

3 ST. MARKS PLACE

ENVIRONMENTAL ASSESSMENT STATEMENT

CEQR # 19DCP094M

Prepared for:
REEC ST MARKS LP

Prepared by:
Philip Habib & Associates

October 28, 2019

3 St. Marks Place

Environmental Assessment Statement

Table of Contents

Environmental Assessment Statement (EAS).....	Long Form
Project Description.....	Attachment A
Supplemental Screening.....	Attachment B
Shadows.....	Attachment C
Historic & Cultural Resources.....	Attachment D
Urban Design & Visual Resources.....	Attachment E
Noise.....	Attachment F
Landmarks Preservation Commission (LPC) Correspondence.....	Appendix 1
Phase I Environmental Site Assessment (ESA) Executive Summary.....	Appendix 2
Transportation Planning Factors.....	Appendix 3

**ENVIRONMENTAL ASSESSMENT STATEMENT
LONG 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 3 St. Marks Place

1. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)
19DCP094M

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)
200077ZSM

OTHER REFERENCE NUMBER(S) (if applicable)
(e.g., legislative intro, CAPA)

2a. Lead Agency Information

NAME OF LEAD AGENCY
New York City Department of City Planning

NAME OF LEAD AGENCY CONTACT PERSON
Olga Abinader, Acting Director
DCP Environmental Assessment and Review Division

ADDRESS 120 Broadway, 31st Floor

CITY New York

STATE NY

ZIP 10271

TELEPHONE 212-720-3493

EMAIL
oabinad@planning.nyc.gov

2b. Applicant Information

NAME OF APPLICANT
REEC ST MARKS LP

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON
Brandon Miller

ADDRESS 18 East 48th Street, Penthouse

CITY New York

STATE NY

ZIP 10017

TELEPHONE 212-682-2121

EMAIL brandon@reec-ny.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): 6NYCRR Part 617.4(b)(9): any Unlisted Action occurring wholly or partially within, or substantially contiguous to, any historic building, structure, site, or district.

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

☒ LOCALIZED ACTION, SITE SPECIFIC

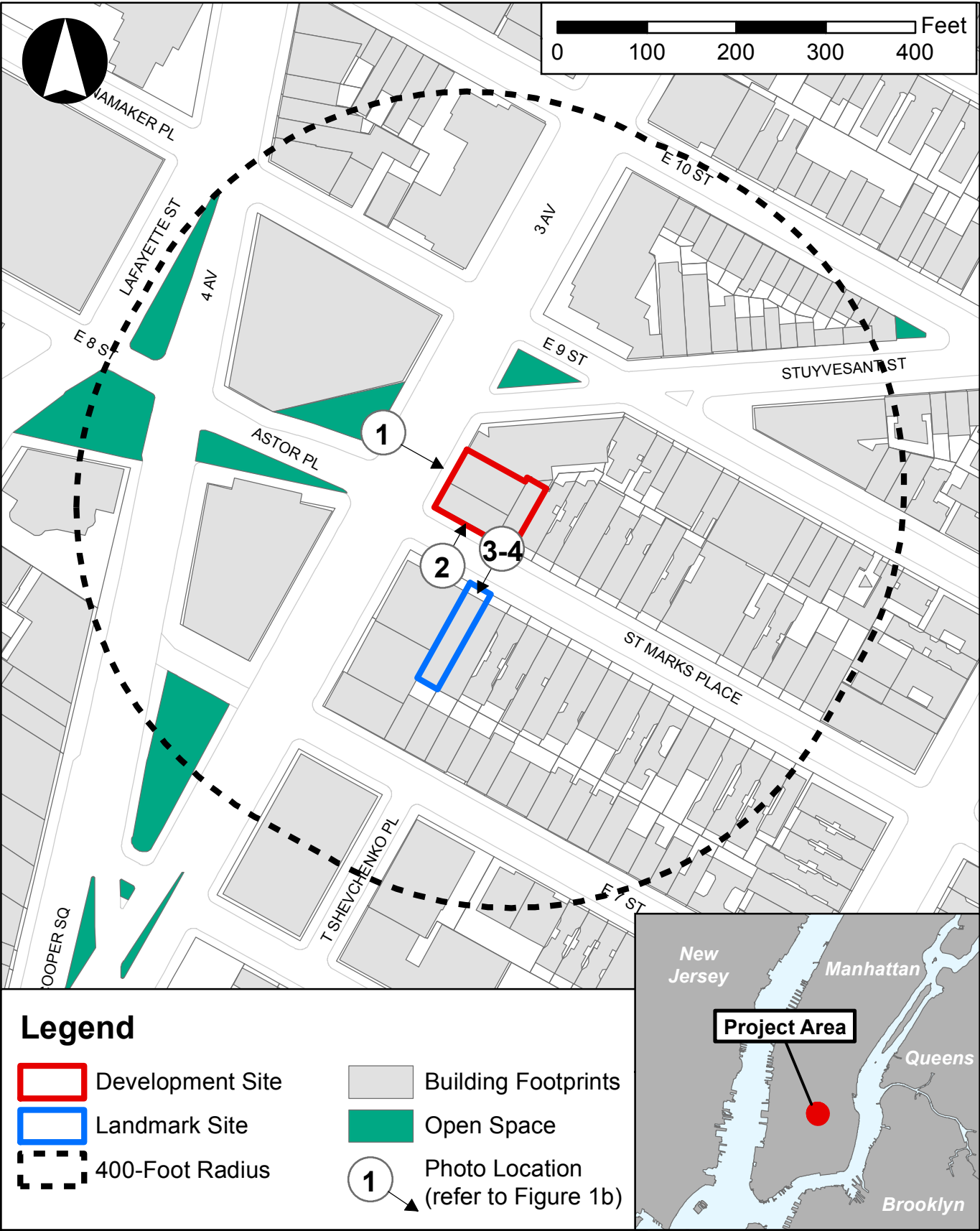
☐ LOCALIZED ACTION, SMALL AREA

☐ GENERIC ACTION

4. Project Description

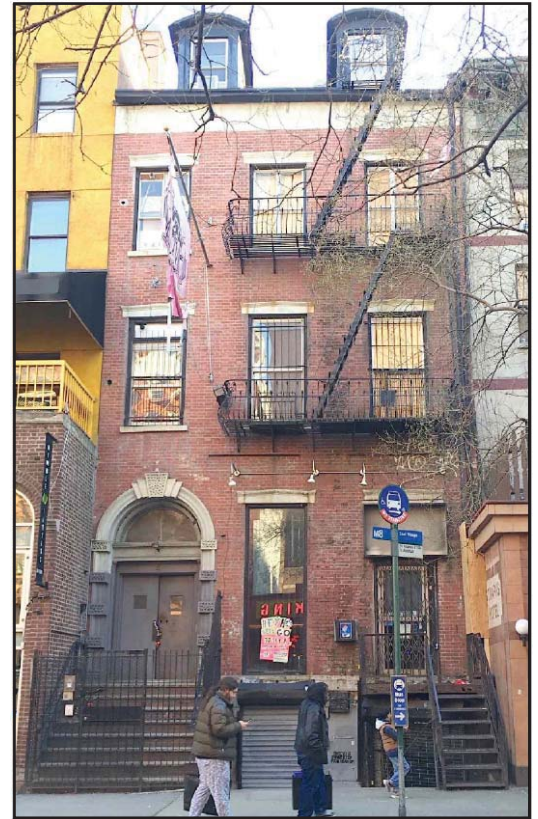
The Applicant is seeking a special permit in order to facilitate the development of a site at the confluence of the East Village and NoHo neighborhoods in Manhattan Community District 3. As shown in Figure 1, the Applicant-owned Development Site is located on the northeast corner of St. Marks Place and Third Avenue (Block 464, Lots 1, 3, and 59), across the street from the Hamilton-Holly House at 4 St. Marks Place (Block 463, Lot 11), a New York City Landmarks Preservation Commission (LPC)-designated individual landmark (the "Landmark Site"). The proposed special permit pursuant to Zoning Resolution (ZR) Section 74-79 would: (a) transfer approximately 8,386 gross square feet (gsf) of floor area, equivalent to 8,386 zoning square feet (zsf) from the Landmark Site to the Development Site; and (b) modify ZR Section 33-432 to allow the proposed building on the Development Site to encroach within the required setback distance above a maximum front wall height of 85 feet on St. Marks Place (the "Proposed Action").

The proposed transfer of floor area would increase the maximum commercial floor area on the Development Site from approximately 60,117 gsf (41,928 zsf) with a floor area ratio (FAR) of 6.0, to approximately 68,503 gsf (50,314 zsf) with 7.2 FAR, the maximum floor area permitted by the ZR. The proposed building would contain approximately 8,061 gsf of retail space and approximately 60,442 gsf of office space and would rise to a total height of 10 stories (a maximum of approximately 156 feet, or approximately 176 feet with bulkheads). Portions of the sixth through ninth floors of the building along St. Marks Place would encroach into the 20-foot initial setback distance above the maximum front wall height of 85 feet, thus requiring the proposed modification to ZR Section 33-432. As a condition to the Proposed Action, the Landmark Site would be made subject to a restrictive declaration requiring the implementation of a restoration and cyclical maintenance plan to ensure the continued upkeep of the historic Hamilton-Holly House. Absent the approval of the special permit, an as-of-right commercial building would be constructed on the Development Site, and alterations currently being performed on the Landmark Site pursuant to an LPC-approved Certificate of Appropriateness would continue, but no restoration and maintenance plan would be implemented on the Landmark Site.





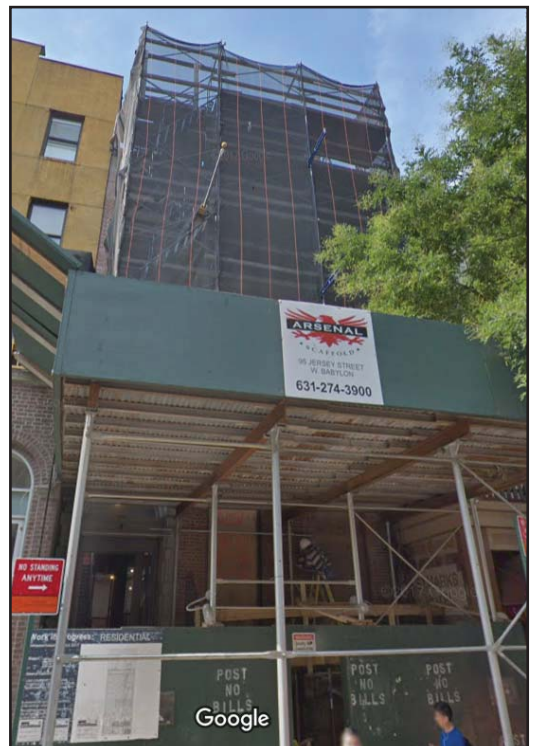
1) Development Site: existing western frontage on 3rd Avenue.



3) Landmark Site: St. Marks Place facade prior to restoration.
(courtesy of Morris Adjmi Architects)



2) Development Site: existing southern frontage on St. Marks Place.



4) Landmark Site: St. Marks Place facade during current alterations.
(courtesy of Google StreetView)





Project Location		
BOROUGH Manhattan	COMMUNITY DISTRICT(S) 3	STREET ADDRESS Development Site: 3 St. Marks Place Landmark Site: 4 St. Marks Place
TAX BLOCK(S) AND LOT(S) Dev. Site: Block 464, Lots 1, 3, + 59 Lmk. Site: Block 463, Lot 11		ZIP CODE 10003
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Dev. Site: Located on the northeast corner of St. Marks Place + Third Ave. Lmk. Site: Located on the south side of St. Marks Place midblock between Second + Third Avenues		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C6-1		ZONING SECTIONAL MAP NUMBER 12c
5. Required Actions or Approvals (check all that apply)		
City Planning Commission: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNIFORM LAND USE REVIEW PROCEDURE (ULURP)		
<input type="checkbox"/> CITY MAP AMENDMENT	<input type="checkbox"/> ZONING CERTIFICATION	<input type="checkbox"/> CONCESSION
<input type="checkbox"/> ZONING MAP AMENDMENT	<input type="checkbox"/> ZONING AUTHORIZATION	<input type="checkbox"/> UDAAP
<input type="checkbox"/> ZONING TEXT AMENDMENT	<input type="checkbox"/> ACQUISITION—REAL PROPERTY	<input type="checkbox"/> REVOCABLE CONSENT
<input type="checkbox"/> SITE SELECTION—PUBLIC FACILITY	<input type="checkbox"/> DISPOSITION—REAL PROPERTY	<input type="checkbox"/> FRANCHISE
<input type="checkbox"/> HOUSING PLAN & PROJECT	<input type="checkbox"/> OTHER, explain:	
<input checked="" type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE:		
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION Zoning special permit pursuant to ZR Section 74-79 to modify ZR Section 33-432		
Board of Standards and Appeals: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
<input type="checkbox"/> VARIANCE (use)		
<input type="checkbox"/> VARIANCE (bulk)		
<input type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE:		
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION		
Department of Environmental Protection: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:		
Other City Approvals Subject to CEQR (check all that apply)		
<input type="checkbox"/> LEGISLATION	<input type="checkbox"/> FUNDING OF CONSTRUCTION, specify:	
<input type="checkbox"/> RULEMAKING	<input type="checkbox"/> POLICY OR PLAN, specify:	
<input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES	<input type="checkbox"/> FUNDING OF PROGRAMS, specify:	
<input type="checkbox"/> 384(b)(4) APPROVAL	<input type="checkbox"/> PERMITS, specify:	
<input type="checkbox"/> OTHER, explain:		
Other City Approvals Not Subject to CEQR (check all that apply)		
<input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	<input checked="" type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL	
<input type="checkbox"/> OTHER, explain:		
State or Federal Actions/Approvals/Funding: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:		
6. Site Description: 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.		
<input checked="" type="checkbox"/> SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP	<input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP
<input checked="" type="checkbox"/> TAX MAP	<input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	
<input checked="" type="checkbox"/> PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP		
Physical Setting (both developed and undeveloped areas)		
Total directly affected area (sq. ft.): 6,988 (Dev. Site only)		Waterbody area (sq. ft.) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 6,988 (Dev. Site)		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): 68,503 gsf		
NUMBER OF BUILDINGS: 1	GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 68,503 gsf	
HEIGHT OF EACH BUILDING (ft.): A maximum of approximately 156 ft (approximately 176 ft with bulkheads)	NUMBER OF STORIES OF EACH BUILDING: 10	
Does the proposed project involve changes in zoning on one or more sites? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		










Legend

-  Development Site
-  Landmark Site
-  400-Foot Radius

Land Uses

-  One & Two-Family Buildings
-  Multi-Family Walkup Buildings
-  Multi-Family Elevator Buildings
-  Mixed Residential/Commercial Buildings

-  Commercial/Office Buildings
-  Industrial/Manufacturing
-  Transportation/Utility
-  Public Facilities & Institutions
-  Open Space
-  Parking Facilities
-  Vacant Land

Click blue outline on map to view diagram of proposed zoning change



Development Site Landmark Site 400-foot Radius

3 St. Marks Place EAS **Figure 3**
Zoning Map



NYC Digital Tax Map

Effective Date : 12-22-2017 16:23:29

End Date : 01-11-2018 17:31:08

Manhattan Block: 464



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

 Development Site





NYC Digital Tax Map

Effective Date : 12-08-2008 16:17:03

End Date : Current

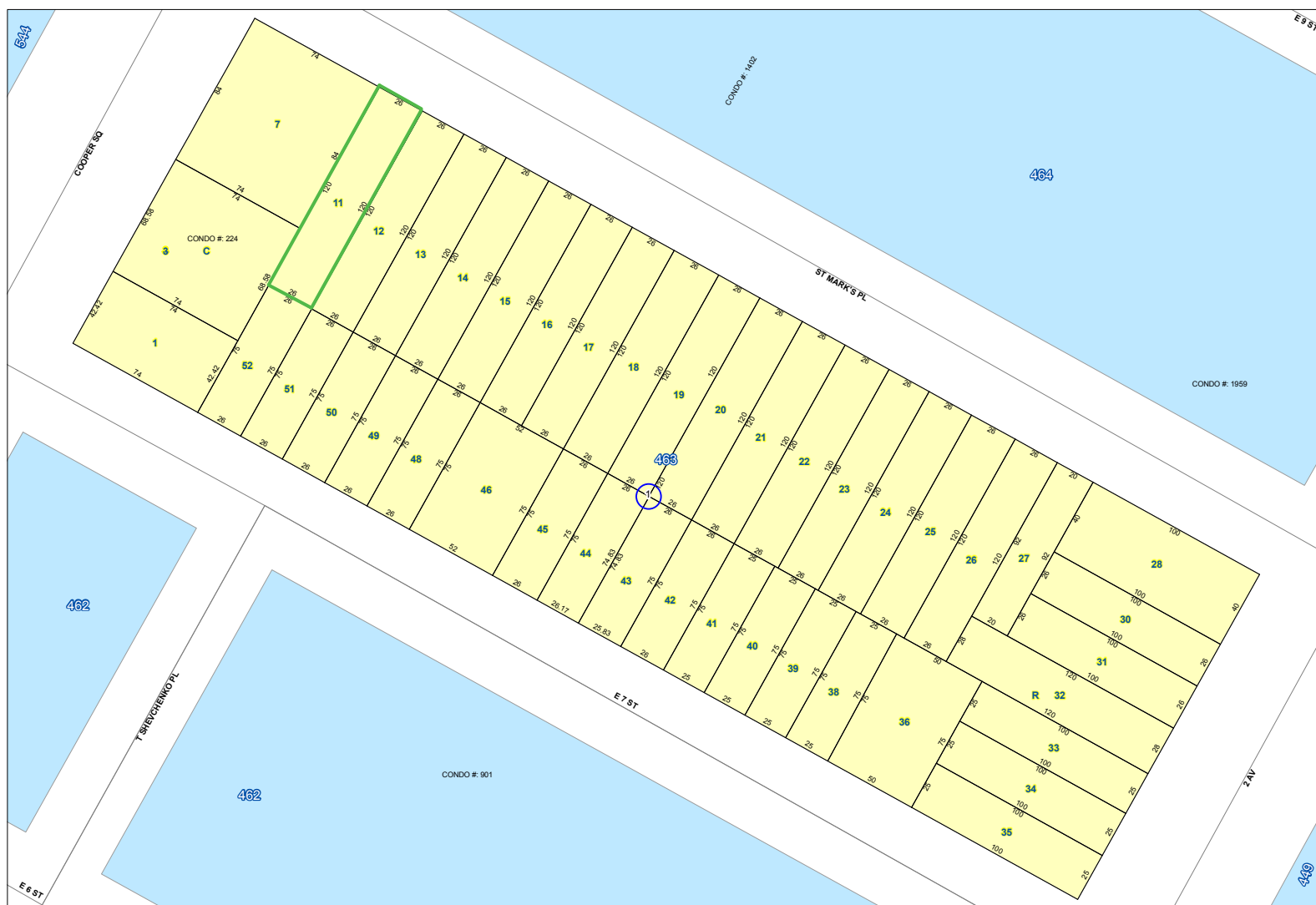
Manhattan Block: 463



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

Landmark Site



0 5 10 20 30 40 Feet

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: 6,988 sq. ft. (width x length)

VOLUME OF DISTURBANCE: 10,000 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 6,988 sq. ft. (width x length)

8. Analysis Year [CEQR Technical Manual Chapter 2](#)

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2020

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: Approximately 23 months

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Refer to Attachment B, "Supplemental Screening" for details.

