.	
Bo:	29.92	in. w.c. ✓	(Barometric Pressure)
Wo:	0.0863	lbs/ft^3 ✓	(Weight of Air at 0F at sea level)
Wc:	0.09	lbs/ft^3 ✓	(Weight of stack gases at 0f at sea level)
To:	555	R	(Absolute Temp. of outside air - 95F + 460)
Tc:	860	R	(Mean temp of stack gases 400 + 460)
Excess Air	35	%	
F:	0.016		(Coefficient of Friction)
kt:	0.67		(Correction Factor for Terperature at 350 F)

$$W = [gph]\,\frac{[0.031 + \%\ \text{excess air}\ (0.029)]}{100} \qquad W = 50.8 \times \frac{(0.031 + (35 \times .029))}{100} \checkmark$$

$$Dr = H\left[88.563\left(.000156 - \frac{.09}{Tc}\right) - .0000074\frac{W\,Tc^2}{D^5}\right] \qquad W = 2.09$$

$$Dr = 68\left[88.563\left(.000156 - \frac{.09}{860}\right) - .0000074\frac{(2.09)^2\ 860}{1.63^5}\right]$$

Dr = 0.142 ✓

$$\text{CFM (Chimney)} = \text{TOTAL GPH} \times \frac{(24.2 + (\%\ \text{excess air} \times 22.9))}{100\%} \times \left(\frac{Tc}{520}\right)$$

$$\text{CFM} = \text{TOTAL GPH} \times \frac{(24.2 + (35 \times 22.9))}{100} \times \left(\frac{860}{520}\right)$$

CFM = 50.800 x 53.28

CFM = 2707 ✓

STATE OF NEW YORK * JOSEPH DAVID BAZINI * 087878 LICENSED PROFESSIONAL ENGINEER

BAZINI ENGINEERING, P.C.
514 MEACHAM AVENUE, SUITE 200

P. E. Seal
Joseph D. Bazini, P.E.

License No: 087678
2/28/2017

P: (516) 502-4837 F: (516) 502-4839

Straight Run Friction Losses

16 HUDSON STREET MANHATTAN

Run #1

Breeching Size = 20
Length = 17 ft.
CFM = 2707
ΔP = 0.11 in w.c. / 100 ft (From Air Duct Calculator)

ΔPt= (Length X ΔP X kt)

ΔPt = (17 X 0.11 X .0067)
ΔPt = 0.013

Run #1 total = 0.01

Total Friction Loss (Runs) = 0.013 In. w.c.

BAZINI ENGINEERING, P.C.
514 MEACHAM AVENUE, SUITE 200
P: (516) 502-4837 F: (516) 502-4839

P. E. Seal
Joseph D. Bazini, P.E.

Bend Location #1

Type: 3 piece mitered round elbow
Breeching Size : 20 " diameter
Co 0.42 (Friction Coefficient - Sheet 5 Table 1)
gph = 50.8

ANGLE: 90 °
area = 2.18 sq. ft.
CFM = 2707
Velocity = 1241 ft/sec

Bend #1 loss = $Co \left[\frac{Velocity}{4005}\right]^2 X\ Kt = 0.42 \left(\frac{1241}{4005}\right)^2 x\ .67 =$

Bend Location #1 Loss = 0.027 in. w.c.

Bend Location #2

Type: 2 piece mitered round elbow
Breeching Size : 20 " diameter
Co 0.34 (Friction Coefficient Sheet 5 Table 5)
gph = 50.8

ANGLE: 45 °
area = 2.18 sq. ft.
CFM = 2707
Velocity = 1241 ft/sec

Bend #2 loss = $Co \left[\frac{Velocity}{4005}\right]^2 X\ Kt = 0.34 \left(\frac{1241}{4005}\right)^2 x\ .67 =$ 0.022

Bend Location #2 Loss = 0.022 in. w.c.

Bend Location #4

Type: 2 piece mitered round elbow
Breeching Size : 19.5 " diameter
Co 1.2 (Friction Coefficient Sheet 5 Table 5)
gph = 50.8

ANGLE: 90 °
area = 2.07 sq. ft.
CFM = 2707
Velocity = 1305 ft/sec

Bend #2 loss = $Co \left[\frac{Velocity}{4005}\right]^2 X\ Kt = 1.2 \left(\frac{1305}{4005}\right)^2 x\ .67 =$ 0.085

Bend Location #4 Loss = 0.085 in. w.c.

Total Bend Loss = 0.134 in. w.c.

Note: Tables referenced located on sheet 5, 6, 7

BAZINI ENGINEERING, P.C.
514 MEACHAM AVENUE, SUITE 200

P. E. Seal
Joseph D. Bazini, P.E.

P: (516) 502-4837 F: (516) 502-4839

License No: 087678

2/28/2017

Transition Losses

16 HUDSON STREET MANHATTAN

Transition Location #3

ANGLE: 180 °

Type:	20" Round to 19.5" Round		(Table #3)	Velocity = CFM/Area 1
Area 1	2.18 sq ft	gph =	50.8	Velocity = 1241
Area 2	2.07 sq ft	CFM =	2707	Co = 0.049
				A1/A2 = 1.052

Transition Loss = $Co \left[\frac{Velocity}{4005}\right]^2 X\ Kt$ = $0.049 \left(\frac{908}{4005}\right)^2 x .67 =$

Transition Loss Location #3 = 0.003 in. w.c.

STATE OF NEW YORK JOSEPH DAVID BAZINI LICENSED PROFESSIONAL ENGINEER

Total Transition Losses = 0.003 in. w.c.

Note: Tables referenced located on sheet 5, 6, 7

BAZINI ENGINEERING, P.C.
514 MEACHAM AVENUE, SUITE 200

P. E. Seal
Joseph D. Bazini, P.E.

2009 ASHRAE FITTING COEFFICIENT TABLES

16 HUDSON STREET MANHATTAN

TABLE 1 - 90 DEGREE ELBOW, MITERED

Elbow, 3 Gore, 90 Degree, r/D = 0.75 to 2.0					
r/D	0.75	1.00	1.50	2.00	
Co	0.54	0.42	0.34	0.33	

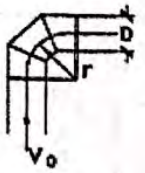


TABLE 5 - Round Elbow - Various Degrees

θ	20	30	45	60	75	90
Co	0.08	0.16	0.34	0.55	0.81	1.2

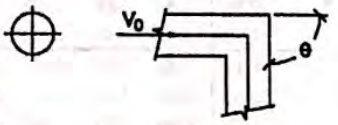


TABLE 2 - 45 DEGREE ELBOW, MITERED

Elbow, Mitered, 45 Degree										
D, in	3	6	9	12	15	18	21	24	27	60
Co	0.87	0.79	0.74	0.72	0.71	0.7	0.69	0.68	0.68	0.67

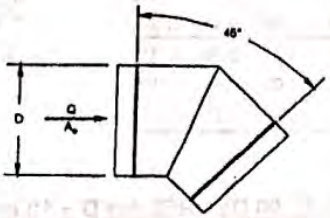


TABLE 3 - TRANSITION, ROUND TO ROUND

	Co Values									
Ao / A1	0	10	15	20	30	45	60	90	120	180
0.10	0.00	0.20	0.27	0.38	0.59	0.76	0.80	0.83	0.84	0.83
0.25	0.00	0.16	0.21	0.30	0.46	0.61	0.68	0.64	0.63	0.62
0.50	0.00	0.11	0.13	0.19	0.32	0.33	0.33	0.32	0.31	0.30
1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2.00	0.00	0.21	0.19	0.19	0.19	0.23	0.27	0.51	0.73	0.95
4.00	0.00	0.75	0.70	0.70	0.70	0.90	1.09	2.78	4.29	6.53
6.00	0.00	1.73	1.58	1.58	1.58	2.12	2.66	6.62	10.01	15.12
10.00	0.00	5.30	5.00	5.00	5.00	6.45	7.90	19.00	28.50	42.70

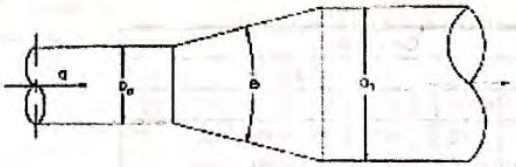
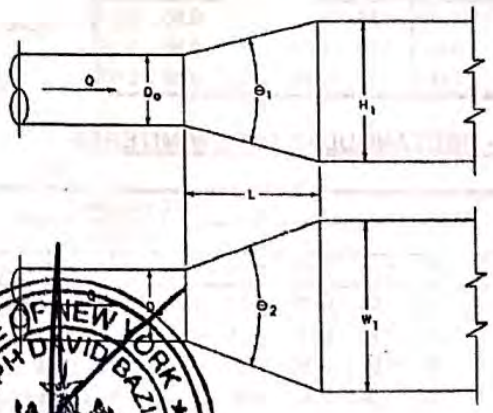


TABLE 4 - TRANSITION, ROUND TO RECTANGULAR

	Co Values									
Ao / A1	0	10	15	20	30	45	60	90	120	180
0.10	0.00	0.30	0.45	0.53	0.64	0.75	0.84	0.89	0.89	0.88
0.25	0.00	0.25	0.36	0.45	0.52	0.58	0.62	0.64	0.64	0.64
0.50	0.00	0.15	0.22	0.25	0.30	0.33	0.33	0.33	0.32	0.30
1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2.00	0.00	0.26	0.26	0.25	0.19	0.23	0.27	0.52	0.75	0.95
4.00	0.00	0.84	0.85	0.86	0.76	0.90	1.09	2.78	4.30	6.55
6.00	0.00	1.84	1.77	1.78	1.73	2.18	2.67	6.67	10.07	15.18
10.00	0.00	5.40	5.18	5.15	5.05	6.44	7.94	19.06	28.55	42.75



Tables based on ASHRAE Fundamental Handbook Standards 2009

BAZINI ENGINEERING, P.C.
514 MEACHAM AVENUE, SUITE 200
P: (516) 502-4837 F: (516) 502-4839

STATE OF NEW YORK ★ JOSEPH DAVID BAZINI ★ 087678 LICENSED PROFESSIONAL ENGINEER

P. E. Seal
Joseph D. Bazini, P.E.
License No: 087678

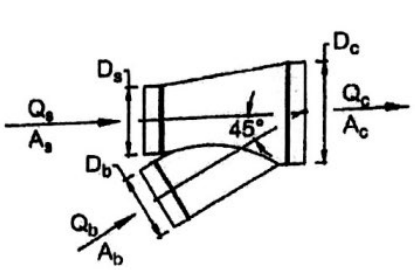
232/16

2009 ASHRAE FITTING COEFFICIENT TABLES

16 HUDSON STREET MANHATTAN

TABLE 6 - CONVERGING WYE, 45 DEGREE

Cs Values						
		Qb / Qc				
As/Ac	Ab/Ac	0.1	0.3	0.5	0.7	0.9
0.1	0.10	-0.64	0.17	1.87	3.76	5.92
	0.50	-0.40	1.26	2.40	3.94	5.94
	1.00	0.76	1.44	2.47	3.97	5.94
0.5	0.10	-1.43	-7.36	-2.01	-0.18	0.26
	0.50	-30.7	-1.30	0.21	0.36	0.30
	1.00	-5.99	0.61	0.59	0.43	0.30
1	0.10	-25.2	-31.6	-9.37	-2.06	-0.31
	0.50	-144	-8.39	-1.03	-0.08	-0.17
	1.00	-45.4	-0.88	0.44	0.20	-0.15



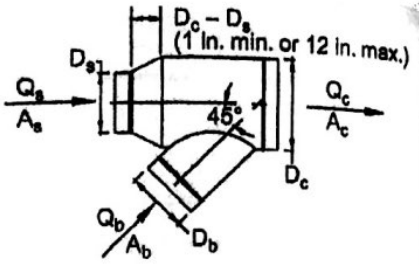


TABLE 7- CONVERGING TEE, 90 DEGREE for D > 10 inches

Cs Values						
		Qb / Qc				
As/Ac	Ab/Ac	0.1	0.3	0.5	0.7	0.9
0.1	0.10	7.87	1.07	0.86	0.82	0.81
	0.50	2.13	0.91	0.84	0.82	0.81
	1.00	1.63	0.89	0.83	0.82	0.81
0.5	0.10	320	10.97	2.18	0.72	0.31
	0.50	25.1	2.47	0.87	0.44	0.26
	1.00	16.2	2.22	0.83	0.43	0.26
1	0.10	-73.1	3.9	1.70	0.58	0.03
	0.50	3.90	6.14	2.04	0.66	0.04
	1.00	238	12.88	3.08	0.88	0.07