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

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

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

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

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures	Multi-Family	Multi-Family	Multi-Family	
No. of dwelling units	Dev. Site: 2 Lmk. Site: 3	Dev. Site: 0 Lmk. Site: 3	Dev. Site: 0 Lmk. Site: 3	0
No. of low- to moderate-income units	0	0	0	0
Gross floor area (sq. ft.)	Dev. Site: 2,080 Lmk. Site: 4,553	Dev. Site: 0 Lmk. Site: 4,553	Dev. Site: 0 Lmk. Site: 4,553	0
Commercial	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Retail	Office & Retail	Office & Retail	
Gross floor area (sq. ft.)	Dev. Site: 6,655 Lmk. Site: 5,521	Dev. Site: 60,117 Lmk. Site: 5,521	Dev. Site: 68,503 Lmk. Site: 5,521	Dev. Site: +8,386 gsf (Office) Lmk. Site: 0
Manufacturing/Industrial	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
Publicly Accessible Open Space	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
PARKING				
Garages	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
Lots	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
POPULATION				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Residents	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify number:	Dev. Site: 3 Lmk. Site: 5	Dev. Site: 0 Lmk. Site: 5	Dev. Site: 0 Lmk. Site: 5	0
Briefly explain how the number of residents was calculated:	Average household size of renter-occupied units in Manhattan Census Tract 38: 1.55 (per ACS Five-Year Estimates, 2012-2016)			
Businesses	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. and type	Dev. Site: 9 Retail/Rest. Lmk. Site: 2 Retail	Dev. Site: Office/Retail (# TBD) Lmk Site: 2 Retail	Dev. Site: Office/Retail (# TBD) Lmk Site: 2 Retail	
No. and type of workers by business	Dev. Site: 20 retail workers Lmk. Site: 16 retail workers	Dev. Site: 24 retail/208 office workers Lmk. Site: 16 retail workers	Dev. Site: 24 retail/242 office workers Lmk. Site: 16 retail workers	Dev. Site: + 34 office workers Lmk. Site: 0
No. and type of non-residents who are not workers	0	0	0	
Briefly explain how the number of businesses was calculated:	1 worker per 333 sf of retail space; 1 worker per 250 sf of office space			
Other (students, visitors, concert-goers, etc.)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If any, specify type and number:	Dev. Site: 682 daily local retail customers Lmk. Site: 566 daily local retail customers	Dev. Site: 826 daily local retail customers Lmk. Site: 566 daily local retail customers	Dev. Site: 826 daily local retail customers Lmk. Site: 566 daily local retail customers	0
Briefly explain how the number was calculated:	205 two-way weekday daily person trips per 1,000 sf of local retail space per CEQR TM Table 16-2			
ZONING				
Zoning classification	C6-1	C6-1	C6-1	
Maximum amount of floor area that can be developed	Residential: 3.44 FAR Commercial: 6.0 FAR Community Fac: 6.5 FAR	Residential: 3.44 FAR Commercial: 6.0 FAR Community Fac: 6.5 FAR	Residential: 3.44 FAR Commercial: 7.2 FAR* Community Fac: 6.5 FAR *The special permit would permit the maximum commercial FAR on the Development Site to increase by 1.2 FAR (approx. 8,386 gsf)	+ 1.2 Commercial FAR on the Development Site
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential, Commercial, Institutional	Residential, Commercial, Institutional	Residential, Commercial, Institutional	
Attach any additional information that may be needed to describe the project.				
If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

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

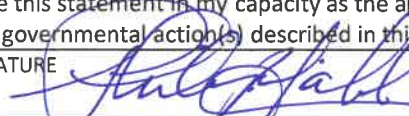
- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting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


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

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

	YES	NO
percent?		
<ul style="list-style-type: none"> o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify: 	<input type="checkbox"/>	<input type="checkbox"/>
5. SHADOWS: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. See Attachment C.		
6. HISTORIC AND CULTURAL RESOURCES: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. Refer to Attachment D.		
7. URBAN DESIGN AND VISUAL RESOURCES: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, please provide the information requested in Chapter 10 . Refer to Attachment E.		
8. NATURAL RESOURCES: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions .		
9. HAZARDOUS MATERIALS: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:		
(i) Based on the Phase I Assessment, is a Phase II Investigation needed? Refer to Attachment B for details.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. WATER AND SEWER INFRASTRUCTURE: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(c) If the proposed project located in a separately sewer area , would it result in the same or greater development than that listed in Table 13-1 in Chapter 13 ?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas , including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewer or currently unsewer?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. SOLID WASTE AND SANITATION SERVICES: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14 , the project's projected operational solid waste generation is estimated to be (pounds per week): 5,042		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>
12. ENERGY: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15 , the project's projected energy use is estimated to be (annual BTUs): 14,817,198.9		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. TRANSPORTATION: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.</i>	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	<input type="checkbox"/>	<input type="checkbox"/>
14. AIR QUALITY: CEQR Technical Manual Chapter 17		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17 ? (Attach graph as needed) See Attachment B.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project result in the development of 350,000 square feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18 ?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008 ; § 24-	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
16. NOISE: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of sight to that rail line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20 , "Public Health." Attach a preliminary analysis, if necessary.		
18. NEIGHBORHOOD CHARACTER: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21 , "Neighborhood Character." Attach a preliminary analysis, if necessary. Refer to Attachment B.		
19. CONSTRUCTION: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22 , "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. Refer to Attachment B for details.		
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 Philip Habib, P.E.	SIGNATURE 	DATE October 28, 2019
PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.		

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)		
INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.		
1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.	Potentially Significant Adverse Impact	
IMPACT CATEGORY	YES	NO
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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:		
<input type="checkbox"/> 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 <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).		
<input type="checkbox"/> Conditional Negative Declaration: A <i>Conditional Negative Declaration</i> (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.		
<input checked="" type="checkbox"/> 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 <i>Negative Declaration</i> . The <i>Negative Declaration</i> 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 Director	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 (212) 720-3493	
NAME Olga Abinader	DATE November 29 2019	
SIGNATURE 		

Project Name: 3 St Marks Place

CEQR #: 19DCP094M

SEQRA Classification: Unlisted

EAS SHORT FORM PAGE 9

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 (EAS) 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 actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

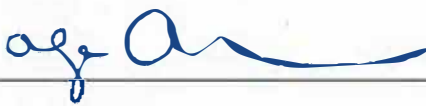
Air Quality and Noise

An (E) designation (E-552) related to air quality and noise has been assigned to the site affected by the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of these sites and all applicable (E) designation requirements. With the (E) designation measures in place, the proposed actions would not result in significant adverse impacts related to air quality and noise.

Urban Design

A detailed analysis related to urban design is included in this EAS. The 2014 CEQR Technical Manual considers a significant adverse impact for urban design to be one that has the potential to diminish the arrangement, appearance, and functionality of the built and natural environment. The special permit pursuant to Zoning Resolution (ZR) Section 74-79 proposed by the Applicant would: (a) transfer approximately 8,386 gross square feet (gsf) of floor area from the Landmark Site at 4 St. Marks Place to the Development Site at 3 St Marks Place; and (b) modify ZR Section 33-432 to allow the proposed building on the Development Site to encroach within the required setback distance above a maximum front wall height of 85 feet on St. Marks Place. The analysis considered the proposed development as the reasonable worst case development scenario. The proposed building that would be facilitated by the Proposed Action on the Development Site would not be incompatible with the existing character of the surrounding area. Additional height and density would be in keeping with the existing built environment of the study area. Therefore, the analysis concludes that the proposed action would not result in impacts to urban design or visual resources.

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). Should you have any questions pertaining to this Negative Declaration, you may contact Katherine Glass at (212) 720-3425.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission 120 Broadway, 31 st Fl. New York, NY 10271 (212) 720-3493
NAME Olga Abinader	DATE November 29, 2019
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE November 29, 2019
SIGNATURE	

Determination of Significance Appendix: (E) Designation

To ensure that there would be no significant adverse air quality and noise impacts associated with the proposed project, an (E) designation (E-552) will be assigned to projected sites as explained below.

Projected Development Site 1:

Block 464, Lots 1, 3, and 59

Air Quality

Any new commercial development or enlargement on the above-referenced property must ensure that the HVAC stack is located at the highest tier or at least 179 feet above grade to avoid any potential significant adverse air quality impacts.

Noise

To ensure an acceptable interior noise environment, future commercial office uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all façades facing Third Avenue or portions of facades facing St. Marks Place within 50 feet from Third Avenue, and 23 dBA of attenuation on all other façades to maintain an interior noise level not greater than 50 dBA for commercial office uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

ATTACHMENT A
PROJECT DESCRIPTION

3 ST. MARKS PLACE EAS

ATTACHMENT A: PROJECT DESCRIPTION

I. INTRODUCTION

REEC ST MARKS LP (the “Applicant”) is seeking a special permit in order to facilitate the development of a site at the confluence of the East Village and NoHo neighborhoods in Manhattan Community District 3. As shown in **Figure A-1**, the Applicant-owned Development Site is located on the northeast corner of St. Marks Place and Third Avenue (Block 464, Lots 1, 3, and 59), across the street from the Hamilton-Holly House at 4 St. Marks Place (Block 463, Lot 11), a New York City Landmarks Preservation Commission (LPC)-designated individual landmark (the “Landmark Site”). The proposed special permit pursuant to Zoning Resolution (ZR) Section 74-79 would: (a) transfer approximately 8,386 gross square feet (gsf) of floor area, the equivalent of 8,386 zoning square feet (zsf), from the Landmark Site to the Development Site; and (b) modify ZR Section 33-432 to allow the proposed building on the Development Site to encroach within the required setback distance above a maximum front wall height of 85 feet on St. Marks Place (the “Proposed Action”).

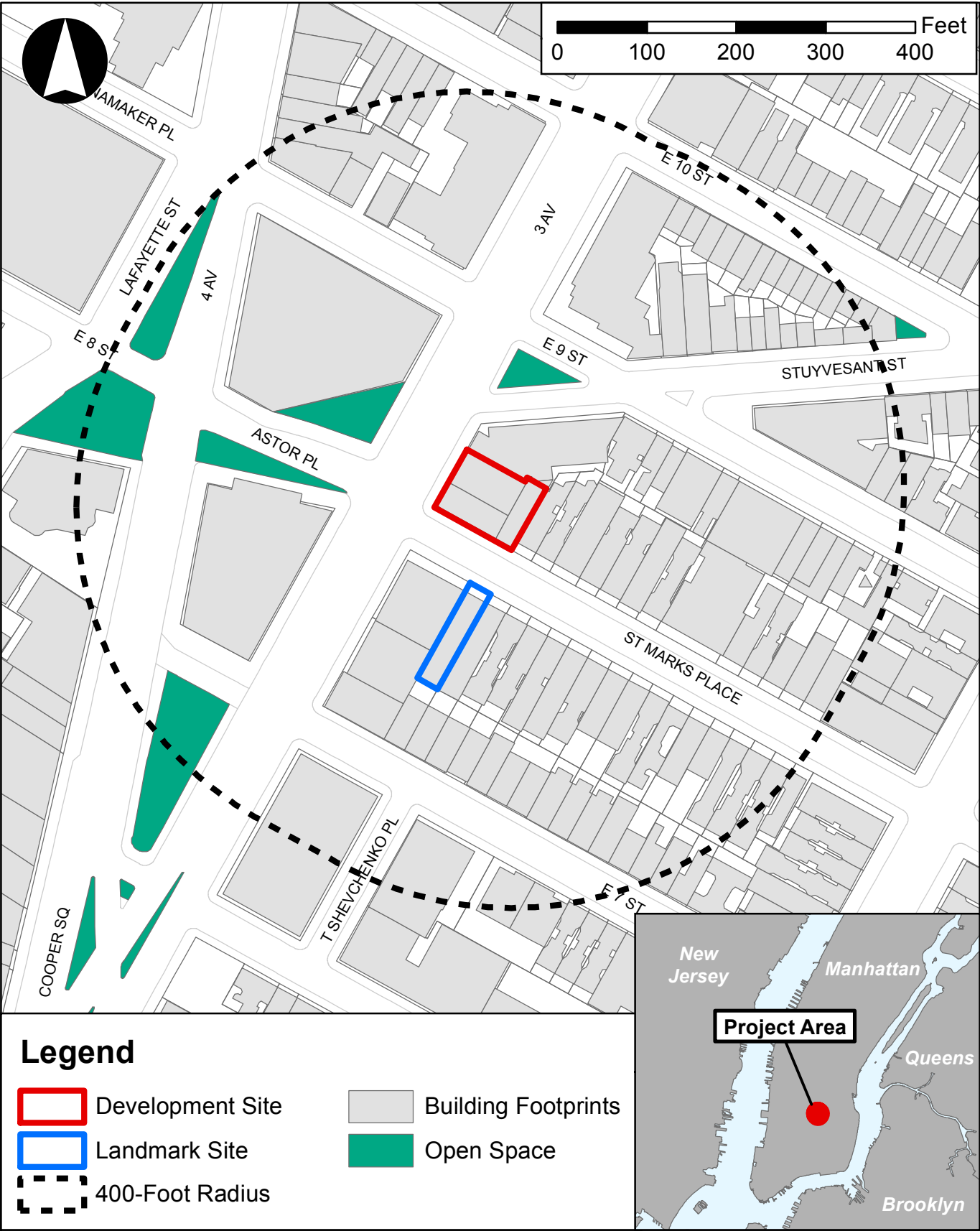
The proposed transfer of floor area would increase the maximum commercial floor area on the Development Site from approximately 60,117 gsf (41,928 zsf) with a floor area ratio (FAR) of 6.0, to approximately 68,503 gsf (50,314 zsf) with 7.2 FAR, the maximum floor area permitted by the ZR. The proposed building would contain approximately 8,061 gsf of retail space and approximately 60,442 gsf of office space and would rise to a total height of 10 stories (a maximum of approximately 156 feet, or approximately 176 feet with bulkheads). Portions of the sixth through ninth floors of the building along St. Marks Place would encroach into the initial setback distance of 20 feet above the maximum front wall height of 85 feet, thus requiring the proposed modification to ZR Section 33-432. As a condition to the Proposed Action, the Landmark Site would be made subject to a restrictive declaration, requiring the implementation of a restoration and cyclical maintenance plan to ensure the continued upkeep of the historic Hamilton-Holly House. Absent the approval of the special permit, an as-of-right commercial building would be constructed on the Development Site, and alterations currently being performed on the Landmark Site pursuant to an LPC-approved Certificate of Appropriateness would continue, but no restoration and maintenance plan would be implemented on the Landmark Site.

The Proposed Action is a discretionary action, and is therefore subject to environmental review pursuant to the 2014 *City Environmental Quality Review (CEQR) Technical Manual*. This attachment introduces the Proposed Action and sets the context in which to assess impacts, providing a discussion of existing conditions relating to the Proposed Action; a description of the proposed development; the background of the Proposed Action; a statement of the purpose and need for the Proposed Action; and a discussion of the approvals required.

II. BACKGROUND AND EXISTING CONDITIONS

Applicant-Owned Development Site

The Applicant-owned Development Site at 3 St. Marks Place (Manhattan Block 464, Lots 1, 3, and 59) is comprised of three low-rise buildings with frontages along St. Marks Place (a narrow street) to the south



and Third Avenue (a wide street) to the west (refer to **Figure A-1**). Located on the northeast corner of St. Marks Place and Third Avenue, Lot 1 currently accommodates a four-story (approximately 42-foot-tall) mixed-use building with 2,080 gsf of residential floor area (two DUs) and 1,900 gsf of commercial floor area for various local retail and restaurant uses. Lot 3 contains a one-story (approximately 15-foot-tall) commercial building fronting Third Avenue, with 2,960 gsf of floor area occupied by local retail and restaurant uses. On St. Marks Place, Lot 59 accommodates a one-story (approximately 15-foot-tall) commercial building with 1,795 gsf of floor area also occupied by local retail and restaurant uses. In total, the Development Site contains 2,080 gsf of residential floor area (two DUs) and 6,655 gsf of commercial floor area, with an existing FAR of 1.25. The site does not contain any parking spaces or curb cuts.

The Development Site is located within a C6-1 commercial zoning district, which permits a base maximum residential FAR of 3.44, a base maximum commercial FAR of 6.0, and a base maximum community facility FAR of 6.5. Manufacturing is not permitted. Buildings in C6-1 districts may rise to a maximum front wall height of 85 feet or six stories, whichever is less, above which they must set back 15 feet and not penetrate a sky exposure plane with a slope of 5.6 to 1 (along wide streets), or set back 20 feet and not penetrate a sky exposure plane with a slope of 2.7 to 1 (along narrow streets). No parking is required in C6-1 districts within the “Manhattan Core,” as defined in the ZR.

Landmark Site

As shown in **Figure A-1**, the Development Site is located immediately across the street from the Landmark Site at 4 St. Marks Place (Block 463, Lot 11), which accommodates the Hamilton-Holly House, an LPC-designated New York City Landmark (NYCL) (LP #2157 designated in 2004). The landmark is a 3.5-story (approximately 54-foot-tall) mixed-use building with 4,553 gsf of residential floor area (three DUs) and 5,521 gsf of commercial floor area, with no parking or curb cuts. It has an existing FAR of 3.22, and is located in a C6-1 zoning district like the Development Site. The Landmark Site is currently undergoing renovations pursuant to an LPC-approved Certificate of Appropriateness, including the removal and replacement of a non-complying rear addition and the restoration of the front façade on St. Marks Place (COFA #19-9359 issued in 2017).

Surrounding Area

The Development Site is located at the confluence of the East Village and NoHo neighborhoods in Manhattan. The area surrounding the Development Site is predominately residential, commercial, and institutional. The buildings accommodating these uses vary in height, bulk, and style. As detailed in Attachment D, “Historic & Cultural Resources,” there are numerous properties identified as historic resources within 400-feet of the Development Site, including in the East Village-Lower East Side Historic District, The Bowery Historic District, and the St. Marks Historic District.

The area within 400 feet of the Development Site is predominately located in medium- to high-density residential and commercial zoning districts (refer to the “Land Use, Zoning, & Public Policy” section of Attachment B, “Supplemental Screening” for further discussion). There are numerous low- and mid-rise residential and commercial buildings from the turn of the 20th century fronting on the east-west sidestreets around the Development Site. Larger buildings in the area are primarily located along the major north-south thoroughfares of Third and Fourth Avenues, including a 22-story residential tower at 443 Lafayette Street (completed 2004), a 14-story commercial building at 51 Astor Place (completed 2013), and a 20-story residential tower at 30 Third Avenue (built 1965).

The Cooper Union and New York University (NYU) have significant presences in the area; immediately north of the Development Site at 29 Third Avenue is a 15-story Cooper Union dorm, and further north at

31 Third Avenue is a 16-story NYU dorm. NYU's Art Department is located in the Barney Building on the corner of Stuyvesant Street and East 9th Street. Cooper Union has an academic building at 41 Cooper Square (completed 2009), and its NYCL-designated Foundation Building (built 1859) is located at 7 East 7th Street. There are two churches within 400-feet of the Development Site: the First Ukrainian Assembly of God at 61 Cooper Square (a NYCL), and St. George's Church at 20 East 7th Street. Open spaces in the vicinity of the Development Site include the Fourth Avenue GreenStreet, which accommodates the Astor Place Subway Station (a NYCL), the Astor Place Plaza, the Cooper Union Plaza, the 51 Astor Place Plazas, and Cooper Triangle.

The Development Site and surrounding area are well served by public transit. In addition to the No. 6 subway line at Astor Place, several bus lines run in the area. The M101, M102, and M103 buses run along Third Avenue, with stops immediately across the street from the Development Site at Astor Place and Third Avenue. The M8 bus runs along East 9th Street and St. Marks Place, with stops at Fourth Avenue and East 9th Street as well as Third Avenue and St. Marks Place, across from the Development Site. Additionally, the M1 and M2 buses run along Fourth Avenue with a stop at East 9th Street. There are also Citi Bike stations at Cooper Square and Astor Place (40 docks) and Lafayette Street and East 8th Street (29 docks) to the west of the Development Site.

III. THE PROPOSED ACTION

The Applicant is seeking a special permit pursuant to ZR Section 74-79: "Transfer of Development Rights from Landmark Sites," in order to transfer approximately 8,386 gsf, equivalent to 8,386 zsf, from the Landmark Site at 4 St. Marks Place to the Development Site at 3 St. Marks Place. The proposed special permit would also modify ZR Section 33-432: "Maximum Height of Walls and Required Setbacks," in order to allow the proposed building to encroach within the required setback distance above a maximum front wall height of 85 feet. This would allow the front wall of the proposed building to exceed the applicable maximum height within the 20-foot initial setback distance on St. Marks Place. Per ZR Section 74-79, the City Planning Commission (CPC) may, for commercial developments in C6-1 zoning districts and certain other districts, permit development rights to be transferred to "adjacent lots"¹ from lots occupied by landmark buildings; may permit the maximum permitted floor area on such "adjacent lots" to be increased on the basis of such a transfer of development rights; and may permit variations in applicable bulk regulations, including front height and setback regulations for the purposes of providing a harmonious architectural relationship between the development and the landmark building.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTION

The Proposed Action would permit the transfer of approximately 8,386 gsf, equivalent to 8,386 zsf, from the Landmark Site at 4 St. Marks Place to the Development Site at 3 St. Marks Place, and allow the proposed building on the Development Site to encroach within the required setback distance above a maximum front wall height of 85 feet along St. Marks Place. The proposed transfer of floor area would increase the maximum commercial floor area on the Development Site from approximately 41,928 zsf (60,117 gsf) (6.0 FAR) to approximately 50,314 zsf (68,503 gsf) (7.2 FAR). The proposed 10-story office building on the currently underutilized Development Site would be in keeping with the existing built environment and emerging trends in the study area. As detailed above, Third Avenue is a major commercial thoroughfare in

¹ Per ZR Section 74-79, the term "adjacent lot" refers to a lot that is contiguous to the lot occupied by the landmark, or one that is across a street and opposite the lot occupied by the landmark, or, in the case of a corner lot, one that fronts on the same street intersection as the lot occupied by the landmark.

the area with numerous large buildings, including the 15-story Cooper Union dorm immediately north of the Development Site. Additionally, a 14-story primarily commercial office tower was completed across the street from the Development Site at 51 Astor Place in 2013.

The proposed height and setback waiver at the upper levels of the proposed building would allow a building massing that relates to the Landmark Building and the surrounding built context. It would also accommodate more efficient floorplates for the commercial office tenants, providing more programming flexibility within the building envelope.

As detailed above, in the future with the Proposed Action, the Landmark Building (the Hamilton-Holly House) would be restored to a sound, first-class condition to match its late-19th century appearance, and a cyclical maintenance plan ensuring continued upkeep of the building would be implemented. These actions would improve the historic character of an LPC-designated individual landmark, and would ensure the continued maintenance of the historic building.

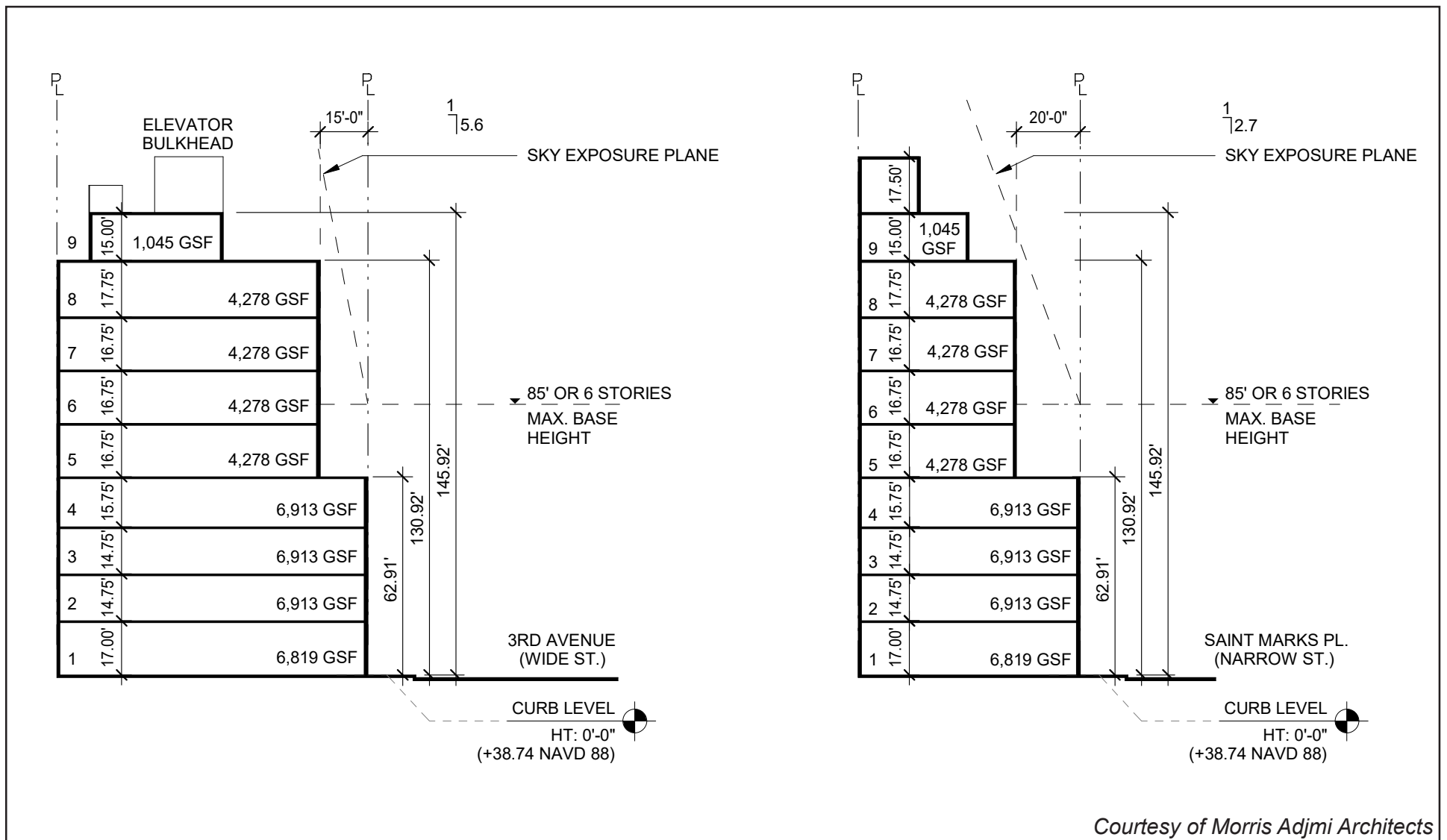
V. ANALYSIS FRAMEWORK

It is expected that the proposed building on the Development Site would be constructed over a period of up to 24 months, with completion and occupancy of the building at the end of 2020. It should be noted that, before or during the Uniform Land Use Review Procedure (ULURP), the Applicant will file one or more applications with the New York City Department of Buildings (DOB) for permits to allow demolition of the existing buildings on the Development Site and construction of a new commercial building on the site. The DOB filing submission would show an approximately 63-foot-tall, four-story building base, identical to the building base in both the No-Action and With-Action conditions, with a fifth-story penthouse as well as bulkheads. It is expected that the Applicant would commence construction of the four-story base pursuant to the DOB building permits prior to or during the ULURP review, and would complete construction of the No-Action or With-Action building, as the case may be, upon the completion of ULURP. For environmental analysis purposes, a reasonable worst-case development scenario (RWCDS) has been identified for the project area for the 2020 analysis year. The incremental difference between the future No-Action and future With-Action scenarios is the basis for the impact category analyses of this EAS. To determine the scenarios, standard methodologies have been used following 2014 *CEQR Technical Manual* guidance and employing reasonable, worst-case assumptions. These methodologies have been used to identify the amount and location of future development. **Table A-1** provides a comparison of the 2020 No-Action and With-Action conditions and identifies the project increment.

Future without the Proposed Action (No-Action Condition)

In the 2020 future without the Proposed Action, the existing buildings on the Development Site would be demolished, and the site would be redeveloped with a commercial building. As discussed above, before or during the ULURP review, the Applicant will file one or more applications with DOB for permits to allow demolition of the existing buildings on the Development Site and construction of a new, as-of-right commercial building on the site. The DOB filing submission would show an approximately 63-foot-tall, four-story building base, identical to the building base in both the No-Action and With-Action conditions. The Applicant would commence construction of the four-story base pursuant to the DOB building permit, and in the event that the Proposed Action is denied, the Applicant would amend the DOB filing to complete construction of an as-of-right commercial building on the Development Site.

Per existing C6-1 zoning district regulations, the No-Action building would be approximately 60,117 gsf (41,928 zsf), including approximately 8,061 gsf of local retail space, of which approximately 4,978 gsf



would be located on the ground floor of the building and the remainder would be comprised of cellar storage, and approximately 52,056 gsf of office space. As shown in **Figure A-2**, the No-Action building would be built out to the lot lines and rise four stories (approximately 63 feet) before setting back 20 feet on St. Marks Place and 15 feet on Third Avenue. The building would then rise five more stories within the sky exposure plane to a total building height of nine stories (approximately 146 feet, or approximately 163 feet with bulkheads). Floors five through eight of the as-of-right building would each be approximately 4,278 gsf and floor nine would be approximately 1,045 gsf, providing significantly less programming flexibility for commercial office tenants than the With-Action building envelope, detailed below. No on-site parking would be provided.

The Landmark Site would continue to be renovated pursuant to the previously granted Certificate of Appropriateness in the 2020 future without the Proposed Action. However, the building would not be restored to a sound, first-class condition to match its late-19th century appearance, and a cyclical maintenance plan to ensure the continued upkeep of the building would not be implemented in the absence of the Proposed Action.

Future with the Proposed Action (With-Action Condition)

In the 2020 future without the Proposed Action, the existing buildings on the Development Site would be demolished, and the site would be redeveloped with a commercial building. As discussed above, before or during the ULURP review, the Applicant will file one or more applications with DOB for permits to allow demolition of the existing buildings on the Development Site and construction of a new, as-of-right commercial building on the site. The DOB filing submission would show an approximately 63-foot-tall, four-story building base, identical to the building base in both the No-Action and With-Action conditions. The Applicant would commence construction of the four-story base pursuant to the DOB building permit. In the event that the Proposed Action is approved, the Applicant would amend the DOB filing to complete construction of the proposed 10-story building on the Development Site.

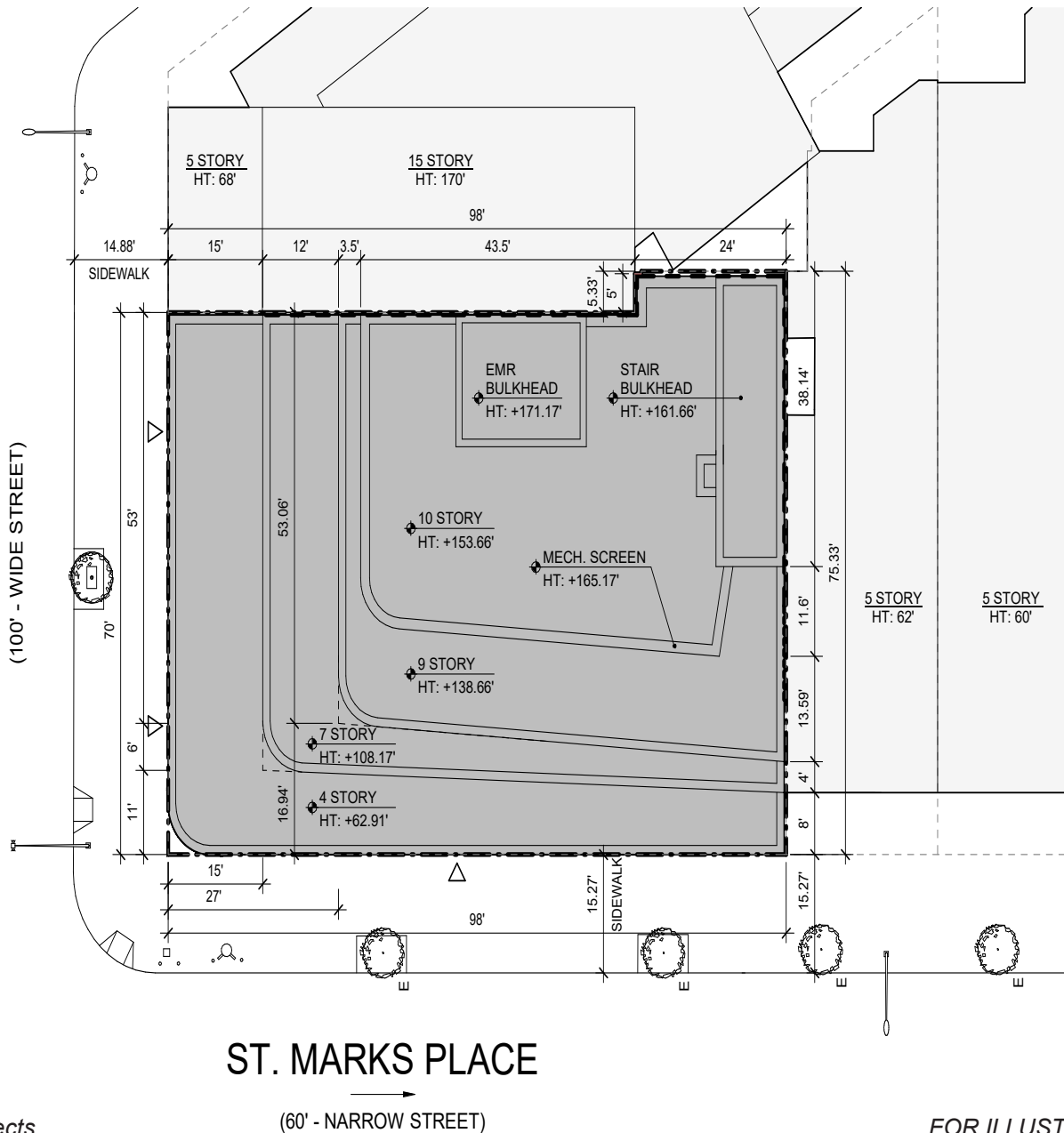
Upon approval of the proposed special permit, approximately 8,386 gsf would be transferred to the Development Site from the Landmark Site. As such, an approximately 68,503 gsf (50,314 zsf) commercial building would be constructed on the Development Site with an FAR of 7.2. As shown in **Figures A-3a** and **A-3b**, the proposed building would be built out to the lot lines to a height of four stories (approximately 63 feet) before setting back from the street line three times – above the fourth, seventh, and ninth stories – to a total height of 10 stories (approximately 154 feet, or approximately 171 feet with bulkheads). Portions of the sixth, seventh, eighth, and ninth stories along St. Marks Place would encroach into the 20-foot initial setback distance above the maximum front wall height of 85 feet. **Figure A-3c** provides illustrative renderings of the proposed building.