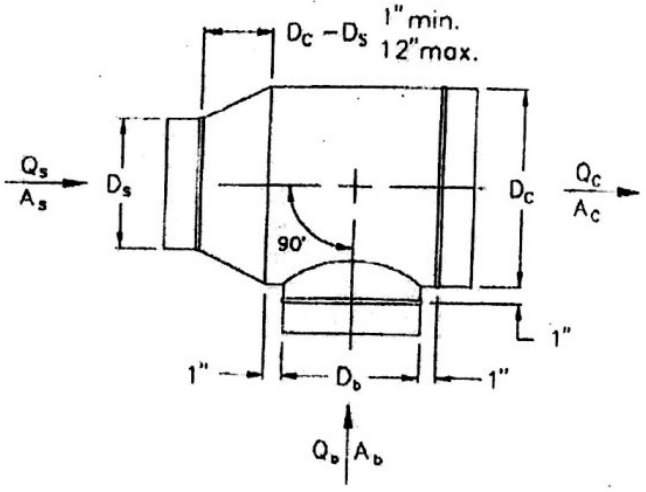
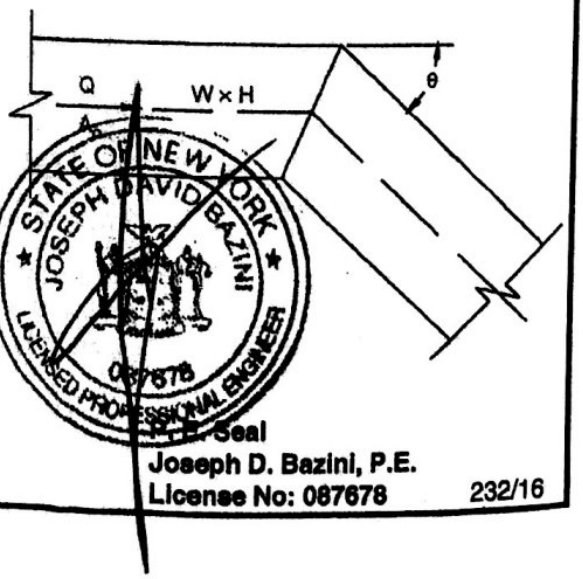


TABLE 8 - RECTANGULAR ELBOW MITERED

	Co Values										
	H / W										
Θ	0.25	0.50	0.75	1.00	1.50	2.00	3.00	4.00	5.00	6.00	8.00
20	0.08	0.08	0.08	0.07	0.07	0.07	0.06	0.06	0.05	0.05	0.05
30	0.18	0.17	0.17	0.16	0.15	0.15	0.13	0.13	0.12	0.12	0.11
45	0.38	0.37	0.36	0.34	0.33	0.31	0.28	0.27	0.26	0.25	0.24
60	0.60	0.59	0.57	0.55	0.52	0.49	0.46	0.43	0.41	0.39	0.38
75	0.89	0.87	0.84	0.81	0.77	0.73	0.67	0.63	0.61	0.58	0.57
90	1.30	1.27	1.23	1.18	1.13	1.07	0.98	0.92	0.89	0.85	0.83



BAZINI ENGINEERING, P.C.
514 MEACHAM AVENUE, SUITE 200
P: (516) 502-4837 F: (516) 502-4839

STATE OF NEW YORK
JOSEPH DAVID BAZINI
087678
LICENSED PROFESSIONAL ENGINEER

Seal
Joseph D. Bazini, P.E.
License No: 087678

232/16

TABLE 9 - TRANSITION, RECTANGULAR TO RECTANGULAR

	Co Values							
	Θ							
Ao / A1	0	15	30	45	60	90	120	180
0.10	0.00	0.25	0.53	0.69	0.83	0.94	0.94	0.91
0.25	0.00	0.19	0.42	0.60	0.68	0.70	0.70	0.66
0.50	0.00	0.13	0.24	0.35	0.37	0.38	0.37	0.35
1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2.00	0.00	0.17	0.17	0.23	0.29	0.49	0.66	0.88
4.00	0.00	0.70	0.70	0.90	1.09	2.84	4.36	6.57
6.00	0.00	1.58	1.58	2.12	2.66	6.71	10.11	15.20
10.00	0.00	5.00	5.00	6.45	7.93	19.10	28.60	42.79

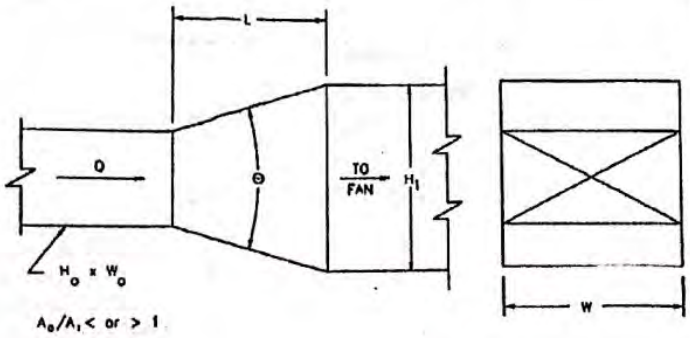
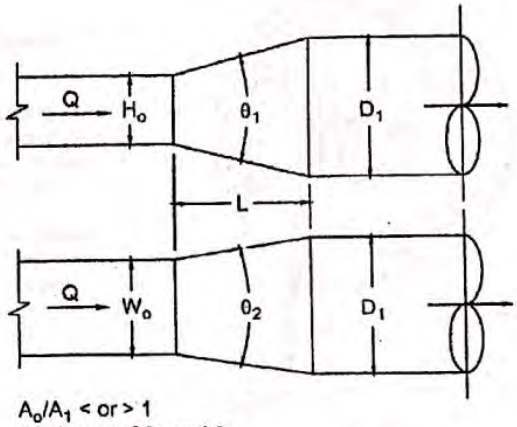


TABLE 10 - TRANSITION, RECTANGULAR TO ROUND

	Co Values							
	Θ							
Ao / A1	0	15	30	45	60	90	120	180
0.10	0.00	0.45	0.64	0.75	0.84	0.89	0.89	0.88
0.25	0.00	0.36	0.52	0.58	0.62	0.64	0.64	0.64
0.50	0.00	0.22	0.30	0.33	0.33	0.33	0.32	0.30
1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2.00	0.00	0.28	0.19	0.23	0.27	0.52	0.75	0.95
4.00	0.00	0.85	0.76	0.90	1.09	2.78	1.30	6.55
6.00	0.00	1.77	1.73	2.18	2.67	6.67	10.07	15.18
10.00	0.00	5.18	5.05	6.44	7.94	19.06	28.55	42.75



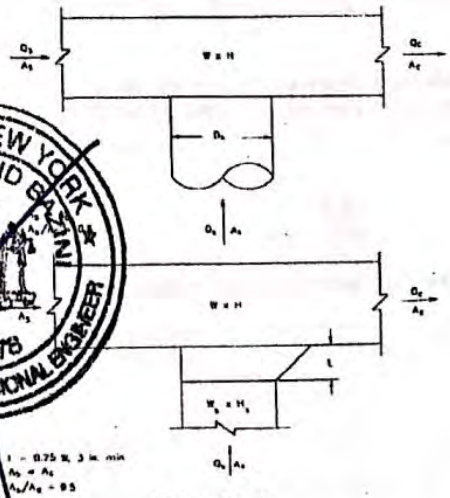
A_o/A_1 < or > 1
0 is larger of θ_1 and θ_2

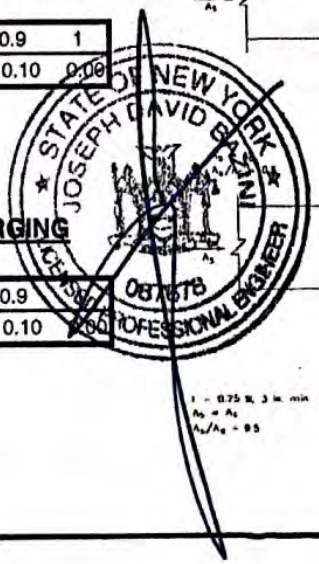
TABLE 11 - TEE, ROUND TAP TO RECTANGULAR MAIN, CONVERGING

Qs / Qc	0.1	0.2	0.3	0.4	0.5	0.6	0.7	0.8	0.9	1
Cs	22.15	11.9	6.54	3.74	2.23	1.33	0.76	0.38	0.10	0.00

TABLE 12 - TEE, 45 DEGREE ENTRY BRANCH, CONVERGING

Qs / Qc	0.1	0.2	0.3	0.4	0.5	0.6	0.7	0.8	0.9	1
Cs	22.15	11.9	6.54	3.74	2.23	1.33	0.76	0.38	0.10	0.00





BAZINI ENGINEERING, P.C.
514 MEACHAM AVENUE, SUITE 200
P: (516) 502-4837 F: (516) 502-4839

P. E. Seal
Joseph D. Bazini, P.E.
License No: 087678

ORIGINAL-KEEP IN FILE APC3-0 Rev 03/2015

SIGNATURE INFORMATION

I hereby affirm under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief, and that the equipment and/or apparatus concerned will be installed, altered and operated in accordance with the requirements of the NYC Air Pollution Control Code. I hereby authorize the P.E. / R.A. named herein to file this application on my behalf. I hereby acknowledge that false statements are punishable as a class A misdemeanor pursuant to sec. 24-190 of the NYC air pollution control code and sec. 210-45 of the penal law. All equipment and apparatus in addition to complying with the NYC DEP Bureau of Environmental Compliance shall also meet the requirements of other federal, state and local agencies including but not limited to the Federal Government EPA, NYS Dept. of Environmental Conservation, NYS Department of Labor Board of Standards and Appeals, Fire Department of NY, and NYC Department of Buildings. This project meets all applicable Safety Standards. DEP reserves the right to revoke this permit for cause. I understand that there may be audit inspections of this facility by DEP to verify the equipment in this application.

OWNER OR OFFICER'S NAME & TITLE	TELEPHONE
SHABNAM REZAEI, PRESIDENT	(212) 529-5688
OWNER OR OFFICER'S SIGNATURE	**DATE**
	04/11/2016

OWNER COPY

I hereby certify to the best of my knowledge and belief to the accuracy of the technical information contained in this application, plans and any supplementary data submitted. I hereby certify that the information provided on this form is true to the best of my knowledge and belief, and that the equipment and/or apparatus concerned will be designed and installed in accordance with the requirements of the NYC Air Pollution Control Code and DEP Engineering Criteria including but not limited to the following technical specifications:

Please make sure that you check each box below:-

- [X] Boiler/burner will be designed to meet the emissions criteria of the fuel burning criteria with a stack loss of no more than 20%.
- [X] The chimney is equipped with cleanout chamber.
- [ ] Louvered opening in a wall to the outside air will have a net free area of 86 square inches per one million BTU per hour based on the burner oil delivery rate and in no case less than the average internal cross sectional area of the chimney. The net free area of the louver shall be increased in size equivalent to the opening of a barometric damper or dampers.
- [X] The burner will be electrically interlocked with any motorized louver(s), motorized damper(s), mechanical ventilation fans(s), induced draft fan(s) & forced draft fan(s)
- [X] The burner will be designed with an automatic pre purge & post purge operation.
- [X] Access ports will be provided in the breeching and any ventilation ducts.

STATE OF NEW YORK ★ JOSEPH DAVID BAZINI ★ 087678 LICENSED PROFESSIONAL ENGINEER

PLACE SEAL ABOVE

NAME OF NEW YORK STATE P.E. OR R.A. AND LICENSE NUMBER	
JOSEPH D. BAZINI, PE, 087678	
SIGNATURE OF NEW YORK STATE P.E. OR R.A.	**DATE**
	2/22/16

WORK PERMIT will not be issued unless:
(A) Installer is named and (B) Workmen's compensation and disability are on file with BEC.
Final approval of the installation in the form of a **CERTIFICATE OF OPERATION** will not be issued until compliance with all applicable provisions of law, rules and regulations of the NYC Air Pollution Control Code have been verified at the installation site by a representative of the department.

COMPANY NAME OF THE INSTALLER			
CHAMPION COMBUSTION CORP			
COMPANY ADDRESS	**TOWN OR BOROUGH**	**STATE**	**ZIP**
8019 17TH AVENUE	BROOKLYN	NY	11214

(This application is complete and accurate) I hereby certify that upon approval of this application, plans and any supplementary data I will make the installation of and adjustment to the equipment and/or apparatus described herein.