For conservative analysis purposes, the environmental review analyzes the maximum permitted building height for the Development Site. As shown in **Figures A-4a** and **A-4b**, the largest permitted building on the site would rise approximately 156 feet, or approximately 176 feet with bulkheads. This maximum building height is considered the RWCDS for the Proposed Action.

As under No-Action conditions, the proposed With-Action building would contain approximately 8,061 gsf of local retail space, of which approximately 4,978 gsf would be located on the ground floor of the building and the remainder would be comprised of cellar storage. The entrance to the office lobby would be located in the northwestern section of the building on Third Avenue, and retail entrances would be located on both Third Avenue and St. Marks Place. Floors five through seven of the proposed With-Action building would be approximately 5,087 gsf, floors eight and nine would be approximately 4,056 gsf, and floor 10 would be approximately 2,803 gsf, providing more efficient floorplates with more programming flexibility for commercial office tenants than the No-Action building envelope. As shown in **Figure A-3a**, a continuous

3RD AVENUE

(100' - WIDE STREET)

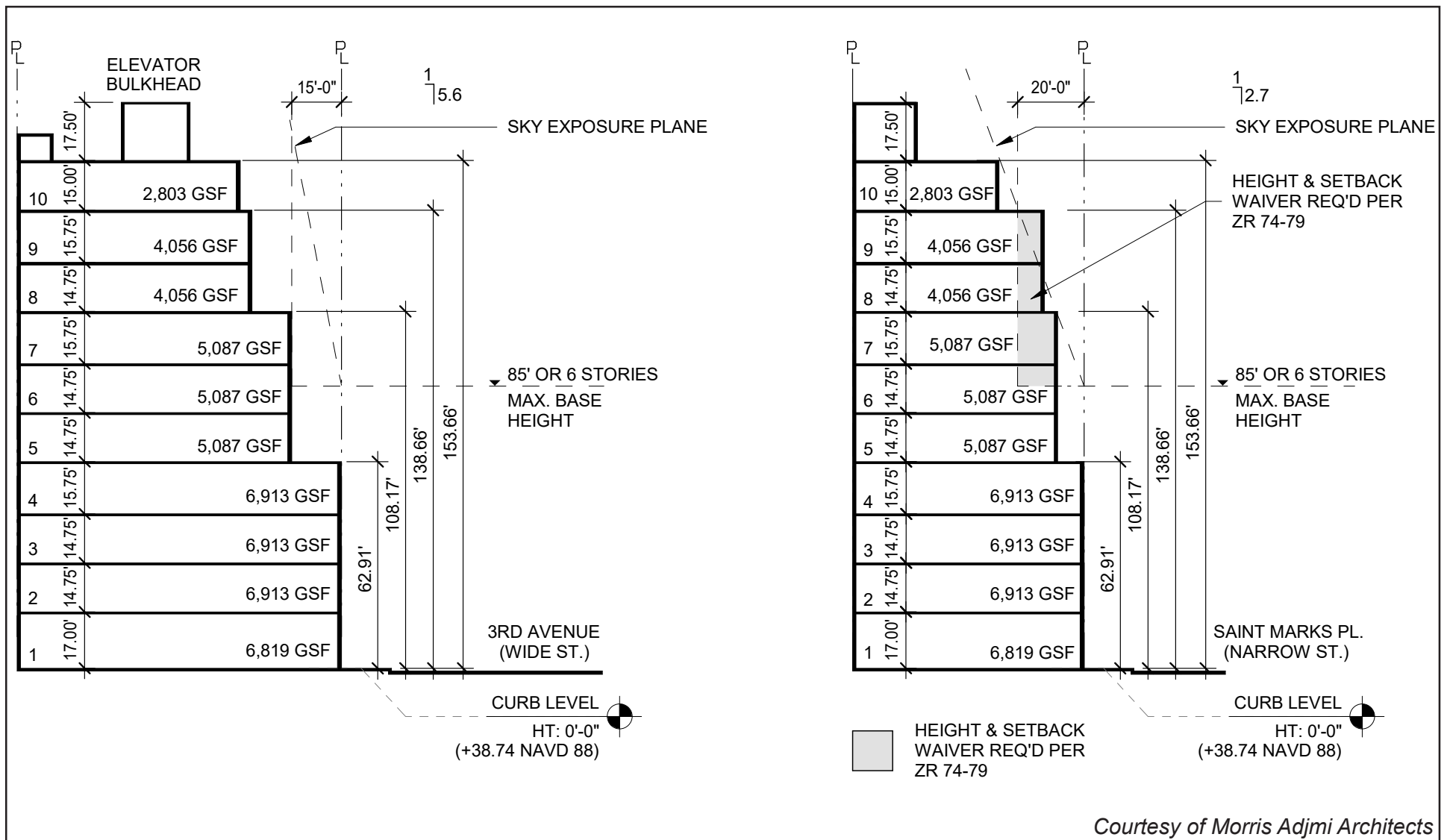


Courtesy of Morris Adjmi Architects

FOR ILLUSTRATIVE PURPOSES ONLY

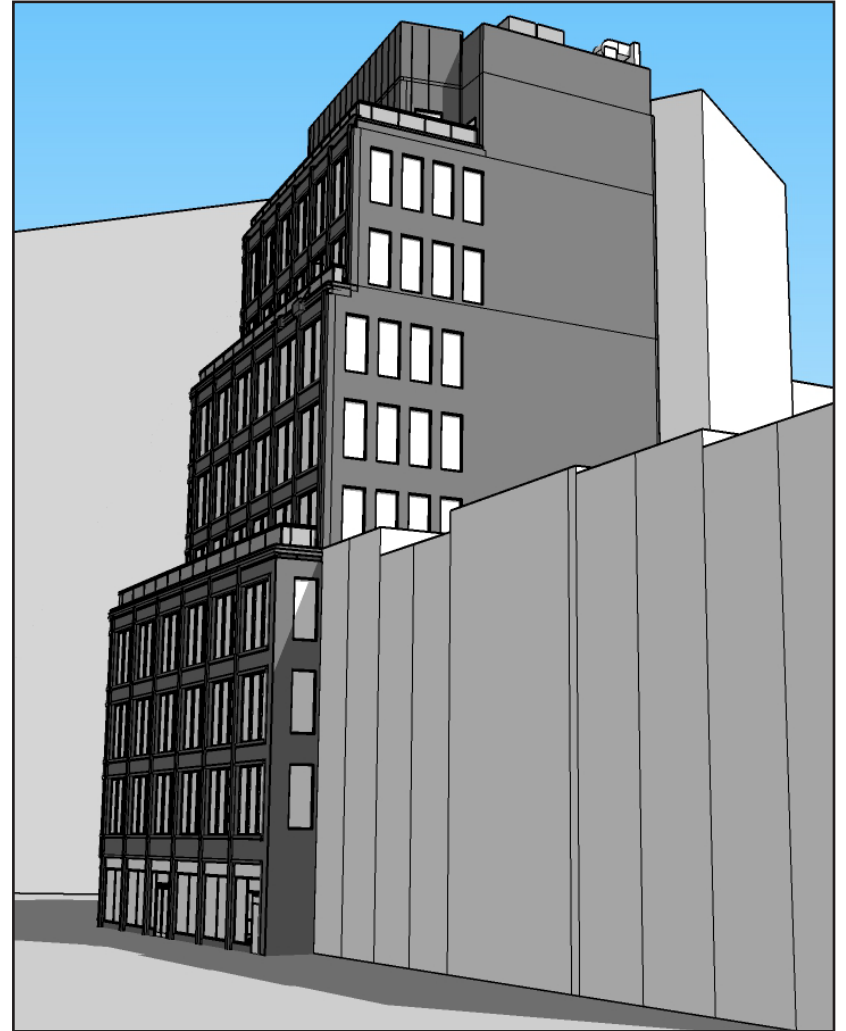
3 St. Marks Place EAS

Figure A-3a
With-Action Condition: Preliminary Site Plan

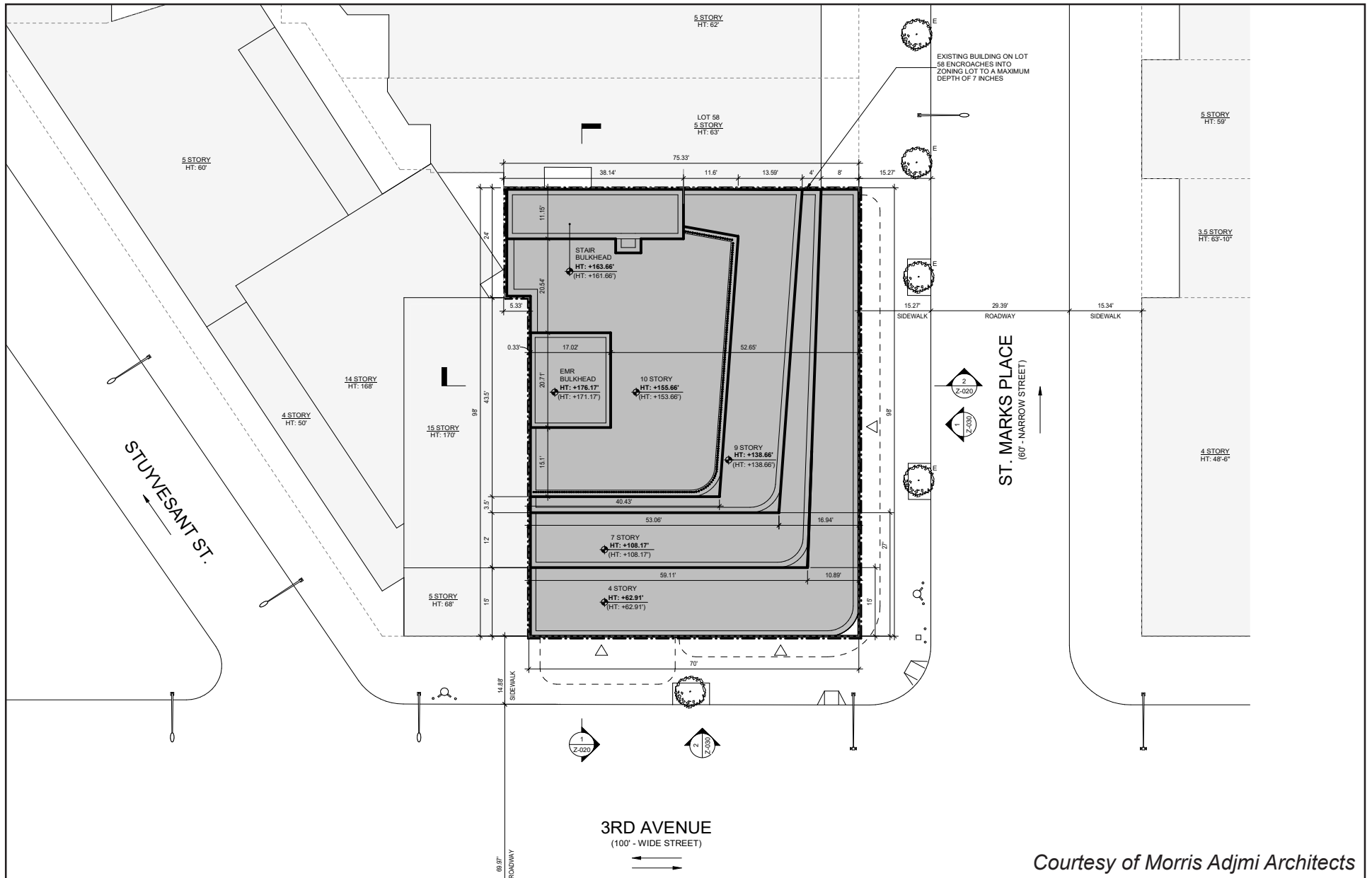




Illustrative view of the proposed With-Action building on 3 St. Marks Place, looking east from the intersection of Third Avenue.



Illustrative view of the proposed With-Action building on 3 St. Marks Place, looking west along St. Marks Place.



Courtesy of Morris Adjmi Architects

3 St. Marks Place EAS

Figure A-4a
Maximum Proposed Building Envelope - Site Plan

planted canopy would project from the building above the ground floor and passive recreational terraces for office tenants would be located on the rooftops of the three setbacks (above the fourth, seventh, and ninth stories).

In the 2020 future with the Proposed Action, the LPC-designated Landmark Site at 4 St. Marks Place would be restored to a sound, first-class condition to match its 19th-century appearance, and a cyclical maintenance plan would be implemented to ensure the continued maintenance of the building. The additional restoration work and continuing maintenance plan are not included in the scope of work approved by the LPC Certificate of Appropriateness regulating current renovations to the building, and would be carried out pursuant to a restrictive declaration to be entered into by the owner of the Landmark Site.

Table A-1: Comparison of Existing, No-Action, & With-Action Conditions

Site ¹	Block	Lot	Lot Area	Existing Conditions	2020 No-Action RWCDS	2020 With-Action RWCDS	Increment between No-Action & With-Action RWCDS
<i>Development Site</i>	464	1	6,988 sf	8,735 sf Mixed Res/Com Bldg (1.25 FAR)	60,117 gsf Commercial Bldg (6.0 FAR)	68,503 gsf Commercial Bldg (7.2 FAR)	+8,386 gsf Commercial (+1.2 FAR)
		3					
		59					
<i>Landmark Site</i>	463	11	3,120 sf	10,074 sf Mixed Res/Com Bldg (3.22 FAR)	10,074 sf Mixed Res/Com Bldg (3.22 FAR)	10,074 sf Mixed Res/Com Bldg (3.22 FAR)	-

Note: ¹ Refer to Figure A-1.

VI. REQUIRED APPROVALS AND REVIEW PROCEDURES

The proposed special permit is a Type I discretionary action which requires approval from the CPC and is subject to ULURP as well as City Environmental Quality Review (CEQR).

Uniform Land Use Review Procedure

The City's ULURP, mandated by Sections 197-c and 197-d of the City Charter, is a process specially designed to allow public review of a proposed action requiring discretionary land use approvals under the jurisdiction of the CPC at four levels: the Community Board, the Borough President and (if applicable) the Borough Board, the CPC, and the City Council. The procedure sets time limits for review at each stage to ensure a maximum total review period of approximately seven months.

The ULURP process begins with a certification by the Department of City Planning (DCP) that the land use application is complete, which includes a CEQR determination by the lead agency. The application is then forwarded to the community board, in this case Manhattan Community Board 3, which has up to 60 days in which to review the proposal, hold public hearings, and adopt recommendations regarding the application. Once this step is complete, the Borough President reviews the application for up to 30 days and may elect to hold a public hearing. CPC then has 60 days to review the application, during which time a public hearing is held. CPC may approve, approve with modifications or deny the application. If the ULURP application is approved, or approved with modifications, certain types of applications, including zoning map and text amendments, are subject to a mandatory review by the City Council, while the City Council may elect to review ("call-up") other types of applications, including special permits. The City Council has 50 days to review the application and during this time hold a public hearing, through its Subcommittee on Zoning and Franchises and Land Use Committee. The Council may approve, approve

with modifications or deny the application. If the Council proposes a modification to the application, the ULURP review process stops for 15 days, providing time for a CPC determination on whether the proposed modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if not, then the Council may only vote on the actions as approved by the CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions, or otherwise it is adopted. The City Council may override the mayoral veto by a two-thirds vote within 10 days.