INSTALLER'S NAME:	NYC OIL BURNER LICENSE No.:	CLASS:
ANTHONY J FISCHETTI	4254	B
INSTALLER'S SIGNATURE:	**EMAIL ADDRESS (MANDATORY):**	**DATE:**
	anthonyf@champion-combustion.com	4/13/16

(This application is complete and accurate) I hereby certify that upon approval of this application, plans and any supplementary data I will make the installation of and adjustment to the equipment and/or apparatus described herein.

NYC LICENSED PLUMBER'S NAME:	NYC LICENSED PLUMBER No.:
NYC LICENSED PLUMBER'S SIGNATURE:	**EMAIL ADDRESS (MANDATORY):**	**DATE:**

ORIGINAL-KEEP IN FILE

SIGNATURE INFORMATION

Premises Information: 16 HUDSON STREET, Manhattan, NY10013

I hereby affirm under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief, and that the equipment and/or apparatus concerned will be installed, altered and operated in accordance with the requirements of the NYC Air Pollution Control Code. I hereby authorize the P.E. / R.A. named herein to file this application on my behalf. I hereby acknowledge that false statements are punishable as a class A misdemeanor pursuant to sec. 24-190 of the NYC air pollution control code and sec. 210-45 of the penal law. All equipment and apparatus in addition to complying with the NYC DEP Bureau of Environmental Compliance shall also meet the requirements of other federal, state and local agencies including but not limited to the Federal Government EPA, NYS Dept. of Environmental Conservation, NYS Department of Labor Board of Standards and Appeals, Fire Department of NY, and NYC Department of Buildings. This project meets all applicable Safety Standards. DEP reserves the right to revoke this permit for cause. I understand that there may be audit inspections of this facility by DEP to verify the equipment in this application.

OWNER OR OFFICER'S NAME & TITLE ONE HUDSON PARK INC C/O THE ANDREWS ORGANIZATION	TELEPHONE 212-529-5688
OWNER OR OFFICER'S SIGNATURE	DATE

I hereby certify to the best of my knowledge and belief to the accuracy of the technical information contained in this application, plans and any supplementary data submitted.
I hereby certify that the information provided on this form is true to the best of my knowledge and belief, and that the equipment and/or apparatus concerned will be designed and installed in accordance with the requirements of the NYC Air Pollution Control Code and DEP Engineering Criteria including but not limited to the following technical specifications:
Please make sure that you check each box below:

- ☐ Boiler/burner will be designed to meet the emissions criteria of the fuel burning criteria with a stack loss of no more than 20%.
- ☐ The chimney is equipped with cleanout chamber.
- ☐ Louvered opening in a wall to the outside air will have a net free area of 86 square inches per one million BTU per hour based on the burner oil delivery rate and in no case less than the average internal cross sectional area of the chimney. The net free area of the louver shall be increased in size equivalent to the opening of a barometric damper or dampers.
- ☐ The burner will be electrically interlocked with any motorized louver(s), motorized damper(s), mechanical ventilation fans(s), induced draft fan(s) & forced draft fan(s)
- ☐ The burner will be designed with an automatic pre purge & post purge operation.
- ☐ Access ports will be provided in the breeching and any ventilation ducts.

PLACE SEAL ABOVE

NAME OF NEW YORK STATE P.E OR R.A LICENSE NUMBER
Joseph Bazini 087678

SIGNATURE OF PROFESSIONAL ENGINEER OR REGISTERED ARCHITECT DATE

Work Permit will not be issued unless:
(A) Installer is named and (B) Workmen's compensation and disability are on file with BEC.
Final approval of the installation in the form of a **CERTIFICATE OF OPERATION** will not be issued until compliance with all applicable provisions of law, rules and regulations of the NYC Air Pollution Control Code have been verified at the installation site by a representative of the department.

Company Name of the Installer CHAMPION COMBUSTION CORP

Company Address 8019 17TH AVENUE

Town or Boro Brooklyn State NY Zip 11214

(This application is complete and accurate) I hereby certify that upon approval of this application, plans and any supplementary data I will make the installation of and adjustment to the equipment and/or apparatus described herein

INSTALLER'S NAME: ANTHONY FISCHETTI	NYC OIL BURNER LICENSE NUMBER: 004254	CLASS:
INSTALLER'S SIGNATURE:	EMAIL ADDRESS (mandatory) anthonyf@champion-combustion.com	DATE:

(This application is complete and accurate) I hereby certify that upon approval of this application, plans and any supplementary data I will make the installation of and adjustment to the equipment and/or apparatus described herein

NYC LICENSED PLUMBER'S NAME:	NYC LICENSED PLUMBER NUMBER:	
LICENSED PLUMBER'S SIGNATURE:	EMAIL ADDRESS (mandatory)	DATE:

ORIGINAL-KEEP IN FILE

PC Rev 02/09

New York City Department of Environmental Protection

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
59-17 Junction Boulevard, 9th Floor, Flushing, New York 11373-5108
Records Control (718) 595-3855

Date: 02/28/2017

Installation #:

Reference: 16 HUDSON STREET (*Premise's Address*) MANHATTAN (*City*) NY (*State*) 10013 (*Zip*) Manhattan (*Borough*)

PROFESSIONAL CERTIFICATION

Being duly mindful of my responsibilities as a licensed Professional Engineer / Registered Architect in the State of New York and acting as designated agent for the applicant, I hereby certify that the application, plans, and all supplementary documents submitted in connection with this filing are complete and fully comply with all applicable laws, codes, rules, regulations, and directives of the Department of Environmental Protection, Bureau of Environmental Compliance of the City of New York in effect at the time filed.

STATE OF NEW YORK * JOSEPH DAVID BAZINI * 087678 LICENSED PROFESSIONAL ENGINEER

N.Y.S. P.E. or R. A. Seal:	
N.Y.S. P.E. or R. A. Signature:	
N.Y.S. P.E. or R. A. Name:	JOSEPH D. BAZINI
N.Y.S. P.E. or R. A. License Number:	087678

INSTRUCTIONS: Pursuant to Engineering Directive Number 1-78, this certification must be submitted in triplicate with all APC 5-0, APC 5-R, and APC 5-PA applications and does not preclude the necessity to sign and seal the certification now contained on the application forms.

DEP NOTES

1. A TEST HOLE SHALL BE LOCATED WITHIN ONE BREECHING DIAMETER OF THE CONNECTION TO THE BASE OF THE CHIMNEY. THE TEST HOLE SHALL BE 5/16"Ø AND SHALL BE MARKED AND INDICATED AS "TEST HOLE".
2. TEST HOLES SHALL BE COVERED WITH A SCREW OR BY OTHER MEANS WHEN EQUIPMENT IS NOT BEING TESTED.
3. ACCESS PORTS SHALL BE INSTALLED IN BREECHING A MINIMUM OF 15 FEET APART FOR CLEANING PURPOSES. ACCESS PORTS SHALL BE A MINIMUM OF 8"x8". ACCESS PORTS SHALL BE A MAXIMUM OF ONE BREECHING DIAMETER FROM ALL SEQUENTIAL DAMPERS.
4. THE OUTLET OF THE CHIMNEY SHALL EXTEND AT LEAST 3 FEET ABOVE ALL CONSTRUCTION WITHIN 10 FEET FOR OIL BURNING INSTALLATIONS.
5. THE CHIMNEY EXTENDS A MINIMUM DISTANCE OF 3 FT ABOVE ALL CONSTRUCTION LOCATED WITHIN 10 FT OF THE CENTERLINE OF THE CHIMNEY OUTLET.

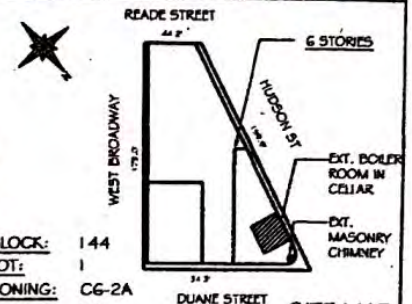
RECEPTOR REQUIREMENTS

THE MINIMUM RADIAL DISTANCE FROM THE CENTERLINE OF THE CHIMNEY TO AN ACCEPTABLE RECEPTOR LOCATION WHERE THE RECEPTOR IS EQUAL TO OR HIGHER THAN THE CHIMNEY OUTLET IS 29.5 FT. THE MINIMUM RADIAL DISTANCE FROM THE CENTERLINE OF THE CHIMNEY TO AN ACCEPTABLE RECEPTOR LOCATION WHERE THE RECEPTOR IS LOWER THAN THE CHIMNEY OUTLET IS 21.6 FT.

OIL BURNER LIMITATION

INDUSTRIAL COMBUSTION MMG-84P FIRING AT 50.8 GPH

THE BURNER SHALL FIRE AT 50.8 GPH WITH THE USE OF A 8-7 OIL/AIR PUMP, A 4 PIN, AND A 10 SCALE.

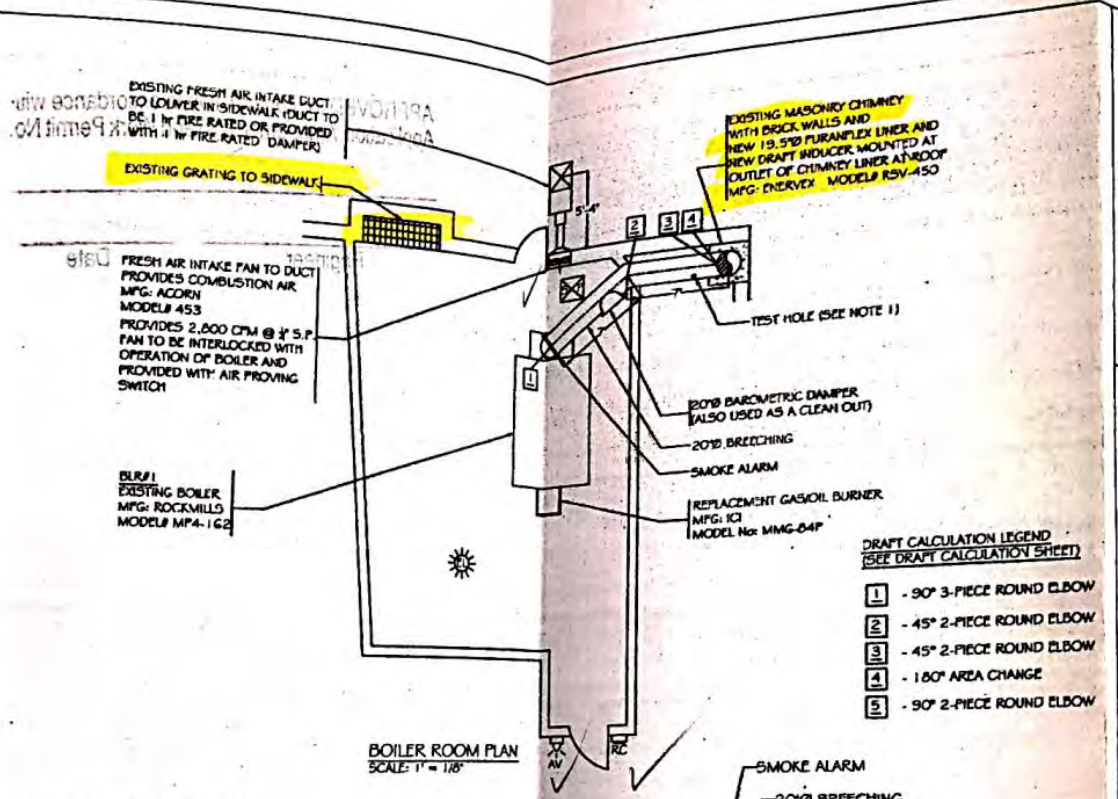


BLOCK:	144
LOT:	1
ZONING:	C6-2A
MAP No:	12A
COM BRD:	101

SITE MAP
N.T.S.

LEGEND

- CO - CLEAN OUT DOOR (8"X8" MINIMUM) (REQUIRED AT INTERVALS OF 15' MAX.)
- ☼ - ELECTRIC LIGHT
- RC - BOILER REMOTE CUTOFF SWITCH
- AV - AUDIO VISUAL ALARM



BOILER ROOM PLAN
SCALE: 1" = 1'-0"

DRAFT CALCULATION LEGEND (SEE DRAFT CALCULATION SHEET)

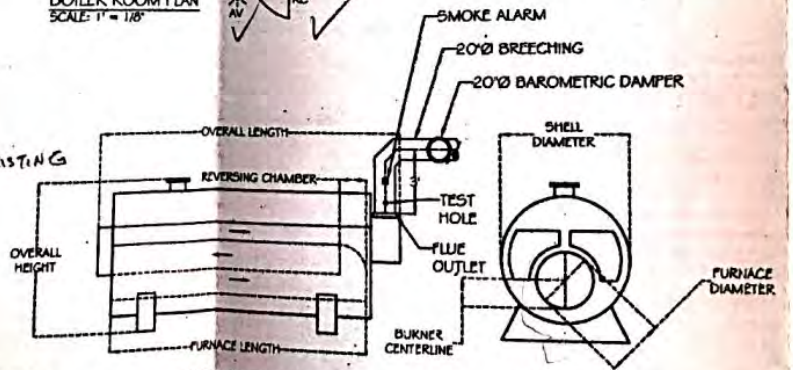
1. - 90° 3-PIECE ROUND ELBOW
2. - 45° 2-PIECE ROUND ELBOW
3. - 45° 2-PIECE ROUND ELBOW
4. - 180° AREA CHANGE
5. - 90° 2-PIECE ROUND ELBOW

ROCKMILLS MP4-162

DIMENSIONS

OVERALL LENGTH -	140"
OVERALL HEIGHT -	91 ½"
SHELL DIAMETER -	76"
FURNACE LENGTH -	84"
FURNACE C.L. HEIGHT -	36"
FURNACE DIAMETER -	40"
REVERSING CHAMBER -	18"
BURNER CENTERLINE -	20"
FLUE OUTLET -	20"
FURNACE VOLUME -	85.65 cu. ft.

EXISTING



BOILER PLAN
N.T.S

BOILER ELEVATION
N.T.S

HEAT RELEASE

$$\text{HEAT RELEASE} = \frac{(140{,}000\ \text{BTU/hr})\ (\text{FIRING RATE})}{\text{FURNACE VOLUME}}$$

$$= \frac{(140{,}000\ \text{BTU/hr})\ (50.8)}{85.65} = 83{,}036\ \text{BTU/hr/cu. ft.}$$

FAN: 2800 CFM ✓

7.112 x 226 = 1607 CFM ✓

AZZINI ENGINEERING, P.C.
ADDRESS: 514 MEACHAM AVENUE, SUITE 200 ELMONT, NY 11003
PHONE: (516) 502-4637 FAX: (516) 502-4639
NYC DOB NO:

REV NO	DATE	DESCRIPTION

P.E. STAMP

STATE OF NEW YORK JOSEPH DAVID AZZINI 087578 LICENSED PROFESSIONAL ENGINEER

JOSEPH D. AZZINI
LICENSE No: 087578

DESCRIPTION: NYC DEP BAR PLAN

PROJECT ADDRESS: 16 HUDSON STREET, MANHATTAN

DRAWN BY: C.O.
DATE: 2/27/2017
SHEET: 1 OF 1
DRAWING NO: 232/16
DRAWING No: DEP-1.0

NYC Environmental Protection

Vincent Sapienza, P.E.
Acting Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Environmental Compliance
59-17 Junction Blvd. 9th Floor, Flushing, NY 11373
Records Control (718) 595-3855

Date: 2/28/2017

Application #: CW001917

Request ID: 203321

PAYMENT RECEIPT

Work Permit Stationary

Applicant's Name: Joseph Bazini

Owner Address:	**Facility Address:**
ONE HUDSON PARK INC C/O THE ANDREWS ORGANIZATION 666 BROADWAY, NEW YORK, NY10012	16 HUDSON STREET, Manhattan, NY10013

This is to inform you that the Department has received the below mentioned amount for your request submitted.

Fees Paid: $345 | card (Mode of payment) | CPY000529656 (Transaction #)

Total: $353.59

(inclusive of convenience fee of 2.49%)

CW001917

R. Radhakrishnan

R.Radhakrishnan, P.E.
Director of Air Engineering

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 2
47-40 21ST Street, Long Island City, NY 11101-5407
Phone: (718) 482-4997 • **FAX:** (718) 482-4975
Website: www.dec.ny.gov

Joe Martens
Commissioner

January 12, 2015

FILE COPY

Arthur Valhuerdi, Senior VP of Operations
DATAGRYD DATA CENTERS LLC
60 Hudson Street, Suite 116B
New York, NY 10013

Re: **Air State Facility Permit, DEC ID 2-6205-01771/00001**
DATAGRYD DATA CENTERS LLC
60 HUDSON ST, NEW YORK, NY 10013

Dear Mr. Valhuerdi:

Enclosed is your Air State Facility Permit for the facility referenced above. Please read it carefully; you must comply with all conditions.

If you have technical questions on the Permit, please contact Eugene Galper in the NYSDEC Division of Air Resources at (718) 482-4869 or call me at (718) 482-4972 for administrative questions.

Please acknowledge receipt of the Permit via email at erin.shirkey@dec.ny.gov or by phone at the above number.

Sincerely,

Erin L. Shirkey
Environmental Analyst 2
Division of Environmental Permits

ecc: S. Lieblich, T. John, E. Galper, DAR
S. Riva, USEPA Region 2, w/o encl
C. Albertin, WSP, w/o encl

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 2-6205-01771/00001
Effective Date: 01/12/2015 Expiration Date: 01/11/2025

Permit Issued To:DATAGRYD DATA CENTERS LLC
20 W 20TH ST 2ND FL
NEW YORK, NY 10011

Contact: ARTHUR VALHUERDI
DATAGRYD DATA CENTERS LLC
60 HUDSON ST STE 116B
NEW YORK, NY 10013
(646) 564-3365

Facility: DATAGRYD DATA CENTERS LLC - 60 HUDSON ST
60 HUDSON ST
NEW YORK, NY 10013

Contact: ARTHUR VALHUERDI
DATAGRYD DATA CENTERS LLC
60 HUDSON ST STE 116B
NEW YORK, NY 10013
(646) 564-3365

Description:
DATAGRYD DATA CENTERS LLC - 60 HUDSON ST is located at 60 HUDSON ST, New York, NY, 10013.

The facility is a data center occupying a portion of a multi-tenant building.

The facility operates combustion installation consisting of one 4.35 MW gas turbine providing electricity and heat that is used to drive absorption chillers for cooling. The facility also operates three emergency diesel generators.

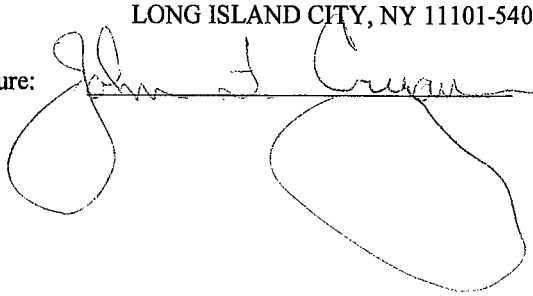
The facility NOx emissions are limited to 24.9 tons per year. Records demonstrating compliance with this cap will be kept in accordance with the permit special conditions.

The facility is subject to the provisions of State Facility requirements specified under 6NYCRR 201-7.

The Air State Facility permit contains a listing of the applicable federal, state, and compliance monitoring requirements for the facility.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: JOHN F CRYAN
NYSDEC - REGION 2
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407

Authorized Signature:  Date: 01 / 12 / 2015

Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

PAGE LOCATION OF CONDITIONS

DEC GENERAL CONDITIONS
****** General Provisions ******
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:
The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:
The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:
Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:
The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

****** Facility Level ******

Condition 5: Submission of application for permit modification or renewal - REGION 2 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To:DATAGRYD DATA CENTERS LLC
20 W 20TH ST 2ND FL
NEW YORK, NY 10011

Facility: DATAGRYD DATA CENTERS LLC - 60 HUDSON ST
60 HUDSON ST
NEW YORK, NY 10013

Authorized Activity By Standard Industrial Classification Code:
7374 - DATA PROCESSING SERVICES

Permit Effective Date: 01/12/2015 Permit Expiration Date: 01/11/2025

PAGE LOCATION OF CONDITIONS

NOTE: * preceding the condition number indicates capping.

FEDERALLY ENFORCEABLE CONDITIONS
**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS
This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: **Sealing - 6 NYCRR 200.5**
The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: **Acceptable Ambient Air Quality - 6 NYCRR 200.6**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Item C: **Maintenance of Equipment - 6 NYCRR 200.7**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Item D: **Unpermitted Emission Sources - 6 NYCRR 201-1.2**

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or

modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6 NYCRR 201-1.5

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

Item F: Recycling and Salvage - 6 NYCRR 201-1.7

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8
No person shall unnecessarily remove, handle, or cause to be handled,

collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Item H: **Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)**
The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item I: **Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)**
The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: **Required Emission Tests - 6 NYCRR 202-1.1**

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

Item K: **Open Fires Prohibitions - 6 NYCRR 215.2**
Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item L: **Permit Exclusion - ECL 19-0305**
The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes

of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item M: **Federally Enforceable Requirements - 40 CFR 70.6 (b)**
All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 1: **Exempt Sources - Proof of Eligibility**
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:6 NYCRR 201-3.2 (a)

Item 1.1:
The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

Condition 2: **Compliance Demonstration**
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:6 NYCRR 201-3.2 (a)

Item 2.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:

AS PROOF OF EXEMPT ELIGIBILITY FOR THE EMERGENCY GENERATORS, THE FACILITY MUST MAINTAIN MONTHLY RECORDS WHICH DEMONSTRATE THAT EACH ENGINE IS OPERATED LESS THAN 500 HOURS PER YEAR, ON A 12-MONTH ROLLING TOTAL BASIS.

Work Practice Type: HOURS PER YEAR OPERATION
Upper Permit Limit: 500.0 hours
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3: Facility Permissible Emissions
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 3.1:
The sum of emissions from the emission units specified in this permit shall not equal or exceed the following
Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY210-00-0 PTE: 49,800 pounds per year
Name: OXIDES OF NITROGEN

Condition 4: Capping Monitoring Condition
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 4.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6

Item 4.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 4.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 4.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an

emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 4.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 4.6:
The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: T-00001

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 4.7:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
NOx emission factor of 51 lb per mmscf of natural gas fired in turbines should be demonstrated through the stack test. (51 lb/mmscf is based on 0.17 lb/mW-hr vendor proposed emission factor, and 1020 Btu/scf heating value of natural gas).

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 51 pounds per million cubic feet
Reference Test Method: EPA Method
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 5: Capping Monitoring Condition
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 5.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6
6 NYCRR Subpart 231-2

Item 5.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 5.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 5.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 5.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 5.6:
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 5.7:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The owner or operator of combustion sources shall maintain a record of the quantity of each fuel fired. Also, the owner or operator shall calculate NOx emissions (based on the fuel quantities) using the following formula:

$T(51) + E(0.21) < 49,800$ lbs/yr of Oxides of Nitrogen emissions.

Where:
T = 12-month rolling total of natural gas fired (from gas turbines) in mmscf/yr
51 lb/mmscf - NOx emission rate based on 0.17 lb/mW-hr proposed by vendor

E = 12-month rolling total of diesel fuel fired (from diesel engine) in gals/yr
0.21 lb/gal - emission rate is based on 6.4 g/kw.hr (4.8 g/hp.hr) emission standard provided in 40 CFR 89.112 for NOx.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 24.9 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2015.
Subsequent reports are due every 12 calendar month(s).

Condition 6: Air pollution prohibited
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:6 NYCRR 211.1

Item 6.1:
No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

Condition 7: Compliance Demonstration
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:6 NYCRR 225-1.2 (f)

Item 7.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 7.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Owners and/or operators of commercial, industrial, or residential emission sources that fire number two heating oil on or after July 1, 2012 are limited to the purchase of number two heating oil with 0.0015 percent sulfur by weight or less. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual

calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 HEATING OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.0015 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 8: Compliance Demonstration
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:6 NYCRR 225-1.2 (g)

Item 8.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 8.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:

Owners and/or operators of a stationary combustion installation that fires distillate oil other than number two heating oil are limited to the purchase of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2014. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.0015 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 9: Compliance Demonstration
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:6 NYCRR 225-1.2 (h)

Item 9.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 9.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:

Owners and/or operators of a stationary combustion installations that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.0015 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME
(INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 10: Compliance Demonstration
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:6 NYCRR 225-1.6 (f)

Item 10.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 10.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Facility owners subject to this Subpart must submit a written report of the fuel sulfur content exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable equivalent emission rate, and the nature and cause of such exceedances if known, for each calendar quarter, within 30 days after the end of any

quarterly period in which an exceedances takes place.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 11: Compliance Demonstration
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:6 NYCRR 227-1.3 (a)

Item 11.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 11.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the Method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up Method 9

tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 12: Applicability
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:40CFR 60, NSPS Subpart IIII

Item 12.1:
Facilities that have stationary compression ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart IIII.