Environmental Review

The Proposed Action is also subject to CEQR, which is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The CEQR process requires City agencies to assess, disclose, and mitigate to the greatest extent practicable the significant environmental consequences of their decisions to fund, directly undertake, or approve a project using screening thresholds and technical guidance provided in the 2014 *CEQR Technical Manual*. DCP, acting on behalf of the CPC, is the lead agency for the Proposed Action.

ATTACHMENT B
SUPPLEMENTAL SCREENING

3 ST. MARKS PLACE EAS ATTACHMENT B: SUPPLEMENTAL SCREENING

I. INTRODUCTION

This EAS has been prepared in accordance with the guidance and methodologies presented in the 2014 *City Environmental Quality Review (CEQR) Technical Manual*. For each technical area, thresholds are defined, which if met or exceeded, require that a detailed technical analysis be undertaken. Using this guidance, preliminary screening assessments were conducted for the Proposed Action to determine whether detailed analysis of any technical area may be appropriate. Part II of the EAS Form identifies those technical areas that warrant additional assessment. For those technical areas that warranted a “Yes” in Part II of the EAS Form, supplemental screening assessments are provided in this attachment. Detailed analyses, as required, are provided in the subsequent attachments. The remaining technical areas detailed in the *CEQR Technical Manual* were not deemed to require supplemental screening because they do not trigger applicable initial CEQR thresholds and are therefore unlikely to result in significant adverse impacts. The areas screened out from any further assessment include: Socioeconomic Conditions; Community Facilities & Services; Open Space; Natural Resources; Water & Sewer Infrastructure; Solid Waste & Sanitation Services; Energy; Transportation; Greenhouse Gas Emissions; and Public Health. **Table B-1** presents a summary of analysis screening information for the Proposed Action.

Table B-1: Summary of CEQR Technical Area Screening

<i>CEQR</i> Technical Area	Screened Out Per EAS Form	Screened Out Per Attachment B: Supplemental Screening	Detailed Analysis Required
Land Use, Zoning, & Public Policy		X	
Socioeconomic Conditions	X		
Community Facilities & Services	X		
Open Space	X		
Shadows			X
Historic & Cultural Resources			X
Urban Design & Visual Resources			X
Natural Resources	X		
Hazardous Materials		X	
Water & Sewer Infrastructure	X		
Solid Waste & Sanitation Services	X		
Energy	X		
Transportation	X		
Air Quality		X	
Greenhouse Gas Emissions	X		
Noise			X
Public Health	X		
Neighborhood Character		X	
Construction		X	

As described in Attachment A, “Project Description,” the Applicant is seeking a special permit in order to facilitate the development of 3 St. Marks Place (Block 464, Lots 1, 3, and 59) at the confluence of the East

Village and NoHo neighborhoods in Manhattan Community District 3 (refer to **Figure B-1**). The proposed special permit pursuant to Zoning Resolution (ZR) Section 74-79 would: (a) transfer approximately 8,386 gross square feet (gsf) of floor area, the equivalent of 8,386 zoning square feet (zsf), from the Landmark Site at 4 St. Marks Place (Block 463, Lot 11) to the Development Site; and (b) modify ZR Section 33-432 to allow the proposed building on the Development Site to encroach within the required setback distance above a maximum front wall height of 85 feet on St. Marks Place (the “Proposed Action”).

The proposed transfer of floor area would increase the maximum commercial floor area on the Development Site from approximately 60,117 gsf (41,928 zsf) with a floor area ratio (FAR) of 6.0, to approximately 68,503 gsf (50,314 zsf) with 7.2 FAR, the maximum floor area permitted by the ZR. The proposed building would contain approximately 8,061 gsf of retail space and approximately 60,442 gsf of office space and would rise to a total height of 10 stories (a maximum of approximately 156 feet, or approximately 176 feet with bulkheads). Portions of the sixth through ninth floors of the building along St. Marks Place would encroach into the 20-foot initial setback distance above the maximum front wall height of 85 feet, thus requiring the proposed modification to ZR Section 33-432. As a condition to the Proposed Action, the Landmark Site would be made subject to a restrictive declaration, requiring the implementation of a restoration and cyclical maintenance plan to ensure the continued upkeep of the historic Hamilton-Holly House. Absent the approval of the special permit, an as-of-right commercial building would be constructed on the Development Site, and alterations currently being performed on the Landmark Site pursuant to a New York City Landmarks Preservation Commission (LPC)-approved Certificate of Appropriateness would continue, but no restoration and maintenance plan would be implemented on the Landmark Site.

II. SUPPLEMENTAL SCREENING & DETAILED ANALYSIS SUMMARIES

Land Use, Zoning, & Public Policy

Following *CEQR Technical Manual* guidance, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, including any future changes in zoning that could cause changes in land use, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project’s anticipated effects. In addition, the preliminary assessment should include a basic description of the project facilitated by a proposed action in order to determine whether a more detailed assessment of land use would be appropriate. This information is essential for conducting the other environmental analyses and provides a baseline for determining whether detailed analysis is appropriate. CEQR requires an assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas. Additionally, an assessment of public policy should accompany the assessment, including any formal or published plans in the study area. As such, a preliminary land use, zoning, and public policy analysis was conducted for the Proposed Action and is provided below.

Existing Conditions

Land Use





The Applicant-owned Development Site at 3 St. Marks Place (Block 464, Lots 1, 3, and 59) is comprised of three low-rise buildings with frontages along St. Marks Place (a narrow street) to the south and Third Avenue (a wide street) to the west at the confluence of the East Village and NoHo neighborhoods in Manhattan (refer to **Figure B-1**). Located on the northeast corner of St. Marks Place and Third Avenue, Lot 1 currently accommodates a four-story (approximately 42-foot-tall) mixed-use building with 2,080 gsf of residential floor area (two DUs) and 1,900 gsf of commercial floor area for various local retail and restaurant uses. Lot 3 contains a one-story (approximately 15-foot-tall) commercial building fronting Third










Legend

-  Development Site
-  Landmark Site
-  400-Foot Radius

Land Uses

-  One & Two-Family Buildings
-  Multi-Family Walkup Buildings
-  Multi-Family Elevator Buildings
-  Mixed Residential/Commercial Buildings

-  Commercial/Office Buildings
-  Industrial/Manufacturing
-  Transportation/Utility
-  Public Facilities & Institutions
-  Open Space
-  Parking Facilities
-  Vacant Land
- 4 Number of Floors

Avenue, with 2,960 gsf of floor area occupied by local retail and restaurant uses. On St. Marks Place, Lot 59 accommodates a one-story (approximately 15-foot-tall) commercial building with 1,795 gsf of floor area also occupied by local retail and restaurant uses. In total, the Development Site contains 2,080 gsf of residential floor area (two DUs) and 6,655 gsf of commercial floor area, with an existing FAR of 1.25, and is located in a C6-1 zoning district like the Landmark Site. The Development Site does not contain any parking spaces or curb cuts.

As shown in **Figure B-1**, the Development Site is located immediately across the street from the Landmark Site at 4 St. Marks Place (Block 463, Lot 11), which accommodates the Hamilton-Holly House, an LPC-designated New York City Landmark (NYCL). The landmark is a 3.5-story (approximately 54-foot-tall) mixed-use building with 4,553 gsf of residential floor area (three DUs) and 5,521 gsf of commercial floor area, with no parking or curb cuts. It has an existing FAR of 3.22, and is located in a C6-1 zoning district like the Development Site. The Landmark Site is currently undergoing renovations pursuant to an LPC-approved Certificate of Appropriateness, including the removal and replacement of a non-complying rear addition and the restoration of the front façade on St. Marks Place.

The area surrounding the Development Site is predominately residential, commercial, and institutional. The buildings accommodating these uses vary greatly in height, bulk, and style. As shown in **Figure B-1**, there are numerous low- and mid-rise residential and commercial buildings from the turn of the 20th century fronting on the east-west sidestreets around the Development Site. Larger buildings in the area are primarily located along the major north-south thoroughfares of Third and Fourth Avenues, including a 22-story residential tower at 443 Lafayette Street (completed 2004), a 14-story commercial building at 51 Astor Place (completed 2013), and a 20-story residential tower at 30 Third Avenue (built 1965).

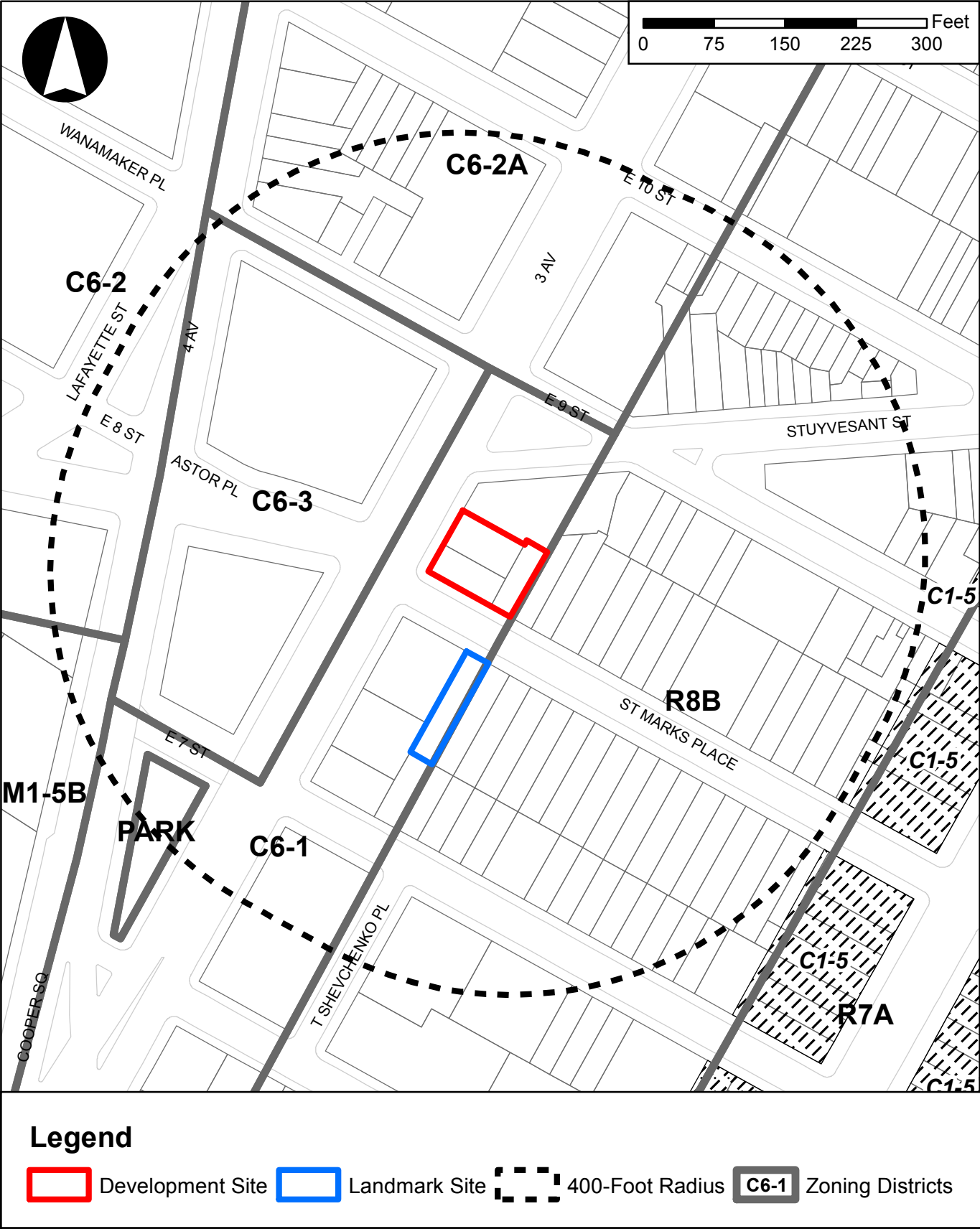
The Cooper Union and New York University (NYU) have significant presences in the area; immediately north of the Development Site at 29 Third Avenue is a 15-story Cooper Union dorm, and further north at 31 Third Avenue is a 16-story NYU dorm (refer to **Figure B-1**). NYU's Art Department is located in the Barney Building on the corner of Stuyvesant Street and East 9th Street. Cooper Union has an academic building at 41 Cooper Square (completed 2009), and its NYCL-designated Foundation Building (built 1859) is located at 7 East 7th Street. There are two churches within 400-feet of the Development Site: the First Ukrainian Assembly of God at 61 Cooper Square (a NYCL), and St. George's Church at 20 East 7th Street. Open spaces in the vicinity of the Development Site include the Astor Place Plaza, the Fourth Street GreenStreet, which accommodates the Astor Place Subway Station (a NYCL), the Cooper Union Plaza, the 51 Astor Place Plazas, and Cooper Triangle.

Zoning

As shown in **Figure B-2**, the area within 400-feet of the Development Site is predominately located in medium- to high-density residential and commercial zoning districts, including R8B, C6-1, C6-2, C6-2A, and C6-3. Additionally, the southwestern corner of the study area is located in a light manufacturing (M1-5B) zoning district, allowing, under specific conditions, joint living-work quarters for artists (JLWQAs). Regulations for each district are detailed in **Table B-2**, and a description of the C6-1 district, which encompasses the Development Site and the Landmark Site, is provided below.

C6-1 Zoning District

As shown in **Figure B-2**, the Development Site and Landmark Site are located in a C6-1 zoning district. C6-1 districts allow a wide range of high-bulk commercial uses requiring a central location, and are typically mapped in areas outside of central business cores well served by mass transit. C6-1 zoning districts permit a maximum residential FAR of 3.44, a maximum commercial FAR of 6.0, and a maximum



community facility FAR of 6.5. Manufacturing uses are not permitted. Buildings in C6-1 districts may rise to a maximum front wall height of 85 feet or six stories, whichever is less, above which they must set back 15 feet and not penetrate a sky exposure plane with a slope of 5.6 to 1 (along wide streets), or set back 20 feet and not penetrate a sky exposure plane with a slope of 2.7 to 1 (along narrow streets). No parking is required in C6-1 districts within the “Manhattan Core,” as defined in the ZR.

Table B-2: Study Area Zoning Regulations

Zoning District	Definition/General Use	Maximum FAR¹
R8B	Contextual residential zoning district. Mandatory Quality Housing bulk regulations encourage six-story apartment buildings similar to rows of 19 th century houses.	R: 4.0, C: 2.0, CF: 4.0
C6-1	Permits a wide range of high-bulk commercial uses requiring a central location, typically mapped outside central business cores.	R: 3.44, C: 6.0, CF: 6.5
C6-2	Permits a wide range of high-bulk commercial uses requiring a central location, typically mapped outside central business cores.	R: 6.02, C: 6.0, CF: 6.5
C6-2A	Contextual commercial zoning district. Permits a wide range of high-bulk commercial uses requiring a central location, typically mapped outside central business cores.	R: 6.02, C: 6.0, CF: 6.5
C6-3	Permits a wide range of high-bulk commercial uses requiring a central location, typically mapped outside central business cores.	R: 7.52, C: 6.0, CF: 10.0
M1-5B	Light manufacturing district. Nearly all industrial uses are allowed if they meet the stringent M1 performance standards. Offices and most retail uses are permitted. Artists may occupy joint living-work quarters.	C: 5.0, CF: 6.5, M: 5.0

Source: New York City Zoning Resolution.

Notes:

¹ R: Residential; C: Commercial; CF: Community Facility; M: Manufacturing.

Public Policy

Village Alliance Business Improvement District (BID)

The Village Alliance BID works to enhance the neighborhood’s quality-of-life by creating a cleaner, safer, and more enjoyable environment and ensuring that the district continues to grow and succeed. For over 20 years, the Alliance has worked with area residents, businesses, and cultural and academic institutions, providing programs such as supplemental public safety and sanitation services, graffiti removal, economic development and community revitalization, façade improvement, marketing and promotions, and streetscape enhancements and landscaping, as well as tourist information and free walking tours. The 44-block BID centers on 8th Street/St. Marks Place between Second and Sixth Avenues, including the Development Site and Landmark Site.

Historic Districts and Landmarks

The New York City Landmarks Law of 1965 established the LPC and authorized it to designate individual buildings, historic districts, interior landmarks, and scenic landmarks of historical, cultural, and architectural significance. The Landmarks Law defines a Historic District as an area that has a “special character or special historic or aesthetic interest,” represents one or more periods of styles of architecture typical of one or more eras in the history of the City,” and constitutes “a distinct section of the City.” Historic district designation by LPC protects buildings from demolition and development that is out of context or insensitive to the historic nature of the area. As discussed in greater detail in Attachment D, “Historic & Cultural Resources,” the Landmark Site is a NYCL (the Hamilton-Holly House), and the surrounding study area contains several additional LPC-designated historic districts and landmarks.

OneNYC

In April 2015, Mayor Bill de Blasio released *OneNYC*, a comprehensive plan for a sustainable and resilient city for all New Yorkers that speaks to the profound social, economic, and environmental challenges faced. *OneNYC* is the update to the sustainability plan for the City started under the Bloomberg administration, previously known as *PlaNYC 2030: A Greener, Greater New York*. Growth, sustainability, and resiliency remain at the core of *OneNYC*, but with the poverty rate remaining high and income inequality continuing to grow, the de Blasio administration added equality as a guiding principle throughout the plan. In addition to the focuses of population growth; aging infrastructure; and global climate change, *OneNYC* brings new attention to ensuring the voices of all New Yorkers are heard and to cooperating and coordinating with regional counterparts. Since the 2011 and 2013 updates of *PlaNYC*, the City has made considerable progress towards reaching original goals and completing initiatives. *OneNYC* includes updates on the progress towards the 2011 sustainability initiatives and 2013 resiliency initiatives and also sets additional goals and outlines new initiatives under the organization of four visions: growth, equity, resiliency, and sustainability.