Condition 13: Compliance Demonstration
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:40CFR 60.4330, NSPS Subpart KKKK

Item 13.1:
The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: T-00001

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE

Item 13.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
The emission limit for sulfur dioxide from a stationary turbine is 0.06 lb SO2/mmBtu heat input.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NATURAL GAS
Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 0.06 pounds per million Btus
Reference Test Method: ASTM D5287
Monitoring Frequency: MONTHLY
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD

INDICATED
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 14: Engines at Area sources of HAP
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 14.1:
Internal combustion engines, constructed or re-constructed on or after June 12, 2006, that meet the requirements of 40 CFR 60 Subpart IIII or Subpart JJJJ meet the requirements of 40 CFR 63 Subpart ZZZZ.

****** Emission Unit Level ******

Condition 15: Compliance Demonstration
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:40CFR 60.4320(a), NSPS Subpart KKKK

Item 15.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: T-00001

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 15.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
For a facility with a new turbine firing natural gas and is used for the purpose of electrical generation, and if the combustion turbine heat input at peak load (HHV) is less than or equal to 50 mmBtu/hr, the facility must not exceed the NOx emission standard of 42 ppm at 15% O2.

Compliance with this emission standard shall be determined according to the annual performance tests as specified in §60.4340(a).

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 42 parts per million by volume (dry, corrected to 15% O2)
Reference Test Method: EPA Method 7E or Met
Monitoring Frequency: ANNUALLY
Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2015.
Subsequent reports are due every 12 calendar month(s).

Condition 16: Compliance Demonstration
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable Federal Requirement:40CFR 60.4340(a), NSPS Subpart KKKK

Item 16.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: T-00001

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 16.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
If the facility is not using water or steam injection to control NOx emissions, the facility must perform annual performance tests in accordance with §60.4400 to demonstrate continuous compliance.

If the NOx emission result from the performance test is less than or equal to 75% of the NOx emission limit for the turbine, the facility may reduce the frequency of subsequent performance tests to once every two years (no more than 26 calendar months following the previous performance test). If the results of any subsequent performance test exceeds 75% of the NOx emission limit for the turbine, the facility must resume annual performance tests.

Reference Test Method: EPA Method 7E
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 3-HOUR BLOCK AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

STATE ONLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS
This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: **Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)**
Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

Item B: **General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**
Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

STATE ONLY APPLICABLE REQUIREMENTS
The following conditions are state only enforceable.

Condition 17: Contaminant List
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable State Requirement:ECL 19-0301

Item 17.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this

permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 007446-09-5
Name: SULFUR DIOXIDE

CAS No: 0NY210-00-0
Name: OXIDES OF NITROGEN

Condition 18: Malfunctions and start-up/shutdown activities
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable State Requirement:6 NYCRR 201-1.4

Item 18.1:
(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

Condition 19: Emission Unit Definition
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 19.1:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: E-00001
Emission Unit Description:
Three diesel-powered emergency electrical generators (exempt under 6NYCRR Part 201-3).

Building(s): MAIN

Item 19.2:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: T-00001
Emission Unit Description:
Mercury 50 Gas turbine with electrical generator and absorption chiller vented to stack CTG-1.

Building(s): MAIN

Condition 20: Renewal deadlines for state facility permits
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable State Requirement:6 NYCRR 201-5.2 (c)

Item 20.1:
The owner or operator of a facility having an issued state facility permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Condition 21: Compliance Demonstration
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable State Requirement:6 NYCRR 201-5.3 (c)

Item 21.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 21.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources
NYS Dept. of Environmental Conservation
Region 2

47-40 21st St.
Long Island City, NY 11101

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 22: Visible Emissions Limited
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable State Requirement:6 NYCRR 211.2

Item 22.1:
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

****** Emission Unit Level ******

Condition 23: Emission Point Definition By Emission Unit
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 23.1:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: E-00001

Emission Point: DG001
Height (ft.): 390 Diameter (in.): 20
NYTMN (km.): 4508. NYTME (km.): 583.7 Building: MAIN

Emission Point: DG002
Height (ft.): 390 Diameter (in.): 20
NYTMN (km.): 4508. NYTME (km.): 583.7 Building: MAIN

Emission Point: DG003
Height (ft.): 390 Diameter (in.): 24
NYTMN (km.): 4508. NYTME (km.): 583.7 Building: MAIN

Item 23.2:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: T-00001

Emission Point: CTG01
Height (ft.): 390 Diameter (in.): 44
NYTMN (km.): 4508. NYTME (km.): 583.7 Building: MAIN

Condition 24: **Process Definition By Emission Unit**
Effective between the dates of 01/12/2015 and 01/11/2025

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 24.1:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00001
Process: 030 Source Classification Code: 2-01-001-02
Process Description:
Diesel fuel combustion in internal combustion engines to drive emergency generators producing electricity for emergency use onsite. These emergency generators are rated at 3.0 MWe each.

Emission Source/Control: EDG01 - Combustion
Design Capacity: 4,678 horsepower (mechanical)

Emission Source/Control: EDG02 - Combustion
Design Capacity: 4,678 horsepower (mechanical)

Emission Source/Control: EDG03 - Combustion
Design Capacity: 4,678 horsepower (mechanical)

Item 24.2:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: T-00001
Process: 010 Source Classification Code: 2-01-002-01
Process Description:
Natural gas combustion in a combustion turbine to drive a generator producing electricity for use onsite and to provide heat to drive an absorption chiller for onsite cooling. This turbine is rated at 4.35 MWe.

Emission Source/Control: CT001 - Combustion
Design Capacity: 40.77 million Btu per hour

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS.
READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501771 Facility DATAGRYD DATA CENTERS LLC - 60 HUDSON ST

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01771/00001 Application Recv'd 04/23/2012 Renewal No: 0

Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter / Regulated Contaminant / Process Material	Lower Limit / Upper Limit / Units	Activity Type / Reporting Frequency / Monitoring Frequency / Averaging Method
2	**** **** ****	500.0 hours	WORK PRACTICE INVOLVING SPECIFIC OPERATIONS UPON REQUEST BY REGULATORY AGENCY MONTHLY ANNUAL MAXIMUM ROLLED MONTHLY
	AS PROOF OF EXEMPT ELIGIBILITY FOR THE EMERGENCY GENERATORS, THE FACILITY MUST MAINTAIN MONTHLY RECORDS WHICH DEMONSTRATE THAT EACH ENGINE IS OPERATED LESS THAN 500 HOURS PER YEAR, ON A 12-MONTH ROLLING TOTAL BASIS.		
4	OXIDES OF NITROGEN	51	INTERMITTENT EMISSION TESTING UPON REQUEST BY REGULATORY AGENCY SINGLE OCCURRENCE AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
CAP	OXIDES OF NITROGEN ****	pounds per million cubic feet	
	NOX EMISSION FACTOR OF 51 LB PER MMSCF OF NATURAL GAS FIRED IN TURBINES SHOULD BE DEMONSTRATED THROUGH THE STACK TEST. (51 LB/MMSCF IS BASED ON 0.17 LB/MW-HR VENDOR PROPOSED EMISSION FACTOR, AND 1020 BTU/SCF HEATING VALUE OF NATURAL GAS).		
	Following Emission unit(EU), Emission point(EP), Process(PROC), Emission Source(ES) apply to this monitoring: EU: T-00001		

**** No Data

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501771 Facility DATAGRYD DATA CENTERS LLC - 60 HUDSON ST

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01771/00001 Application Recv'd 04/23/2012 Renewal No: 0

Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter / Regulated Contaminant / Process Material	Lower Limit	Upper Limit / Units	Activity Type / Reporting Frequency / Monitoring Frequency / Averaging Method
5	OXIDES OF NITROGEN		24.9	MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
CAP	OXIDES OF NITROGEN		tons per year	ANNUALLY (CALENDAR)
	****			
	THE OWNER OR OPERATOR OF COMBUSTION SOURCES SHALL MAINTAIN A RECORD OF THE QUANTITY OF EACH FUEL FIRED. ALSO, THE OWNER OR OPERATOR SHALL CALCULATE NOX EMISSIONS (BASED ON THE FUEL QUANTITIES) USING THE FOLLOWING FORMULA:			MONTHLY
	T(51) + E(0.21) < 49,800 LBS/YR OF OXIDES OF NITROGEN EMISSIONS.			
	WHERE: T = 12-MONTH ROLLING TOTAL OF NATURAL GAS FIRED (FROM GAS TURBINES) IN MMSCF/YR 51 LB/MMSCF - NOX EMISSION RATE BASED ON 0.17 LB/MW-HR PROPOSED BY VENDOR			ANNUAL MAXIMUM ROLLED MONTHLY
	E = 12-MONTH ROLLING TOTAL OF DIESEL FUEL FIRED (FROM DIESEL ENGINE) IN GALS/YR 0.21 LB/GAL - EMISSION RATE IS BASED ON 6.4 G/KW.HR (4.8 G/HP.HR) EMISSION STANDARD PROVIDED IN 40 CFR 89.112 FOR NOX.			
7	SULFUR CONTENT		0.0015	WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
	****		percent by weight	
	NUMBER 2 HEATING OIL			AS REQUIRED - SEE MONITORING DESCRIPTION
	OWNERS AND/OR OPERATORS OF COMMERCIAL, INDUSTRIAL, OR RESIDENTIAL EMISSION SOURCES THAT FIRE NUMBER TWO HEATING OIL ON OR AFTER JULY 1, 2012 ARE LIMITED TO THE PURCHASE OF NUMBER TWO HEATING OIL WITH 0.0015 PERCENT SULFUR BY WEIGHT OR LESS. COMPLIANCE WITH THIS LIMIT WILL BE BASED ON VENDOR CERTIFICATIONS.			PER DELIVERY
	DATA COLLECTED PURSUANT TO THIS SUBPART MUST BE TABULATED AND SUMMARIZED IN A FORM ACCEPTABLE TO THE DEPARTMENT, AND MUST BE RETAINED FOR AT LEAST FIVE YEARS. THE OWNER OF A TITLE V FACILITY MUST FURNISH TO THE DEPARTMENT SUCH RECORDS AND SUMMARIES, ON A SEMIANNUAL CALENDAR BASIS, WITHIN 30 DAYS AFTER THE END OF THE SEMIANNUAL PERIOD. ALL OTHER FACILITY OWNERS OR DISTRIBUTORS MUST SUBMIT THESE RECORDS AND SUMMARIES UPON REQUEST OF THE DEPARTMENT.			MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501771 Facility DATAGRYD DATA CENTERS LLC - 60 HUDSON ST

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01771/00001 Application Recv'd 04/23/2012 Renewal No: 0

Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter / Regulated Contaminant / Process Material	Lower Limit	Upper Limit	Units	Activity Type / Reporting Frequency / Monitoring Frequency / Averaging Method
8	SULFUR CONTENT ****		0.0015	percent by weight	WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
	DISTILLATES - NUMBER 1 AND NUMBER 2 OIL				AS REQUIRED - SEE MONITORING DESCRIPTION
	OWNERS AND/OR OPERATORS OF A STATIONARY COMBUSTION INSTALLATION THAT FIRES DISTILLATE OIL OTHER THAN NUMBER TWO HEATING OIL ARE LIMITED TO THE PURCHASE OF DISTILLATE OIL WITH 0.0015 PERCENT SULFUR BY WEIGHT OR LESS ON OR AFTER JULY 1, 2014. COMPLIANCE WITH THIS LIMIT WILL BE BASED ON VENDOR CERTIFICATIONS.				PER DELIVERY
	DATA COLLECTED PURSUANT TO THIS SUBPART MUST BE TABULATED AND SUMMARIZED IN A FORM ACCEPTABLE TO THE DEPARTMENT, AND MUST BE RETAINED FOR AT LEAST FIVE YEARS. THE OWNER OF A TITLE V FACILITY MUST FURNISH TO THE DEPARTMENT SUCH RECORDS AND SUMMARIES, ON A SEMIANNUAL CALENDAR BASIS, WITHIN 30 DAYS AFTER THE END OF THE SEMIANNUAL PERIOD. ALL OTHER FACILITY OWNERS OR DISTRIBUTORS MUST SUBMIT THESE RECORDS AND SUMMARIES UPON REQUEST OF THE DEPARTMENT.				MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR
9	SULFUR CONTENT ****		0.0015	percent by weight	WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
	DISTILLATES - NUMBER 1 AND NUMBER 2 OIL				AS REQUIRED - SEE MONITORING DESCRIPTION
	OWNERS AND/OR OPERATORS OF A STATIONARY COMBUSTION INSTALLATIONS THAT FIRE DISTILLATE OIL ARE LIMITED TO THE FIRING OF DISTILLATE OIL WITH 0.0015 PERCENT SULFUR BY WEIGHT OR LESS ON OR AFTER JULY 1, 2016. COMPLIANCE WITH THIS LIMIT WILL BE BASED ON VENDOR CERTIFICATIONS.				PER DELIVERY
	DATA COLLECTED PURSUANT TO THIS SUBPART MUST BE TABULATED AND SUMMARIZED IN A FORM ACCEPTABLE TO THE DEPARTMENT, AND MUST BE RETAINED FOR AT LEAST FIVE YEARS. THE OWNER OF A TITLE V FACILITY MUST FURNISH TO THE DEPARTMENT SUCH RECORDS AND SUMMARIES, ON A SEMIANNUAL CALENDAR BASIS, WITHIN 30 DAYS AFTER THE END OF THE SEMIANNUAL PERIOD. ALL OTHER FACILITY OWNERS OR DISTRIBUTORS MUST SUBMIT THESE RECORDS AND SUMMARIES UPON REQUEST OF THE DEPARTMENT.				MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501771 Facility DATAGRYD DATA CENTERS LLC - 60 HUDSON ST

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01771/00001 Application Recv'd 04/23/2012 Renewal No: 0

Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter / Regulated Contaminant / Process Material	Lower Limit / Upper Limit / Units	Activity Type / Reporting Frequency / Monitoring Frequency / Averaging Method
10	****		RECORD KEEPING/MAINTENANCE PROCEDURES
	****		
	****		AS REQUIRED - SEE MONITORING DESCRIPTION
	FACILITY OWNERS SUBJECT TO THIS SUBPART MUST SUBMIT A WRITTEN REPORT OF THE FUEL SULFUR CONTENT EXCEEDING THE APPLICABLE SULFUR-IN-FUEL LIMITATION, MEASURED EMISSIONS EXCEEDING THE APPLICABLE SULFUR-IN-FUEL LIMITATION, MEASURED EMISSIONS EXCEEDING THE APPLICABLE EQUIVALENT EMISSION RATE, AND THE NATURE AND CAUSE OF SUCH EXCEEDANCES IF KNOWN, FOR EACH CALENDAR QUARTER, WITHIN 30 DAYS AFTER THE END OF ANY QUARTERLY PERIOD IN WHICH AN EXCEEDANCES TAKES PLACE.		AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
	DATA COLLECTED PURSUANT TO THIS SUBPART MUST BE TABULATED AND SUMMARIZED IN A FORM ACCEPTABLE TO THE DEPARTMENT, AND MUST BE RETAINED FOR AT LEAST FIVE YEARS. THE OWNER OF A TITLE V FACILITY MUST FURNISH TO THE DEPARTMENT SUCH RECORDS AND SUMMARIES, ON A SEMIANNUAL CALENDAR BASIS, WITHIN 30 DAYS AFTER THE END OF THE SEMIANNUAL PERIOD. ALL OTHER FACILITY OWNERS OR DISTRIBUTORS MUST SUBMIT THESE RECORDS AND SUMMARIES UPON REQUEST OF THE DEPARTMENT.		AVERAGING METHOD - SEE MONITORING DESCRIPTION

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501771 Facility DATAGRYD DATA CENTERS LLC - 60 HUDSON ST

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01771/00001 Application Recv'd 04/23/2012 Renewal No: 0

Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter / Regulated Contaminant / Process Material	Lower Limit	Upper Limit	Units	Activity Type / Reporting Frequency / Monitoring Frequency / Averaging Method
11	OPACITY **** ****		20	percent	MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE UPON REQUEST BY REGULATORY AGENCY AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION 6-MINUTE AVERAGE (METHOD 9)

NO PERSON SHALL OPERATE A STATIONARY COMBUSTION INSTALLATION WHICH EXHIBITS GREATER THAN 20 PERCENT OPACITY (SIX MINUTE AVERAGE), EXCEPT FOR ONE 6 MINUTE PERIOD PER HOUR OF NOT MORE THAN 27 PERCENT OPACITY. THE DEPARTMENT RESERVES THE RIGHT TO PERFORM OR REQUIRE THE PERFORMANCE OF A METHOD 9 OPACITY EVALUATION AT ANY TIME DURING FACILITY OPERATION.

THE PERMITTEE WILL CONDUCT OBSERVATIONS OF VISIBLE EMISSIONS FROM THE EMISSION UNIT, PROCESS, ETC. TO WHICH THIS CONDITION APPLIES AT THE MONITORING FREQUENCY STATED BELOW WHILE THE PROCESS IS IN OPERATION. THE PERMITTEE WILL INVESTIGATE, IN A TIMELY MANNER, ANY INSTANCE WHERE THERE IS CAUSE TO BELIEVE THAT VISIBLE EMISSIONS HAVE THE POTENTIAL TO EXCEED THE OPACITY STANDARD.

THE PERMITTEE SHALL INVESTIGATE THE CAUSE, MAKE ANY NECESSARY CORRECTIONS, AND VERIFY THAT THE EXCESS VISIBLE EMISSIONS PROBLEM HAS BEEN CORRECTED. IF VISIBLE EMISSIONS WITH THE POTENTIAL TO EXCEED THE STANDARD CONTINUE, THE PERMITTEE WILL CONDUCT A METHOD 9 ASSESSMENT WITHIN THE NEXT OPERATING DAY OF THE SOURCES ASSOCIATED WITH THE POTENTIAL NONCOMPLIANCE TO DETERMINE THE DEGREE OF OPACITY AND WILL NOTIFY THE NYSDEC IF THE METHOD 9 TEST INDICATES THAT THE OPACITY STANDARD IS NOT MET.

RECORDS OF VISIBLE EMISSIONS OBSERVATIONS (OR ANY FOLLOW-UP METHOD 9 TESTS), INVESTIGATIONS AND CORRECTIVE ACTIONS WILL BE KEPT ON-SITE. SHOULD THE DEPARTMENT DETERMINE THAT PERMITTEE'S RECORD KEEPING FORMAT IS INADEQUATE TO DEMONSTRATE COMPLIANCE WITH THIS CONDITION, IT SHALL PROVIDE WRITTEN NOTICE TO THE PERMITTEE STATING THE INADEQUACIES, AND PERMITTEE SHALL HAVE 90 DAYS TO REVISE ITS PROSPECTIVE RECORD KEEPING FORMAT IN A MANNER ACCEPTABLE TO THE DEPARTMENT.

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS.
READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501771 Facility DATAGRYD DATA CENTERS LLC - 60 HUDSON ST

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01771/00001 Application Recv'd 04/23/2012 Renewal No: 0

Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter / Regulated Contaminant / Process Material	Lower Limit / Upper Limit / Units	Activity Type / Reporting Frequency / Monitoring Frequency / Averaging Method
13	SULFUR DIOXIDE SULFUR DIOXIDE NATURAL GAS THE EMISSION LIMIT FOR SULFUR DIOXIDE FROM A STATIONARY TURBINE IS 0.06 LB SO2/MMBTU HEAT INPUT. Following Emission unit(EU), Emission point(EP), Process(PROC), Emission Source(ES) apply to this monitoring: EU: T-00001	0.06 pounds per million Btus	WORK PRACTICE INVOLVING SPECIFIC OPERATIONS UPON REQUEST BY REGULATORY AGENCY MONTHLY AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Emission Unit: T-00001

Cond Num	Monitored Parameter / Regulated Contaminant / Process Material	Lower Limit / Upper Limit / Units	Activity Type / Reporting Frequency / Monitoring Frequency / Averaging Method
15	OXIDES OF NITROGEN OXIDES OF NITROGEN **** FOR A FACILITY WITH A NEW TURBINE FIRING NATURAL GAS AND IS USED FOR THE PURPOSE OF ELECTRICAL GENERATION, AND IF THE COMBUSTION TURBINE HEAT INPUT AT PEAK LOAD (HHV) IS LESS THAN OR EQUAL TO 50 MMBTU/HR, THE FACILITY MUST NOT EXCEED THE NOX EMISSION STANDARD OF 42 PPM AT 15% O2. COMPLIANCE WITH THIS EMISSION STANDARD SHALL BE DETERMINED ACCORDING TO THE ANNUAL PERFORMANCE TESTS AS SPECIFIED IN §60.4340(A).	42 parts per million by volume (dry, corrected to 15% O2)	INTERMITTENT EMISSION TESTING ANNUALLY (CALENDAR) ANNUALLY 3-HOUR BLOCK AVERAGE

**** No Data

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501771 Facility DATAGRYD DATA CENTERS LLC - 60 HUDSON ST

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01771/00001 Application Recv'd 04/23/2012 Renewal No: 0

Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter / Regulated Contaminant / Process Material	Lower Limit / Upper Limit / Units	Activity Type / Reporting Frequency / Monitoring Frequency / Averaging Method
Emission Unit: T-00001			
16	**** OXIDES OF NITROGEN **** IF THE FACILITY IS NOT USING WATER OR STEAM INJECTION TO CONTROL NOX EMISSIONS, THE FACILITY MUST PERFORM ANNUAL PERFORMANCE TESTS IN ACCORDANCE WITH §60.4400 TO DEMONSTRATE CONTINUOUS COMPLIANCE. IF THE NOX EMISSION RESULT FROM THE PERFORMANCE TEST IS LESS THAN OR EQUAL TO 75% OF THE NOX EMISSION LIMIT FOR THE TURBINE, THE FACILITY MAY REDUCE THE FREQUENCY OF SUBSEQUENT PERFORMANCE TESTS TO ONCE EVERY TWO YEARS (NO MORE THAN 26 CALENDAR MONTHS FOLLOWING THE PREVIOUS PERFORMANCE TEST). IF THE RESULTS OF ANY SUBSEQUENT PERFORMANCE TEST EXCEEDS 75% OF THE NOX EMISSION LIMIT FOR THE TURBINE, THE FACILITY MUST RESUME ANNUAL PERFORMANCE TESTS.		RECORD KEEPING/MAINTENANCE PROCEDURES / AS REQUIRED - SEE MONITORING DESCRIPTION / AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION / 3-HOUR BLOCK AVERAGE
21	**** **** **** ANY REPORTS OR SUBMISSIONS REQUIRED BY THIS PERMIT SHALL BE SUBMITTED TO THE REGIONAL AIR POLLUTION CONTROL ENGINEER (RAPCE) AT THE FOLLOWING ADDRESS: DIVISION OF AIR RESOURCES NYS DEPT. OF ENVIRONMENTAL CONSERVATION REGION 2 47-40 21ST ST. LONG ISLAND CITY, NY 11101		RECORD KEEPING/MAINTENANCE PROCEDURES / AS REQUIRED - SEE MONITORING DESCRIPTION / AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION / AVERAGING METHOD - SEE MONITORING DESCRIPTION

**** No Data

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF FACILITY PERMISSIBLE EMISSIONS.
READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501771 Facility DATAGRYD DATA CENTERS LLC - 60 HUDSON ST

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01771/00001 Application Recv'd 04/23/2012 Renewal No: 0

Permit Type ASF Status Issued

Facility Permissible Emissions

0NY210-00-0	OXIDES OF NITROGEN	49800 pounds per year

Shirkey, Erin L (DEC)

From: Shirkey, Erin L (DEC)
Sent: Thursday, January 14, 2016 3:08 PM
To: Samuel, Saji (DEC)
Cc: Bolt, Robert (DEC); John, Thomas (DEC); Lieblich, Sam (DEC)
Subject: Discontinue ASF, RE: DEC ID 2-6205-01645 Sprint Communications- 60 Hudson Street

Saji –

I have discontinued this ASF 2-6205-01645/00002, Batch 789159 and 689406 effective today 1/14/16.

Thanks, Erin

From: Samuel, Saji (DEC)
Sent: Thursday, January 14, 2016 1:34 PM
To: Shirkey, Erin L (DEC)
Subject: DEC ID 2-6205-01645 Sprint Communications- 60 Hudson Street

Erin,
Can you please discontinue the above mentioned state facility permit. Facility submitted a registration application and requested to with draw the state facility permit.
Thanks
Saji

Shirkey, Erin L (DEC)

From: Lucci, Jim [SPR] <James.Lucci@sprint.com>
Sent: Wednesday, January 13, 2016 4:41 PM
To: Bolt, Robert (DEC)
Cc: Lieblich, Sam (DEC); Shirkey, Erin L (DEC)
Subject: RE: Sprint - 60 Hudson Street Permit DECID: 2-6205-01645
Attachments: NY, NY - 60 Hudson St - Submittal to NYSDEC re Generator Registration (1-13-16).pdf

Hello Mr. Bolt, please accept the attached *Air Facility Registration Application* for our facility located at 60 Hudson Street, NY, NY. We currently operate 2 generators at this location (one generator was retired), and are requesting a change from our Air Permit to Air Registration.