Goals of the plan are to make New York City:

- A Growing, Thriving City – by fostering industry expansion and cultivation, promoting job growth, creating and preserving affordable housing, supporting the development of vibrant neighborhoods, increasing investment in job training, expanding high-speed wireless networks, and investing in infrastructure.
- A Just and Equitable City – by raising the minimum wage, expanding early childhood education, improving health outcomes, making streets safer, and improving access to government services.
- A Sustainable City – by reducing greenhouse gas emissions, diverting organics from landfills to attain Zero Waste, remediating contaminated land, and improving access to parks.
- A Resilient City – by making buildings more energy efficient, making infrastructure more adaptable and resilient, and strengthening coastal defenses.

Future Without the Proposed Action (No-Action Condition)

Land Use

As detailed in Attachment A, “Project Description,” in the 2020 future without the Proposed Action, the existing buildings on the Development Site would be demolished, and the site would be redeveloped with a commercial building. Per existing C6-1 zoning district regulations, the No-Action building on the Development Site would be approximately 60,117 gsf, including approximately 8,061 gsf of local retail space and approximately 52,056 gsf of office space. No on-site parking would be provided.

As discussed in Attachment D, “Historic & Cultural Resources,” the Landmark Site would continue to be renovated pursuant to the previously granted LPC Certificate of Appropriateness in the 2020 future without the Proposed Action. It is expected that the building would continue to accommodate ground-floor retail and upper-level residential apartments under No-Action conditions.

There are no other projects planned or under construction within 400-feet of the Development Site that are expected to be completed in the 2020 future without the Proposed Action.

Zoning & Public Policy

There are no changes to zoning or public policies applicable to the Development Site or within the 400-foot secondary study area in the 2020 future without the Proposed Action.

Future With the Proposed Action (With-Action Condition)

Land Use

As detailed in Attachment A, “Project Description,” in the 2020 future with the Proposed Action, the existing buildings on the Development Site would be demolished, and the site would be redeveloped with a commercial building. Upon approval of the proposed special permit, approximately 8,386 gsf of floor area, equivalent to 8,386 zsf, would be transferred to the Development Site from the Landmark Site. As such, an approximately 68,503 gsf (approximately 50,314 zsf) commercial building would be constructed on the Development Site with an FAR of 7.2. The proposed building would contain approximately 8,061 gsf of retail space, of which approximately 4,978 gsf would be located on the ground floor of the proposed building and the remainder would be comprised of cellar storage, and approximately 60,442 gsf of office space.

As discussed in Attachment D, “Historic & Cultural Resources,” in the future without the Proposed Action, the Landmark Site would be restored to a sound, first-class condition to match its 19th-century appearance, and a restoration and cyclical maintenance plan would be implemented to ensure the continued maintenance of the building. It is expected that the building would continue to accommodate ground-floor retail and upper-level residential apartments under With-Action conditions.

Zoning

In the future with the Proposed Action, the proposed special permit pursuant to ZR Section 74-79: “Transfer of Development Rights from Landmark Sites,” and the proposed modification to ZR Section 33-432: “Maximum Height of Walls and Required Setbacks,” would be approved. The Proposed Action would allow the transfer of approximately 8,386 sf of zoning floor area from the Landmark Site to the Development Site, increasing the FAR on the site from 6.0 (the maximum permitted commercial FAR in C6-1 zoning districts) to 7.2. Additionally, the Proposed Action would permit the proposed building on the Development Site to encroach within the 20-foot initial setback distance above a maximum front wall height of 85 feet along St. Marks Place. This would allow the front wall of the proposed building to exceed the applicable maximum height within the initial setback distance on St. Marks Place.

Public Policy

No changes to public policy are expected in the future with the Proposed Action.

Assessment

No significant adverse impacts to land use, zoning, or public policy are anticipated as a result of the Proposed Action. The Proposed Action would not generate land uses that would be incompatible with existing land uses or zoning. As detailed above, the Development Site at 3 St. Marks Place, which is located in a commercial zoning district, would be redeveloped with a commercial office building with ground-floor retail space under both No-Action and With-Action conditions. The Proposed Action would increase the allowable FAR on the Development Site from 6.0 to 7.2, which is permissible under ZR Section 74-792. However, as detailed above, this density would not be out of place in the area, as Third Avenue is a major

commercial thoroughfare with numerous large buildings, including the 15-story Cooper Union dorm with an FAR of 6.81 immediately north of the Development Site and the 14-story primarily commercial office tower at 51 Astor Place with an FAR of 10.72 across the Street from the Development Site.

The Proposed Action would also allow the proposed building on the Development Site to encroach within the required setback distance above a maximum front wall height of 85 feet on St. Marks Place. This would allow a building massing that relates to the Landmark Building and the surrounding built context. It would also accommodate more efficient floorplates for the commercial office tenants, providing more programming flexibility within the building envelope. The proposed modification to ZR Section 33-432 would not result in significant adverse impacts related to zoning.

Additionally, the Proposed Action would not conflict with any public policies applicable to the study area. Through the development of modern commercial office space on the Development Site, the Proposed Action would be consistent with OneNYC and its “Vision 1: Our Growing, Thriving City,” including the Industry Expansion & Cultivation and Workforce Development initiatives. The Proposed Action would facilitate the development of more efficient commercial office floorplates on the upper levels of the Development Site, providing more programming flexibility within the building envelope on an existing major commercial thoroughfare. The development of modern office space on the site would promote the first vision of OneNYC, which aims to create a growing, thriving city through the development of, among other things, job growth.

As such, no significant adverse impacts to land use, zoning, or public policy would occur as a result of the Proposed Action, and further analysis is not warranted.

Shadows

As stated in the *CEQR Technical Manual*, a shadow assessment considers projects that result in new shadows long enough to reach sunlight-sensitive resources. Therefore, a shadow assessment is generally required only if a project would either (a) result in new structures (or additions to existing structures, including the addition of rooftop mechanical equipment) of 50 feet or more; or (b) be located adjacent to, or across the street from, a sunlight-sensitive resource. As discussed in Attachment C, “Shadows,” the proposed With-Action building on the Development Site at 3 St. Marks Place would result in incremental shadow coverage on three publicly accessible sunlight-sensitive open space resources as compared to No-Action conditions. However, these project-generated shadows would not affect the utilization or enjoyment of any sunlight-sensitive resources and all vegetation would continue to receive a minimum of four to six hours of direct sunlight throughout the growing season. As such, the Proposed Action would not result in significant adverse shadows impacts to any sunlight-sensitive resources (refer to Attachment C for a detailed assessment).

Historic & Cultural Resources

The *CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated NYCLs; properties calendared for consideration as landmarks by the LPC; properties listed in the State/National Registers of Historic Places (S/NR) or contained within a district listed in or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHLs); and properties not identified by one of the programs listed above, but that meet their eligibility requirements. An assessment of historic/archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures or within historic districts, or projects

that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated.

The Proposed Action involves the transfer of floor area from the Landmark Site to the Development Site, and the implementation of a restoration and cyclical maintenance plan on the Landmark Site, carried out pursuant to a restrictive declaration. Additionally, there are several LPC-designated and S/NR-listed individual historic resources and historic districts located within the immediate vicinity of the Development Site. Therefore, an assessment of the effects of the Proposed Action is warranted and is provided in Attachment D, "Historic & Cultural Resources." As detailed therein, the Proposed Action would not result in any significant adverse impacts to historic or cultural resources. The Development Site does not contain any identified historic resources. The Landmark Site accommodates the LPC-designated Hamilton-Holly House, and the additional restoration work and implementation of a cyclical maintenance plan on the site that would occur in the future with the Proposed Action would improve the historic character of the LPC-designated historic resource and ensure its continued maintenance. Additionally, as the Development Site is located within 90 feet of the LPC-designated Hamilton-Holly House, the proposed new building would be subject to the New York City Department of Building's (DOB's) Technical Policy and Procedure Notice (TPPN) #10/88 during any construction in both the No-Action or With-Action conditions. With the implementation of a Construction Protection Plan pursuant to TPPN #10/88, no construction-related impacts on historic resources would be expected as a result of the Proposed Action.

As compared to No-Action conditions, the With-Action building on the Development Site would minimally alter the setting and visual context of surrounding historic resources. None of these changes would be significant or adverse. None of the proposed changes to building height or bulk would eliminate or substantially obstruct significant public views of architectural resources. No primary facades, significant architectural ornamentation, or notable features of surrounding historic buildings would be obstructed by the proposed building on the Development Site, and all significant elements of these resources would remain visible in view corridors on adjacent streets. The Proposed Action would not alter the relationship of any identified historic resources to the streetscape as compared to No-Action conditions. Additionally, no incompatible visual, audible, or atmospheric elements would be introduced by the proposed building to any historic resource's setting in the future with the Proposed Action. In fact, the proposed modification to the height and setback regulations of ZR Section 33-432 would be for the purpose of providing a harmonious architectural relationship between the proposed building on the Development Site and the existing building on the Landmark Site, as required by ZR Section 74-79.

The Proposed Action would not result in development that would diminish the qualities that make the surrounding LPC-designated and/or S/NR-listed historic resources historically and/or architecturally important. As such, the Proposed Action would not result in significant adverse indirect or contextual impacts to historic architectural resources. Additionally, the With-Action building on the Development Site would not cast incremental shadows on any sunlight-sensitive features of nearby historic resources as compared to No-Action conditions. Therefore, the Proposed Action would not result in any significant adverse shadows impacts on historic resources.

Urban Design & Visual Resources

An area's urban design components and visual resources together define the look and character of the neighborhood. The urban design characteristics of the neighborhood encompass the various components of buildings and streets in the area, including building bulk, use, and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features. An area's visual resources are its unique or important public view corridors, vistas, or natural or built features. For CEQR analysis purposes, this includes only views from public and publicly accessible locations and does not include private residences or places of business. An analysis of urban design and visual resources is appropriate if

an action would (a) result in buildings that have substantially different height, bulk, form, setbacks, size, scale, use, or arrangement than exists in the area; (b) change block form, demap an active street or map a new street, or affect the street hierarchy, streetwall, curb cuts, pedestrian activity, or streetscape elements; or (c) would result in above-ground development in an area that includes significant visual resources.

The Proposed Action would enable development to be constructed that would differ from existing zoning envelopes and would result in physical changes beyond the bulk and form currently permitted as-of-right on the Development Site. Therefore, a detailed urban design analysis is appropriate and is provided in Attachment E, “Urban Design & Visual Resources.” As discussed therein, no significant adverse to urban design or visual resources would occur in the future with the Proposed Action. The proposed building that would be facilitated by the Proposed Action on the Development Site would not be incompatible with the existing character of the surrounding area. As compared to No-Action conditions, the Proposed Action would increase the height of the proposed building from nine- to 10-stories, and would increase the maximum permitted FAR on the Development Site from 6.0 to 7.2 FAR. This additional height and density would be in keeping with the existing built environment of the study area. Additionally, the proposed building on the Development Site would be built out to the lot lines to a height of four stories (approximately 63 feet) before setting back from the street line. This setback would match the setback of the adjacent Cooper Union dorm on Third Avenue, and would relate to the height of the building on the Landmark Site and the heights of the rowhouses and tenement buildings immediately east of the Development Site along St. Marks Place, extending the continuous streetwalls to the intersection of Third Avenue and St. Marks Place. The Proposed Action would not alter uses on the Development Site as compared to No-Action conditions, and the proposed building would contain ground-level local retail spaces, in keeping with the surrounding commercial corridor.

Portions of the sixth through ninth floors of the proposed building on the Development Site would encroach into the 20-foot initial setback distance above the maximum front wall height of 85 feet on St. Marks Place as a result of the Proposed Action. However, this would result in minimal changes to pedestrian perception along St. Marks Place and Third Avenue, and would not obstruct or substantially alter significant viewsheds of surrounding visual resources. The proposed building on the Development Site would be designed to complement the historic forms of the adjacent buildings, including the building on the Landmark Site, and would be clad with horizontal bands of dark stone separating bands of large windows, which would not detract from the nearby historic resources. Additionally, the proposed building on the Development Site would include a planted canopy above the ground floor of the building and street trees along Third Avenue and St. Marks Place, enhancing the streetscapes in the immediate vicinity of the site and improving the pedestrian experience of the area.

In the 2020 future with the Proposed Action, the landmark building at 4 St. Marks Place would be restored to a sound, first-class condition to match its late-19th century appearance, and a cyclical maintenance plan would be implemented to ensure the continued maintenance of the building. As detailed in Attachment D, “Historic & Cultural Resources,” the additional restoration work and continuing maintenance plan would improve the character of this visual resource, further enhancing the pedestrian experience along St. Marks Place in the future with the Proposed Action.

Hazardous Materials

As detailed in the *CEQR Technical Manual*, the goal of a hazardous materials assessment is to determine whether an action may increase the exposure of people or the environment to hazardous materials, and if so, whether this increased exposure would result in potential significant public health or environmental impacts. A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semivolatile

organic compounds, methane, polychlorinated biphenyls and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: (a) hazardous materials exist on a site; (b) an action would increase pathways to their exposure; or (c) an action would introduce new activities or processes using hazardous materials.

Phase I Environmental Site Assessment (ESA)

An assessment was conducted to determine whether the Proposed Action and subsequent development could lead to increased exposure of people or the environment to hazardous materials and whether the increased exposure would result in significant adverse public health impacts or environmental damage. In August 2017, EBI Consulting prepared a Phase I ESA for the Development Site in accordance with ASTM Practice E 1527-13 (the Executive Summary of the Phase I ESA is provided in **Appendix 2**). Based on the information gathered as a result of the Phase I ESA process, no evidence of Recognized Environmental Conditions (RECs) were found by EBI Consulting in connection with the Development Site.

As detailed in the Phase I ESA, there is no evidence of existing or former underground storage tanks (USTs) or aboveground storage tanks (ASTs) on the Development Site. The property immediately north of the Development Site at 29 Third Avenue formerly had a 2,500-gallon AST (No. 2 fuel oil) on the property, which was removed in 1991. Additionally, the property across the street at 2 St. Marks Place has an active 1,500-gallon AST (No. 2 fuel oil) on the property, installed in 1992. However, based on the absence of reported releases and presumed hydrogeologic gradient relative to the Development Site, EBI Consulting determined that it is unlikely that the conditions associated with the two identified Registered Storage Tank sites represent an environmental concern to the Development Site.

It should be noted that the Phase I ESA identifies two considerations outside of the scope of ASTM Practice E 1527-13 associated with the Development Site. Neither of these considerations were identified as RECs in the Phase I ESA.

- 1) After conducting a limited visual screening survey for the presence of asbestos-containing materials on the Development Site, EBI Consulting identified friable and non-friable suspect asbestos-containing materials in the form of interior building materials (ceiling and wall surfacing materials, tiles, vinyl flooring, etc.). Although these materials were observed to be undamaged and in good condition at the time of the assessment, and therefore do not present a problem when maintained in good condition, additional sampling, removal, and disposal arrangements would be necessary should building construction or renovation activities occur.
- 2) The painted surfaces of the Development Site were generally observed to be in good condition, and areas of chipping or peeling paint were not observed at the time of EBI Consulting's inspection. However, although the painted surfaces appeared to have had new paint applied within the past 10 years, based on the date of construction of the buildings, it is likely that lead-based paint is present on the Development Site, and would need to be remediated should building construction or renovation activities occur.

As detailed above, under both No-Action and With-Action conditions, the three existing buildings on the Development Site would be demolished and replaced with a new commercial structure. The full extent of excavation is expected to occur in the No-Action condition, as the Support of Excavation Plans have been filed with DOB and the full lot can be built out as-of-right. Therefore, any asbestos-containing materials or lead-based paint on the site would be removed in the futures both without and with the Proposed Action. As such, no significant adverse hazardous materials impacts are anticipated as a result of the Proposed

Action, and no further hazardous materials analysis is warranted.

Air Quality

Projects can result in stationary source air quality impacts when they create new stationary sources of pollutants that can affect surrounding uses, such as emission stacks from industrial plants or exhaust from boiler stack(s) used for heating/hot water, ventilation or air conditioning (HVAC) systems of a building, or when they locate new sensitive uses (schools, hospitals, residences) near such stationary sources. The proposed building on the Development Site would use fossil fuels for HVAC purposes. Emissions from the HVAC systems of the proposed building may affect air quality levels at other nearby existing land uses. According to *CEQR Technical Manual* guidance, the impacts of these emissions would be a function of fuel type, stack height, building size, and location of each emissions source relative to nearby sensitive land uses. A preliminary screening analysis was conducted to determine whether the proposed building on the Development Site would result in the potential for significant adverse air quality impacts.