Please let me know if you need any additional information.

Thanks.

Jim Lucci
Sprint EHS - EHS Territory Manager
O: 781-494-0538 / M: 978-853-3526
james.lucci@sprint.com

#gettingbettereveryday Sprint

From: Bolt, Robert (DEC) [mailto:robert.bolt@dec.ny.gov]
Sent: Thursday, August 27, 2015 12:11 PM
To: Lucci, Jim [SPR] <James.Lucci@sprint.com>
Cc: Lieblich, Sam (DEC) <sam.lieblich@dec.ny.gov>
Subject: Sprint - 60 Hudson Street Permit DECID: 2-6205-01645

Mr. Lucci,

See attached regarding your Air State Facility permit for 60 Hudson Street property in New York City. As you recall , you submitted a registration application for your 111 8th Avenue property in March of this year. Please let me know if you have any questions.

Robert.

Robert G. Bolt, P.E. | Environmental Engineer III
New York State Department of Environmental Conservation
Division of Air Resources, Region 2
47-40 21st Street Long Island City, NY 11101
Tel: 718-482-4025 | Fax: 718-482-4874

Sprint

January 13, 2016

Mr. Sam Lieblich, Air Pollution Control Engineer
New York State Department of Environmental Conservation – Region 2
1 Hunter's Point Plaza
47-40 21st Street
Long Island City, NY 11101

RE: NYSDEC Air Facility Registration Application
Sprint Switch
60 Hudson Street
New York, NY 10013
DEC ID# 2-6205-01645/00002

Dear Mr. Lieblich:

Sprint currently operates two, 1,500 kilowatt (kW), Caterpillar emergency generators at the above referenced property. Sprint previously operated three generators, however the 1,000 kW generator was taken out of service and has been retired as of July 31, 2015. The emergency generators were previous part of a Demand Response program, however they were removed from the program back in 2014. Currently there is an Air Facility Permit (Permit ID 2-6205-01645/00002, effective date 9/25/12) in place, however after reviewing the regulatory requirements for emergency generators, Sprint would like to terminate the Air Facility Permit and submit the attached *Air Facility Registration Application* (see Attachment A).

If you have any questions or need additional information, please contact me at james.lucci@sprint.com or (781) 494-0538.

Sincerely,
SPRINT

James Lucci
Northeast Environmental, Health & Safety Territory Manager

Attachment: A – NYSDEC Air Facility Registration Application

ec: *Mr. Robert Bolt, P.E., NYSDEC Div. of Air Resources, Region 2 (via Robert.bolt@dec.ny.gov)*
Ms. Erin Shirkey, NYSDEC Div. of Air Resources, Region 2 (via erin.shirkey@dec.ny.gov)

New York State Department of Environmental Conservation
Air Facility Registration Application

DEC ID	Application Type	Sheet ____ of ____
2-6205-01645	☐ New Facility ☒ Notification of Changes ☐ Renewal	

Facility Information

Name Sprint Switch

Location Address 60 Hudson Street

City	County	Township	Zip
New York	New York		10013

Facility Owner (Individual/Firm)

Taxpayer ID: 431408007

Name Sprint Communications

Street Address PO Box 7994

City	State/Province	Country	Zip
Shawnee Mission	KS		66207

Facility Contact

Last Name	First Name	M.I.
LUCCI	JAMES	

Street Address PO Box 7994

City	State/Province	Country	Zip
Shawnee Mission	KS		66207

E-mail	Phone	Fax
james.lucci@sprint.com	(877)3474457	( )

Facility Description

Number of Emission Points: 2 ☐ Continuation Sheet(s)

SIC Code(s)			NAICS Code(s)			
	4813			517911		

Sprint's primary business is telecommunication operations within a portion of this multi-tenant building. Sprint owns three and operates two (one is out-of-service/retired), diesel powered emergency generators (using low-sulfur diesel fuel) at this location for the purposes of backup emergency power in case of power failure.

Generator No. 1: Caterpillar 1500kW Model 3512 Serial No. 7GM00922; Engine Model 3512B, Serial No. 1GZ01065 (CMC00552) installed 2002, located on ground-floor loading dock (services the 13th, 16th and 17th floors)

Generator No. 2: RETIRED Taken Out of Service 8-1-15. Cummins 1000kW located on ground-floor loading dock

Generator No. 3: Caterpillar 1500kW Model 3512 Serial No. 7GM00923; Engine Model 3512B, Serial No. 1GZ01061 (CMC00551) installed 2002, located on ground-floor loading dock (services the 13th, 16th and 17th floors)

The generators were previously permitted under a Air State Facility Permit (Permit No. 2-6205-01645/00001), and we are requesting a change to Air State Registration only.

* "Actual" emissions are conservatively based on 100 hours of generator run time. Sprint has averaged less than 30 hours of generator run time the last two years

Applicable Federal and New York State Regulations at the Subpart Level

200	201-4	211	225-1	227-1

New York State Department of Environmental Conservation
Air Facility Registration Application

DEC ID
2-6205-01645

Sheet ____ of _____

Auto Body Shops

gallons of coatings/month:	gallons of solvents/month:

Facility Emissions Summary

Criteria Pollutants

CAS No.	Contaminant Name	Cap by Rule	Actual (lbs/yr)	PTE (lbs/yr)
000630-08-0	Carbon Monoxide	☐	4.42	22.11
0NY998-00-0	Total Volatile Organic Compounds (VOC)	☐	0.57	2.84
0NY210-00-0	Oxides of Nitrogen	☒	19.3	96.48
0NY075-00-0	Total Particulate Matter (PM-10 and PM-2.5)	☐	0.56	2.81
007446-09-5	Sulfur Dioxide	☐	0.0098	0.0488
0NY100-00-0	Total Hazardous Air Pollutants (HAP)	☐		
007439-92-1	Lead	☐		
0NY750-00-0	Carbon Dioxide Equivalents	☐	932.6	4,663

Individual Hazardous Air Pollutants ☐ Continuation Sheet(s)

CAS No.	Contaminant Name	Cap by Rule	Actual (lbs/yr)	PTE (lbs/yr)
		☐		
		☐		
		☐		
		☐		
		☐		

Persistent, Bioaccumulative or Toxic Compounds ☐ Continuation Sheet(s)

CAS No.	Contaminant Name		Actual (lbs/yr)	

Certification

I certify the truth, accuracy, and completeness of the information contained in this application.

Responsible Official James Lucci, Sprint	Title EHS Territory Manager
Signature	Date 1/13/2016

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 2-6205-01645/00002
Effective Date: 09/25/2012 Expiration Date: No expiration date

Permit Issued To:SPRINT COMMUNICATIONS CO
12000SUNRISE VALLEY DR
RESTON, VA 20191

Contact: JASON LEONE
SPRINT NEXTEL CORP
PO BOX 7994
OVERLAND PARK, KS 66207-0994
(703) 592-8312

Facility: SPRINT - 60 HUDSON STREET
60 HUDSON ST
NEW YORK, NY 10013

Contact: JASON LEONE
SPRINT COMMUNICATIONS COMPANY
PO BOX 7994
OVERLAND PARK, KS 66207-0994
(703) 592-8312

Description:
SPRINT - 60 HUDSON STREET is a telecommunication center facility located at 60 Hudson St, New York, NY 10013. The facility provides data and web hosting services.

The facility operates combustion installation consisting of three (3) diesel generator engines participating in coordinated demand reduction program (CDRP). One engine (1000 kW) was installed in 1998. Two engines (1500 kW each) are installed in 2002.

The facility NOx emissions are capped at 24.9 tons per year. The facility is subject to the provisions of State Facility requirements specified under 6NYCRR 201-7.

The Air State Facility permit contains a listing of the applicable federal, state, and compliance monitoring requirements for the facility.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: JOHN F CRYAN
NYSDEC
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407

Authorized Signature: John J. Cryan Date: 09/25/2012

Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

PAGE LOCATION OF CONDITIONS

DEC GENERAL CONDITIONS
****** General Provisions ******
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:
The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:
The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:
Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:
The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

****** Facility Level ******

Condition 5: Submission of application for permit modification or renewal - REGION 2 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To:SPRINT COMMUNICATIONS CO
12000SUNRISE VALLEY DR
RESTON, VA 20191

Facility: SPRINT - 60 HUDSON STREET
60 HUDSON ST
NEW YORK, NY 10013

Authorized Activity By Standard Industrial Classification Code:
4813 - TELEPHONE COMMUNICATIONS, EXCEPT RADIO

Permit Effective Date: 09/25/2012 Permit Expiration Date: No expiration date.

PAGE LOCATION OF CONDITIONS

NOTE: * preceding the condition number indicates capping.

FEDERALLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS
This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: **Sealing - 6 NYCRR 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: **Acceptable Ambient Air Quality - 6 NYCRR 200.6**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Item C: **Maintenance of Equipment - 6 NYCRR 200.7**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Item D: **Unpermitted Emission Sources - 6 NYCRR 201-1.2**

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or

modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6 NYCRR 201-1.5

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

Item F: Recycling and Salvage - 6 NYCRR 201-1.7

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8
No person shall unnecessarily remove, handle, or cause to be handled,

collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Item H: **Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)**
The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item I: **Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)**
The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: **Required Emission Tests - 6 NYCRR 202-1.1**

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

Item K: **Open Fires Prohibitions - 6 NYCRR 215.2**
Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item L: **Permit Exclusion - ECL 19-0305**
The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes

of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item M: **Federally Enforceable Requirements - 40 CFR 70.6 (b)**
All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 1: **Facility Permissible Emissions**
Effective between the dates of 09/25/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 1.1:
The sum of emissions from the emission units specified in this permit shall not equal or exceed the following
Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY210-00-0 PTE: 49,800 pounds per year
Name: OXIDES OF NITROGEN

Condition 2: **Capping Monitoring Condition**
Effective between the dates of 09/25/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6
6 NYCRR Subpart 231-2

Item 2.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2.6:
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 2.7:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The NOx (oxides of nitrogen) emissions are capped at 24.9 tons per year.

The owner or operator shall maintain a record of the quantity of each fuel fired at the facility. Also, the owner or operator shall calculate (based on the fuel quantity) using the following formula:

R(0.075) + D(0.02) + G(100) + E(0.44) + N(3400) < 49,800 lbs/yr of Oxides of Nitrogen emissions.

Where:

R = 12-month rolling total of residual oil fired (from boilers) in gals/yr
D = 12-month rolling total of distillate oil fired (from boilers) in gals/yr
G = 12-month rolling total of natural gas fired (from boilers) in MMSCF/yr
E = 12-month rolling total of distillate oil fired (from engines) in gals/yr
N = 12-month rolling total of natural gas fired (from engines) in MMSCF/yr

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 24.9 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2013.
Subsequent reports are due every 12 calendar month(s).

Condition 3: Air pollution prohibited
Effective between the dates of 09/25/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 211.1

Item 3.1:
No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

Condition 4: Compliance Demonstration
Effective between the dates of 09/25/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 225-1.2 (a) (2)

Item 4.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 4.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
No person shall use, purchase, sell, or offer for sale any distillate fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the

any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 9: Emission Unit Definition
Effective between the dates of 09/25/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 9.1:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00001
Emission Unit Description:
THIS EMISSION UNIT CONSISTS OF THREE (3) DIESEL ENGINES BURNING DIESEL FUEL. ONE ENGINE IS 1000 KW AND EXHAUSTS THROUGH THE EXTERIOR BUILDING WALL 15 FT ABOVE GRADE. TWO ENGINES ARE 1500 KW EACH AND EXHAUST THROUGH A COMMON STACK 378 FT ABOVE GRADE (ABOVE BUILDING ROOF).

Building(s): 60 HUDSON

Condition 10: Visible Emissions Limited
Effective between the dates of 09/25/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 211.2

Item 10.1:
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

****** Emission Unit Level ******

Condition 11: Process Definition By Emission Unit
Effective between the dates of 09/25/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 11.1:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: D02 Source Classification Code: 2-01-001-02

Process Description: FIRING DIESEL FUEL IN THE POWER GENERATING UNITS.