As detailed in Attachment A, “Project Description,” the Proposed Action would facilitate a 10-story building that would rise 171 feet with bulkheads (or a RWCDS maximum height of 176 feet with bulkheads), a building height increase of one story (approximately eight feet) over No-Action conditions. As shown in **Figure B-3**, the stair bulkhead would be located along the eastern lot line of the property, and the mechanical bulkheads (including HVAC boiler stacks) would be located in the northern portion of the lot. The lot immediately north of the Development Site contains a 15-story residential dormitory for The Cooper Union.¹ The dorm rises to a building height of approximately 148 feet, topped with HVAC boilers and a water tower that are surrounded by a partially enclosed wall with no roof. The wall surrounding the building’s mechanical systems has openings on and adjacent to Third Avenue, and rises to a height of approximately 170 feet.² Additionally, it should be noted that there are no windows on the upper two floors of the dorm’s southern façade, adjacent to the Development Site, and no windows on the top floor of the dorm’s western façade, fronting Third Avenue (refer to **Figure B-4**). As The Cooper Union’s dorm at 29 Third Avenue is shorter than the proposed With-Action building’s stacks on the Development Site, significant adverse impacts on air quality from the Proposed Action are unlikely, and further analysis is not warranted.

Although it is anticipated that the proposed With-Action building would utilize natural gas, for conservative analysis purposes, a preliminary screening was conducted for the proposed With-Action building using Figure 17-6 of the *CEQR Technical Manual*, which was developed for commercial and other non-residential developments utilizing Fuel Oil #2. As detailed in the *CEQR Technical Manual*, in order to pass the preliminary boiler screen, the intersection of the maximum development size of a proposed building and its distance to the nearest building of similar or greater height must fall below the curve of Figure 17-6. As detailed above and shown in **Figure B-5**, the proposed building on the Development Site would be approximately 68,503 gsf. The closest building to the Development Site with equal or greater height is the 14-story commercial office building at 51 Astor Place, across Third Avenue (refer to **Figure B-4**). 51 Astor Place is located approximately 110 feet to the northwest of the Development Site, and rises to a building height of approximately 185 feet.² As shown in **Figure B-5**, the intersection between the maximum development size of the proposed building and its distance to 51 Astor Place passes the CEQR NO₂ Boiler Screen.

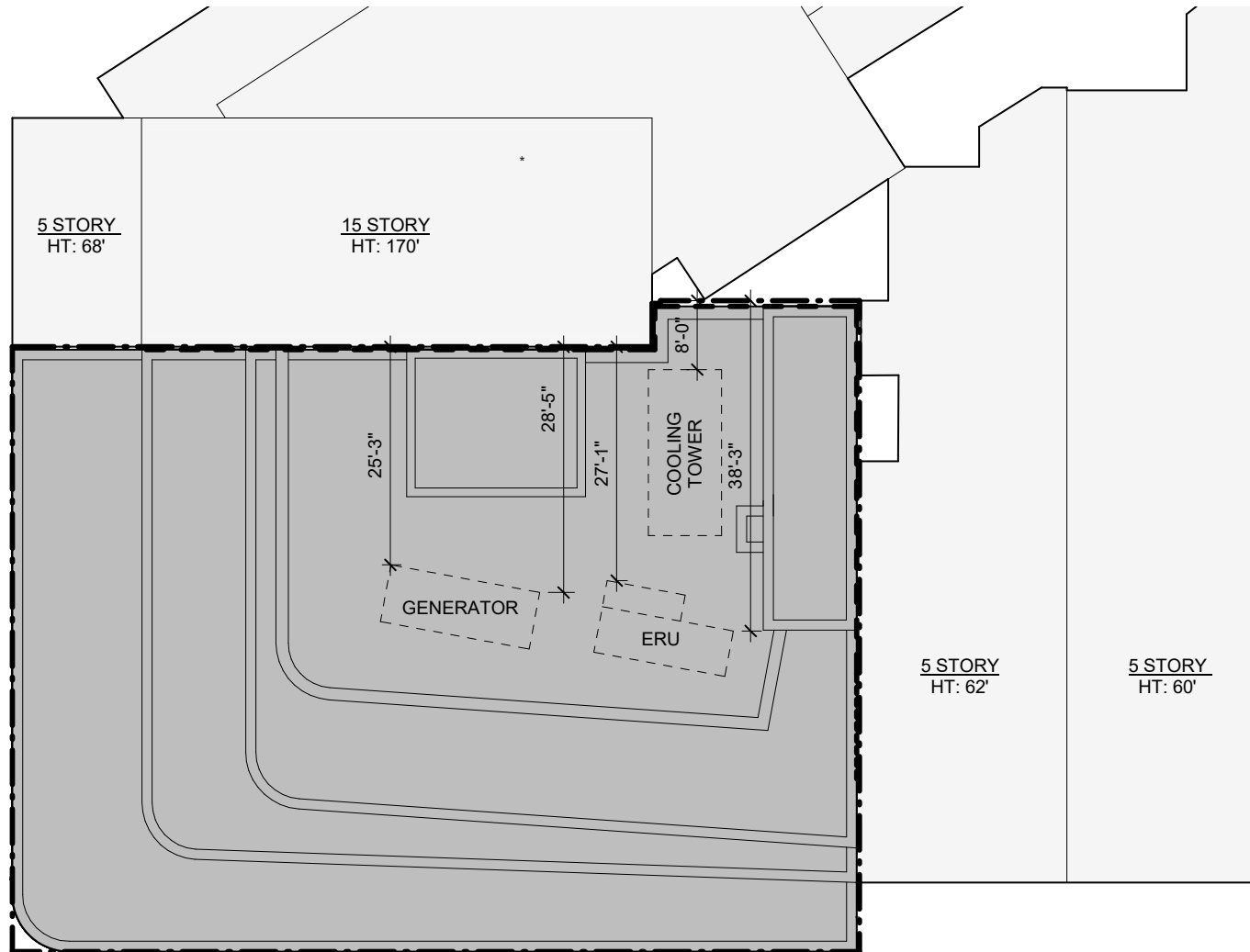
The HVAC placement described above would be required through the assignment of an (E)-Designation for air quality to the applicant-owned Development Site at 3 St. Marks Place (Block 464, Lots 1, 3, and 59) in conjunction with the Proposed Action. With the implementation of these HVAC requirements, no

¹ It should be noted that residential floors are typically shorter than commercial floors.

² Per the building’s Certificate of Occupancy.

FOR ILLUSTRATIVE
PURPOSES ONLY

3RD AVENUE
(100' - WIDE STREET)
↕



*Height to the top of the wall surrounding the building's mechanical equipment.

Courtesy of Morris Adjmi Architects

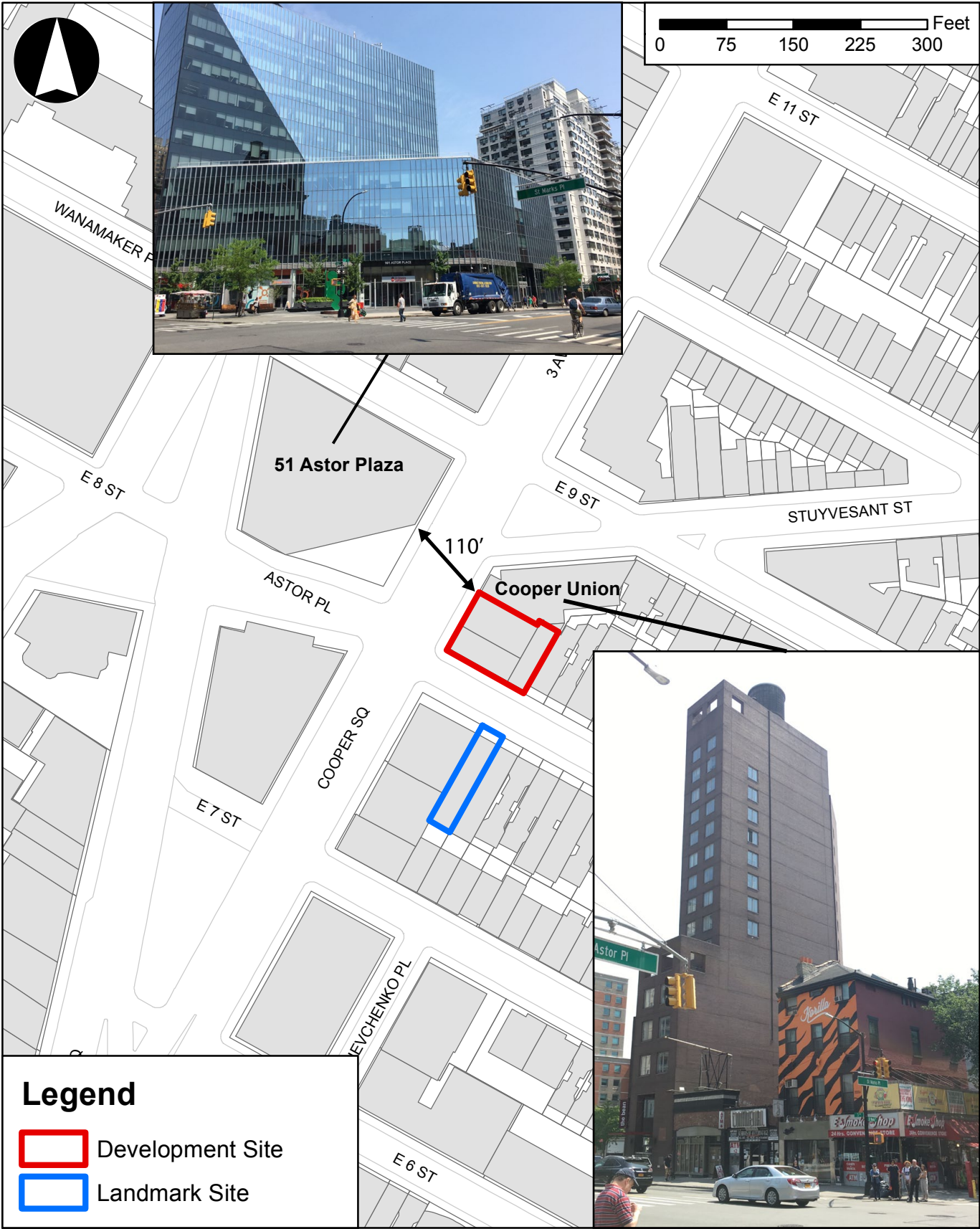
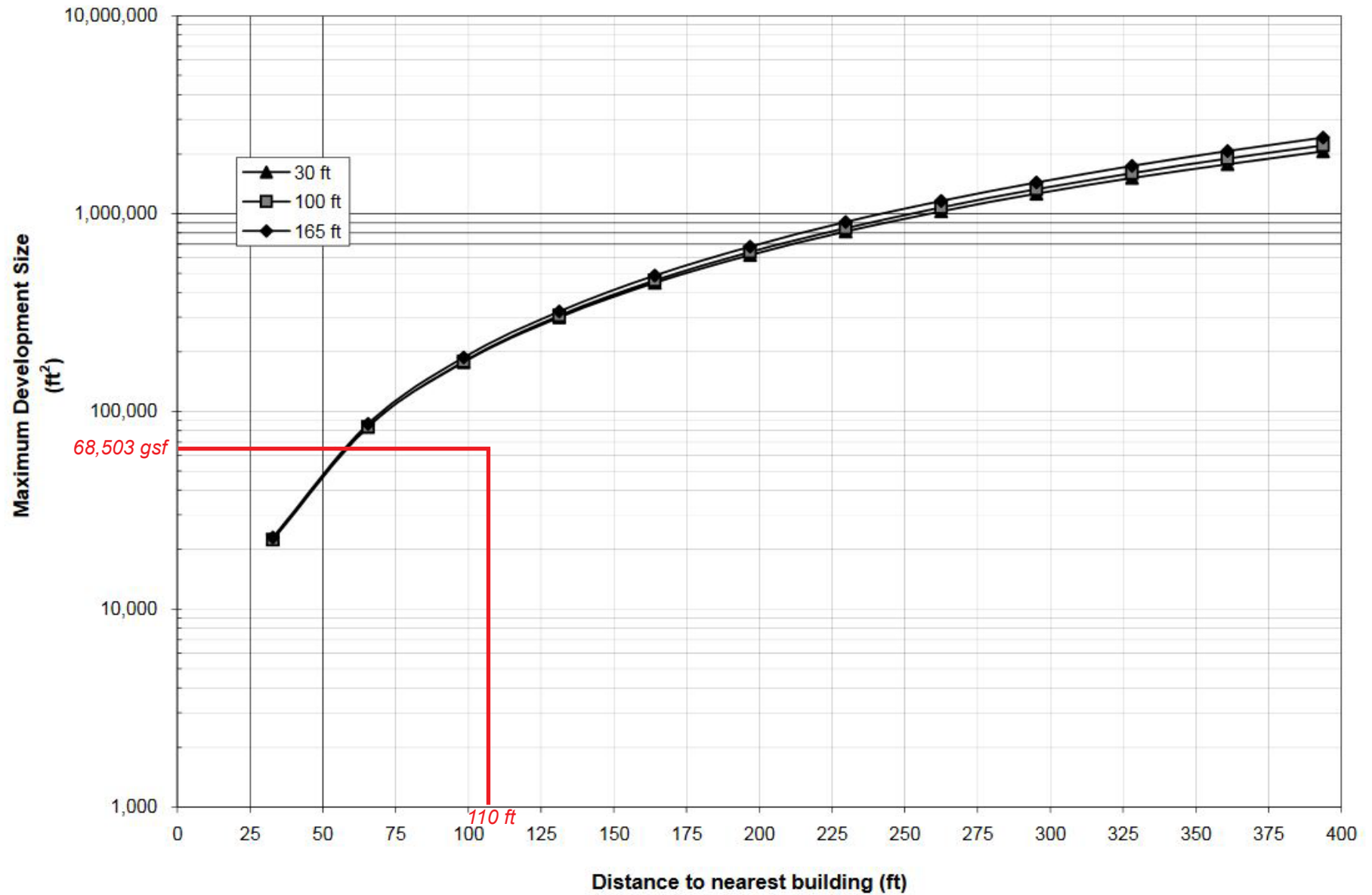


FIG App 17-6
SO₂ BOILER SCREEN
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - FUEL OIL #2



significant adverse noise impacts would occur as a result of the Proposed Action. The text for the (E)-Designation (E-552) is as follows:

Block 464, Lots 1, 3, and 59 (Development Site)

Any new commercial development or enlargement on the above-referenced property must ensure that the HVAC stack is located at the highest tier or at least 179 feet above grade to avoid any potential significant adverse air quality impacts.

As detailed above, the HVAC stack would be located on the highest tier of the proposed building in the future with the Proposed Action. Therefore, no significant adverse air quality impacts are expected as a result of the Proposed Action, and further analysis is not warranted.

Noise

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 that could result from a proposed action adding a substantial amount of traffic to an area. A detailed mobile source analysis is typically conducted when passenger car equivalent (PCE) values are at least doubled between the No-Action and With-Action conditions. As detailed in Attachment F, “Noise,” no significant adverse mobile source noise impacts due to action-generated vehicular traffic would occur. In the future with the Proposed Action, the predicted peak period L_{10} values at the receptor locations around the Development Site would range from a minimum of 71.5 dBA to a maximum of 76.2 dBA. When compared to the future without the Proposed Action, the relative increase in noise levels would be below 3.0 dBA at both analyzed receptor locations, and as such, no impacts would occur.

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 a proposed action would include unenclosed mechanical equipment for building ventilation purposes, or if a proposed action would introduce receptors to an area with high ambient noise levels. As the Development Site fronts Third Avenue, a heavily trafficked thoroughfare, a detailed noise analysis was conducted, and is provided in Attachment F, “Noise.” As detailed therein, the maximum projected exterior noise levels around the Development Site would be 76.2 dBA at Receptor Location 1 (on Third Avenue) and 71.5 at Receptor Location 2 (on St. Marks Place). Therefore, additional building attenuation would be required for the site, pursuant to an (E) Designation. On any façades facing Third Avenue or portions of façades facing St. Marks Place within 50 feet of Third Avenue, 28 dBA window/wall attenuation would be required for commercial office uses. On all other façades, 23 dBA window/wall attenuation would be required for commercial office uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided, including, but not limited to, air conditioning. With the implementation of these attenuation requirements, no significant adverse noise impacts would occur as a result of the Proposed Action.

Neighborhood Character

As the EAS provides a detailed assessment of Shadows (Attachment C), Historic & Cultural Resources (Attachment D), Urban Design & Visual Resources (Attachment E), and Noise (Attachment F), a preliminary screening analysis is necessary to determine if a detailed neighborhood character assessment is warranted for the Proposed Action. Neighborhood character is an amalgam of various elements that give neighborhoods their distinct “personality.” According to the *CEQR Technical Manual*, a preliminary assessment may be appropriate if a project has the potential to result in any significant adverse impacts on

any of the following technical areas: Land Use, Zoning, & Public Policy; Socioeconomic Conditions; Open Space; Shadows; Historic & Cultural Resources; Urban Design & Visual Resources; Transportation; or Noise. Per the analyses provided in this EAS, although the Proposed Action requires preliminary and/or detailed assessments of some of these technical areas, there would be no action-generated significant adverse impacts.

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

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

Construction

Although temporary, construction impacts can include noticeable and disruptive effects from an action that are associated with construction or could induce construction. Determination of the significance of construction impacts and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are usually important when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns, and air quality conditions.

As detailed above, in the future without the Proposed Action, the Development Site would be redeveloped with a nine-story commercial office building and the Landmark Site would continue to be altered pursuant to an LPC-approved Certificate of Appropriateness. In the future with the Proposed Action, the Development Site would be redeveloped with a 10-story commercial office building, and the Landmark Site would be restored to a sound, first-class condition to match its 19th-century appearance, with a cyclical maintenance plan pursuant to a restrictive declaration.