Emission Source/Control: ENGE1 - Combustion
Design Capacity: 1,000 kilowatts

Emission Source/Control: ENGE2 - Combustion
Design Capacity: 1,500 kilowatts

Emission Source/Control: ENGE3 - Combustion
Design Capacity: 1,500 kilowatts

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501645 Facility SPRINT - 60 HUDSON STREET

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01645/00002 Application Recv'd 11/18/2011 Renewal No: 0

Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter / Regulated Contaminant / Process Material	Lower Limit / Upper Limit / Units	Activity Type / Reporting Frequency / Monitoring Frequency / Averaging Method
2	OXIDES OF NITROGEN	24.9	MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
CAP	OXIDES OF NITROGEN	tons per year	ANNUALLY (CALENDAR)
	****		
	THE NOX (OXIDES OF NITROGEN) EMISSIONS ARE CAPPED AT 24.9 TONS PER YEAR.		
	THE OWNER OR OPERATOR SHALL MAINTAIN A RECORD OF THE QUANTITY OF EACH FUEL FIRED AT THE FACILITY. ALSO, THE OWNER OR OPERATOR SHALL CALCULATE (BASED ON THE FUEL QUANTITY) USING THE FOLLOWING FORMULA:		MONTHLY
	R(0.075) + D(0.02) + G(100) + E(0.44) + N(3400) < 49,800 LBS/YR OF OXIDES OF NITROGEN EMISSIONS.		ANNUAL MAXIMUM ROLLED MONTHLY
	WHERE:		
	R = 12-MONTH ROLLING TOTAL OF RESIDUAL OIL FIRED (FROM BOILERS) IN GALS/YR D = 12-MONTH ROLLING TOTAL OF DISTILLATE OIL FIRED (FROM BOILERS) IN GALS/YR G = 12-MONTH ROLLING TOTAL OF NATURAL GAS FIRED (FROM BOILERS) IN MMSCF/YR E = 12-MONTH ROLLING TOTAL OF DISTILLATE OIL FIRED (FROM ENGINES) IN GALS/YR N = 12-MONTH ROLLING TOTAL OF NATURAL GAS FIRED (FROM ENGINES) IN MMSCF/YR		
4	SULFUR CONTENT	0.2	WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
	****	percent by weight	
	DISTILLATES - NUMBER 1 AND NUMBER 2 OIL		UPON REQUEST BY REGULATORY AGENCY
	NO PERSON SHALL USE, PURCHASE, SELL, OR OFFER FOR SALE ANY DISTILLATE FUEL OIL WHICH HAS A SULFUR CONTENT GREATER THAN THE LIMIT PRESENTED BELOW. A LOG OF THE SULFUR CONTENT IN OIL PER DELIVERY MUST BE MAINTAINED ON SITE FOR A MINIMUM OF FIVE YEARS AFTER THE DATE OF THE LAST ENTRY.		PER DELIVERY
			MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS.
READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501645 Facility SPRINT - 60 HUDSON STREET

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01645/00002 Application Recv'd 11/18/2011 Renewal No: 0

Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter / Regulated Contaminant / Process Material	Lower Limit / Upper Limit / Units	Activity Type / Reporting Frequency / Monitoring Frequency / Averaging Method
5	**** **** **** AN OWNER OR OPERATOR OF A FACILITY WHICH PURCHASES AND FIRES COAL AND/OR OIL SHALL SUBMIT REPORTS TO THE COMMISSIONER CONTAINING FUEL ANALYSIS DATA, INFORMATION ON THE QUANTITY OF THE FUEL RECEIVED, BURNED, AND RESULTS OF ANY STACK SAMPLING, STACK MONITORING AND ANY OTHER PROCEDURES TO ENSURE COMPLIANCE WITH THE PROVISIONS OF 6 NYCRR PART 225-1. ALL RECORDS SHALL BE AVAILABLE FOR A MINIMUM OF THREE YEARS.		RECORD KEEPING/MAINTENANCE PROCEDURES UPON REQUEST BY REGULATORY AGENCY AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION AVERAGING METHOD - SEE MONITORING DESCRIPTION

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501645 Facility SPRINT - 60 HUDSON STREET

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01645/00002 Application Recv'd 11/18/2011 Renewal No: 0

Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter / Regulated Contaminant / Process Material	Lower Limit	Upper Limit	Units	Activity Type / Reporting Frequency / Monitoring Frequency / Averaging Method
6	OPACITY **** ****		20	percent	MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE UPON REQUEST BY REGULATORY AGENCY AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION 6-MINUTE AVERAGE (METHOD 9)

NO PERSON SHALL OPERATE A STATIONARY COMBUSTION INSTALLATION WHICH EXHIBITS GREATER THAN 20 PERCENT OPACITY (SIX MINUTE AVERAGE), EXCEPT FOR ONE 6 MINUTE PERIOD PER HOUR OF NOT MORE THAN 27 PERCENT OPACITY. THE DEPARTMENT RESERVES THE RIGHT TO PERFORM OR REQUIRE THE PERFORMANCE OF A METHOD 9 OPACITY EVALUATION AT ANY TIME DURING FACILITY OPERATION.

THE PERMITTEE WILL CONDUCT OBSERVATIONS OF VISIBLE EMISSIONS FROM THE EMISSION UNIT, PROCESS, ETC. TO WHICH THIS CONDITION APPLIES AT THE MONITORING FREQUENCY STATED BELOW WHILE THE PROCESS IS IN OPERATION. THE PERMITTEE WILL INVESTIGATE, IN A TIMELY MANNER, ANY INSTANCE WHERE THERE IS CAUSE TO BELIEVE THAT VISIBLE EMISSIONS HAVE THE POTENTIAL TO EXCEED THE OPACITY STANDARD.

THE PERMITTEE SHALL INVESTIGATE THE CAUSE, MAKE ANY NECESSARY CORRECTIONS, AND VERIFY THAT THE EXCESS VISIBLE EMISSIONS PROBLEM HAS BEEN CORRECTED. IF VISIBLE EMISSIONS WITH THE POTENTIAL TO EXCEED THE STANDARD CONTINUE, THE PERMITTEE WILL CONDUCT A METHOD 9 ASSESSMENT WITHIN THE NEXT OPERATING DAY OF THE SOURCES ASSOCIATED WITH THE POTENTIAL NONCOMPLIANCE TO DETERMINE THE DEGREE OF OPACITY AND WILL NOTIFY THE NYSDEC IF THE METHOD 9 TEST INDICATES THAT THE OPACITY STANDARD IS NOT MET.

RECORDS OF VISIBLE EMISSIONS OBSERVATIONS (OR ANY FOLLOW-UP METHOD 9 TESTS), INVESTIGATIONS AND CORRECTIVE ACTIONS WILL BE KEPT ON-SITE. SHOULD THE DEPARTMENT DETERMINE THAT PERMITTEE'S RECORD KEEPING FORMAT IS INADEQUATE TO DEMONSTRATE COMPLIANCE WITH THIS CONDITION, IT SHALL PROVIDE WRITTEN NOTICE TO THE PERMITTEE STATING THE INADEQUACIES, AND PERMITTEE SHALL HAVE 90 DAYS TO REVISE ITS PROSPECTIVE RECORD KEEPING FORMAT IN A MANNER ACCEPTABLE TO THE DEPARTMENT.

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF FACILITY PERMISSIBLE EMISSIONS.
READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2620501645 Facility SPRINT - 60 HUDSON STREET

Location 60 HUDSON ST NEW YORK, NY 10013

Permit ID 2-6205-01645/00002 Application Recv'd 11/18/2011 Renewal No: 0

Permit Type ASF Status Issued

Facility Permissible Emissions

0NY210-00-0	OXIDES OF NITROGEN	49800 pounds per year

CONSTRUCTION APPENDIX

The City of New York

DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, NY 10013

CHARLES M. SMITH, Jr., R.A., Commissioner
312-8100

Issuance #109

TECHNICAL
POLICY AND PROCEDURE NOTICE # 10/88

TO: Borough Superintendents

FROM: Irving Polsky, P.E., Executive Engineer

DATE: June 6, 1988

SUBJECT: Procedures for the Avoidance of Damage to Historic Structures Resulting from Adjacent Construction When Subject to Controlled Inspection by Section 27-724 and for Any Existing Structure Designated by the Commissioner.

BACKGROUND: Approval of the Landmarks Preservation Commission is required before any changes may be made to protected features of any individually designated landmark or properties within historic districts. A listing of these was furnished to each Borough. Building Code Section 27-166 (C26-112.4) serves to protect historic structures by requiring that all lots, buildings and service facilities adjacent to foundation and earthwork areas shall be protected and supported in accordance with the requirements of Building Construction Subchapter 7 (Article) and Building Code Subchapters 11 and 19 (Article). The intent of these procedures is to supplement the latter and require a monitoring program to reduce the likelihood of construction damages to adjacent historic structures and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

It is also intended that these procedures shall be used to safeguard any existing structure in accordance with Section 27-127 (C26-105.1) if deemed necessary by the Commissioner.

DEFINITION: ADJACENT HISTORIC STRUCTURE. A structure which is a designated New York City Landmark or located within an historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of ninety feet from a lot under development or alteration.

SUPPLEMENTARY PROCEDURES: The architect or engineer designated for Controlled Inspection of Construction Required for or Affecting the Support of Adjacent Properties or Buildings required by Section 27-724 (C26-1112.6) shall institute a monitoring program for adjacent historic structures and for any existing structure designated by the Commissioner. The following supplementary procedures shall be considered and adhered to:

1.0. Subsurface conditions and effects that might influence performance of structures.

Subsurface Conditions		Effect that Might Influence Performance of Structures
1.1.	Large obstructions in the fill	Vibrations during excavating and pile driving operations
1.2.	Shallow water table	Drawdown of water table and loss of ground during excavation operations
1.3.	Previous layers within and under the hardpan stratum	Loss of ground during excavation operations
1.4.	Dense nature of hardpan	Vibrations during excavating and pile driving operations
1.5.	Boulders	Vibrations during pile driving and/or blasting operations
1.6.	Bedrock	Vibrations during pile driving and/or blasting operations

2.0. Construction vehicular traffic and construction equipment movement which might increase existent vibration levels.

3.0. Establishment of a peak particle velocity design criteria during the driving of sheeting or blasting operations.

3.1. The maximum permissible peak particle velocity shall be 0.5 in./sec. (13mm/sec.) with no distance criterion.

3.2. The maximum permissible peak velocity shall be reduced if movements or cracking is detected.

3.3. Maintaining accurate records, including the location of the blast, total explosive weight in the blast, maximum explosive weight per delay (or the explosive weight in each blast hole and the designation of the delay cap used in each hole).

4.0. Establishment of criteria for any temporary retaining wall structure.

4.1. The maximum permissible horizontal and vertical movement of the temporary retaining wall system shall be designed in accordance with generally accepted engineering practice.

5.0. Establishment of movement criteria for the historic building.

5.1. The maximum permissible vertical and horizontal movement shall be ½in. (6mm.).

6.0. Establishment of criteria for ground water.

6.1. The lowest water level shall be determined by periodic ground water monitoring at observation wells, seasonably adjusted and designated as the "low datum" prior to the start of excavation operations.

6.2. Limitation on water drawdown shall be considered in the criteria for the retaining system.

7.0. Establishment of a monitoring program.

8.1. A licensed surveyor shall be retained to monitor movements and tilting of the historic buildings and the temporary retaining system.

8.1.1. Settlements of the street and of selected points on the ground are to be monitored.

8.1.2. Survey measurements shall be made a minimum of two times per week.

8.1.3. Optical survey readings shall be taken to an accuracy of ±0.01 ft. (3mm.).

8.2. "Telltales" shall be installed across existing cracks and in other sensitive areas to permit changes in crack width to be measured.

8.2.1. A micrometer sensitive to 0.001 in. (0.003mm.) shall be used to monitor crack widths at least once a day.

8.3. Water levels in observation wells are to be monitored at least twice a day for the period that active dewatering is in progress.

8.4. Requirements for seismographic test data. -

8.4.1. Obtain seismographic test data showing the vibration transmission characteristics of the area around the blasting site.

8.4.2. Vibrations from the driving of sheet piles, from excavating and blasting, shall be monitored with a portable seismograph placed adjacent to or within the historic structure closest to the vibration source.

8.5. Requirements for photographs. -

8.5.1. Photographs of the affected historic buildings of sufficient clarity to view the "telltales" shall be taken weekly during construction.

8.5.2. The photographs shall be identified on the back with the building address, direction, date, time and photographer.

9.0. Controlled Inspection Report. -

9.1. Records of the monitoring program shall be retained.

9.2. Controlled inspection reports as to the monitoring program shall be submitted to the department per amendment on B Form 10E within thirty days of completion of the excavation.

9.2.1. The report shall include a set of photographs taken pursuant to Item 8.8.

REFERENCES: "The Avoidance of Damage to Historic Structures Resulting from Adjacent Construction", Melvin I. Esrig and Andrew J. Ciancia, American Society of Civil Engineers, Preprint 81-052; "Effects of Blasting Vibrations on Buildings and People", John F. Wiss, P.E., Civil Engineering-ASCE - July 1968.

IP/gt
cc: Distribution