The anticipated work on the Applicant-owned Development Site at 3 St. Marks Place and the Landmark Sites at 4 St. Marks Place, which is not Applicant-owned, would result in temporary disruptions including construction-related traffic, dust, noise, or mobile source emissions. However, these effects would be temporary, as the duration of construction activities for each site is not expected to exceed 24 months and construction activities would be limited to the hours of 7:00 AM to 5:00 PM on weekdays, although some workers would arrive and begin to prepare work areas before 7:00 AM. Occasionally, Saturday or overtime hours could be required to complete time-sensitive tasks. Weekend work requires a permit from DOB and, in certain instances, approval of a noise mitigation plan from the New York City Department of Environmental Protection (DEP) under the New York City Noise Code.

Construction staging would primarily occur on the Development and Landmark Sites, and would not be expected to adversely affect surrounding land uses. As required by City regulations, sidewalk protection bridges and full height plywood barriers would be installed to protect the public right-of-way. Periodic land and sidewalk closures likely would be required to facilitate material deliveries, construction debris removal,

and related activities. Standard practices would be followed to ensure safe pedestrian and vehicular access to nearby buildings and along affected streets and sidewalks.

During construction, access to adjacent buildings, residences, and other uses would be maintained according to the regulations established by DOB. Noise associated with construction would be limited to typical construction activities and would be subject to compliance with the New York City Noise Code and the United States Environmental Protection Agency (EPA) noise emission standards for construction equipment. These controls and the temporary nature of construction activity would ensure that there would be no significant adverse noise impacts associated with construction activity.

The New York City Building Code provides some measures of protection for all properties against accidental damage from adjacent construction by requiring, among other things, that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to designated NYCLs and S/NR-listed historic buildings located within 90 linear feet of a proposed construction site. For these structures, DOB's TPPN #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent NYCL-designated or S/NR-listed historic resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. The procedures and protections of DOB's TPPN #10/88 would apply to any alteration, enlargement, or demolition taking place on the Development Site, as it is within 90 feet of the Landmark Site (refer to **Figure D-1** in Attachment D, "Historic & Cultural Resources").

As detailed in Attachment D, construction period impacts on the Landmark Site would be minimized, and the historic structure would be protected, by ensuring that both No-Action and With-Action construction on the Development Site adhered to all applicable construction guidelines and follows the requirements laid out in TPPN #10/88. Under the TPPN, a construction protection plan would be provided to the LPC for review and approval prior to any No-Action and With-Action demolition and construction on the Development Site. The construction protection plan would take into account the guidance provided in the *CEQR Technical Manual*, Chapter 9, Section 523, "Construction Protection Plan."

Although construction facilitated by the Proposed Action would result in temporary disruption in the area surrounding the Development and Landmark Sites, including noise, dust, traffic associated with the delivery of materials, and arrival of workers on the respective sites, the incremental effects of the proposed new building on the Development Site and the restoration of the Landmark Building, if any, would be negligible. Additionally, with the implementation of DOB'S TPPN #10/88 and a construction protection plan, construction on the Development Site would not result in significant adverse construction-related impacts to the NYCL-designated Hamilton-Holly House on the Landmark Site. Therefore, no significant adverse construction impacts would occur as a result of the Proposed Action, and further analysis is not warranted.

ATTACHMENT C
SHADOWS

3 ST. MARKS PLACE EAS ATTACHMENT C: SHADOWS

I. INTRODUCTION

This attachment assesses the potential for the proposed development to result in incremental shadows long enough to reach any nearby publicly accessible open spaces or other sunlight-sensitive resources. According to the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, a shadows assessment is required if a proposed action would result in structures (or additions to existing structures) of 50 feet in height or greater, or those that would be located adjacent to, or across the street from, a sunlight-sensitive resource.

As discussed in Attachment A, “Project Description,” the Applicant is seeking a special permit in order to facilitate the development of 3 St. Marks Place in Manhattan (refer to **Figure C-1**). The proposed special permit would transfer floor area from the Landmark Site at 4 St. Marks Place to the Development Site, and allow the proposed building on the Development Site to encroach within the required setback distance on St. Marks Place. As the Proposed Action would result in a taller building as compared to No-Action conditions, which would be located across the street from a number of sunlight-sensitive resources, a detailed shadows analysis was prepared to determine the potential for the Proposed Action to result in significant adverse shadows impacts to nearby sunlight-sensitive resources.

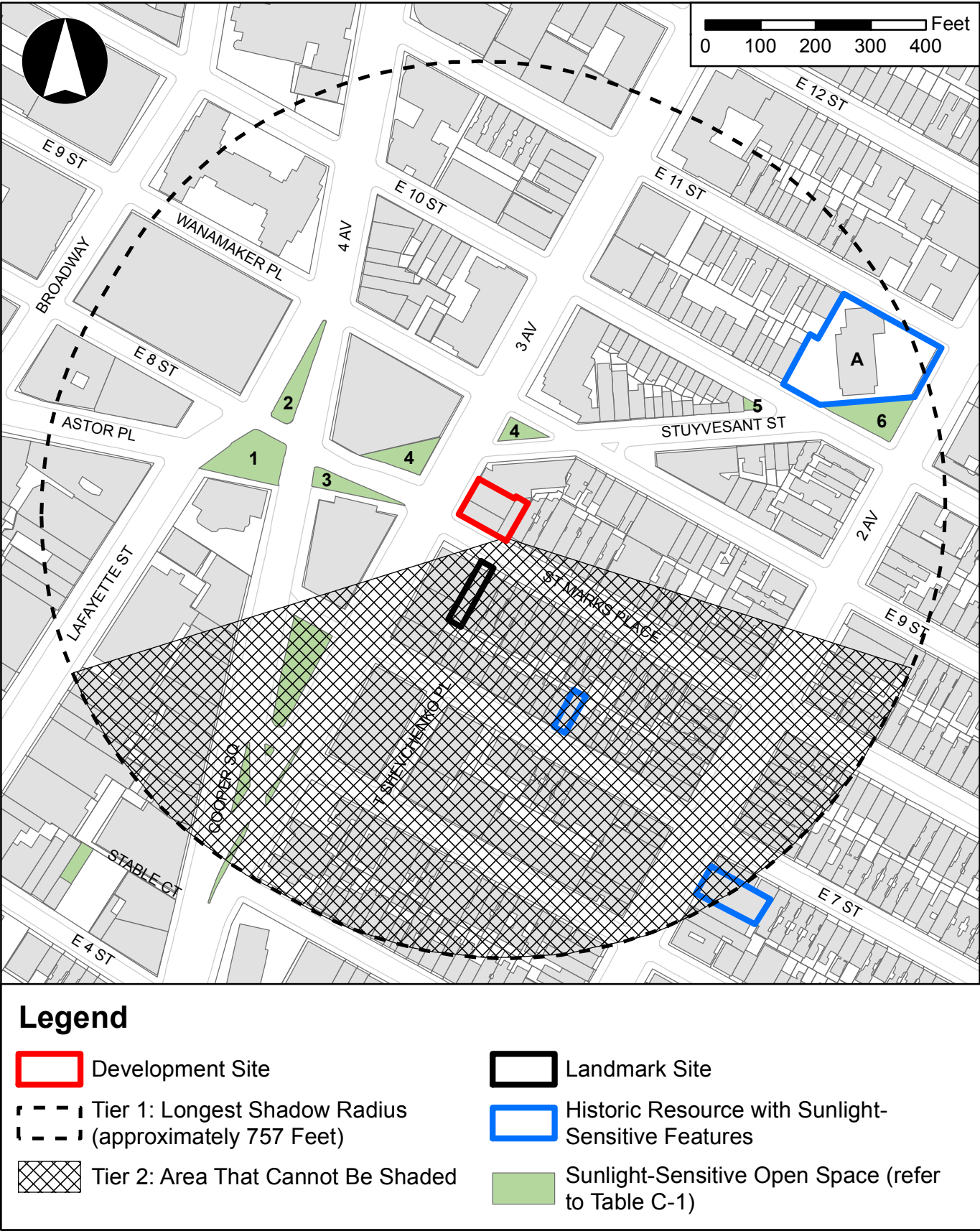
II. PRINCIPAL CONCLUSIONS

The proposed With-Action building on the Development Site at 3 St. Marks Place would result in incremental shadow coverage on three publicly accessible sunlight-sensitive open space resources as compared to No-Action conditions. However, these project-generated shadows would not affect the utilization or enjoyment of any sunlight-sensitive resources, and all vegetation would continue to receive a minimum of four to six hours of direct sunlight throughout the growing season. Therefore, the Proposed Action would not result in significant adverse shadows impacts to any sunlight-sensitive resources.

III. METHODOLOGY

According to the *CEQR Technical Manual*, the longest shadow a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. First, a preliminary screening assessment must be conducted to ascertain whether shadows resulting from a project could reach any sunlight-sensitive resource at any time of year. The *CEQR Technical Manual* defines sunlight-sensitive resources as those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource’s usability or architectural integrity. The following are considered to be sunlight-sensitive resources:

- *Public open space* (e.g., parks, playgrounds, plazas, schoolyards, greenways, and landscaped medians with seating). Planted areas within unused portions or roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources. The use of vegetation in an open space establishes its sensitivity to shadows. This sensitivity is assessed for both (1) warm-weather dependent features, like wading pools and sandboxes, or vegetation that could be affected



by loss of sunlight during the growing season (i.e., March through October); and (2) features, such as benches, that could be affected by a loss of winter sunlight. Uses that rely on sunlight include: passive use, such as sitting or sunning; active use, such as playfields or paved courts; and such activities as gardening, or children's wading pools and sprinklers. Where lawns are actively used, the turf requires extensive sunlight. Vegetation requiring direct sunlight includes the tree canopy, flowering plants, and plots in community gardens. Generally, four to six hours a day of sunlight, particularly in the growing season, is a minimum requirement.

- *Features of historic architectural resources that depend on sunlight for their enjoyment by the public.* Only the sunlight-sensitive features are considered, as opposed to the entire architectural resource. Sunlight-sensitive features include the following: design elements that are part of a recognized architectural style that depends on the contrast between light and dark (e.g., deep recesses or voids, such as open galleries, arcades, recessed balconies, deep window reveals, and prominent rustication); elaborate, highly carved ornamentation; stained glass windows; exterior building materials and color that depend on direct sunlight for visual character (e.g., the polychromy [multicolored] features found on Victorian Gothic Revival or Art Deco facades); historic landscapes, such as scenic landmarks, including vegetation recognized as an historic feature of the landscape; and structural features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as an historic landmark.
- *Natural resources where the introduction of shadows could alter the resource's condition or microclimate.* Such resources could include surface water bodies, wetlands, or designated resources, such as coastal fish and wildlife habitats.

The preliminary screening assessment consists of three tiers of analysis. The first tier determines a simple radius around the proposed development representing the longest shadow that could be cast. If there are sunlight-sensitive resources within the radius, the analysis proceeds to the second tier, which reduces the area that could be affected by project-generated shadows by accounting for a specific range of angles that can never receive shade in New York City due to the path of the sun in the northern hemisphere. If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by new shadows by looking at specific representative days of the year and determining the maximum extent of shadow over the course of each representative day. If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a detailed shadow analysis is required to determine the extent and duration of the incremental shadow resulting from the project.

In accordance with the *CEQR Technical Manual*, shadows on sunlight-sensitive resources of concern are modeled for four representative days of the year. For the New York City area, the months of interest for an open space resource encompass the growing season (i.e., March through October) and one month between November and February representing a cold-weather month (usually December). Representative days for the growing season are generally the March 21st vernal equinox (or the September 21st autumnal equinox, which is approximately the same), the June 21st summer solstice, and a spring or summer day halfway between the summer solstice and equinoxes, such as May 6th or August 6th (which are approximately the same). For the cold-weather months, the December 21st winter solstice is included to demonstrate conditions when open space users rely most heavily on available sunlight warmth. As these months and days are representative of the full range of possible shadows, they are also used for assessing shadows on sunlight-sensitive historic and natural resources.

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.

The detailed analysis provides the data needed to assess the shadow impacts. The effects of the new shadows on the sunlight-sensitive resources are described, and their degree of significance is considered. The result of the analysis and assessment are documented with graphics, a table of incremental shadow durations, and narrative text. As described in the *CEQR Technical Manual*, an incremental shadow is generally not considered significant when its duration is no longer than ten minutes at any time of year and the resource continues to receive substantial direct sunlight. A significant shadow impact generally occurs when an incremental shadow of ten minutes or longer falls on a sunlight-sensitive resource and results in one of the following:

- *Vegetation*: a substantial reduction in sunlight available to sunlight-sensitive features of the resource to less than the minimum time necessary for its survival (when there would be sufficient sunlight in the future without the project) or a reduction in direct sunlight exposure where the sensitive feature of the resource is already subject to substandard sunlight (i.e., less than the minimum time necessary for its survival).
- *Historic and cultural resources*: a substantial reduction in sunlight available for the enjoyment or appreciation of the sunlight-sensitive features of an historic or cultural resource.
- *Open space utilization*: a substantial reduction in the usability of open space as a result of increased shadow, including information regarding anticipated new users and the open space's utilization rates throughout the affected time periods.
- *For any sunlight-sensitive feature of a resource*: complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival, enjoyment, or, in the case of open space or natural resources, the use of the resource.

In general, a significant adverse shadow impact occurs when the incremental shadow added by a proposed action falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

IV. PRELIMINARY SCREENING

Tier 1 Screening Assessment

According to the *CEQR Technical Manual*, the longest shadow that a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. The maximum shadow radius of 757 feet was determined using the proposed building's maximum height of approximately 176 feet, including bulkheads (Tier 1 Assessment).

Within this longest shadow study area, there are a number of potentially sunlight-sensitive open spaces and historic resources. Therefore, further screening was warranted in order to determine whether any resources could be affected by project-generated shadows.

Tier 2 Screening Assessment

Due to the path of the sun across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, this area lies between -108 and +108 degrees

from true north. The purpose of the Tier 2 screening is to determine whether the sunlight-sensitive resources identified in the Tier 1 screening are located within portions of the longest shadow study area that can receive shade from the proposed building.

Figure C-1 provides a base map illustrating the results of the Tier 1 and Tier 2 screening assessments (i.e., the portion of the longest shadow study area lying within -108 degrees from the true north and +108 degrees from true north as measured from southernmost portions of the Development Site). A total of six open spaces and one historic resource were identified as sunlight-sensitive resources that warranted further assessment (refer to **Table C-1**).

Table C-1: Sunlight-Sensitive Resources Warranting Further Analysis Based on Tier 1 and Tier 2 Screening Assessments

Map No. ¹	Sunlight-Sensitive Resources	Location
1	Astor Place Plaza	Bounded by Lafayette Street, East 8 th Street, and Fourth Avenue
2	Fourth Avenue GreenStreet	Bounded by East 8 th Street, Lafayette Street, and Fourth Avenue
3	Cooper Union Plaza	South side of Astor Place between Third and Fourth Avenues
4	51 Astor Place Plaza	Northwest corner of Third Avenue and Astor Place
5	Abe Lebewohl Triangle	Western corner of Stuyvesant Street and East 10 th Street
6	Abe Lebewohl Park	Northwestern corner of Second Avenue and East 10 th Street
A	St. Mark's Church-in-the-Bowery	165 Second Avenue (Block 466, Lot 26)

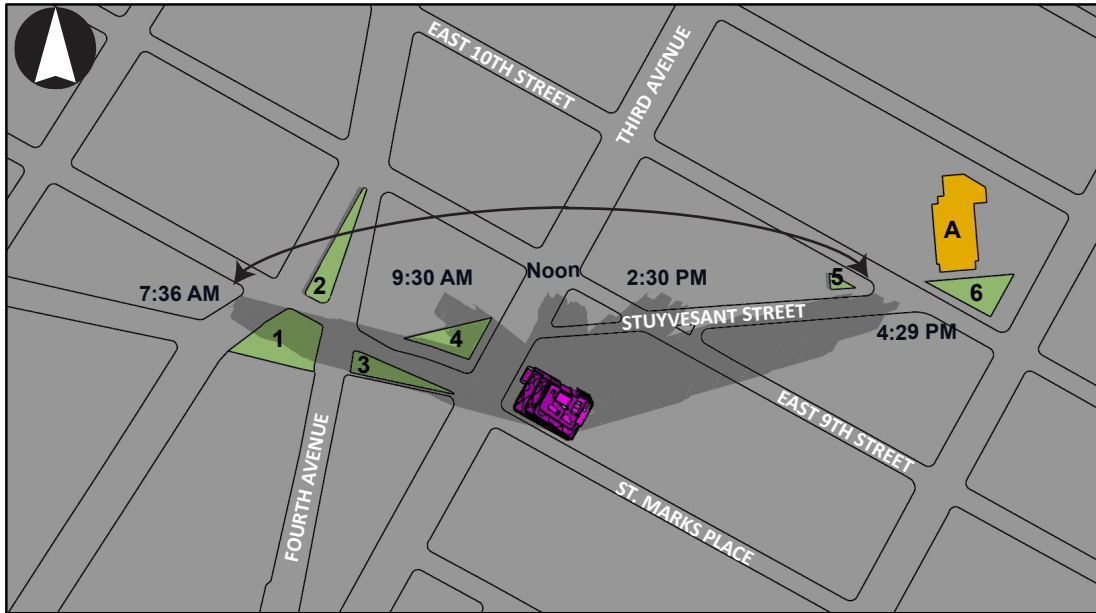
Notes: ¹ Refer to **Figure C-1**.

Additionally, the proposed building would have the potential to cast incremental shadows on several New York City Landmarks Preservation Commission (LPC)-designated and New York State and National Register of Historic Places (S/NR)-listed historic resources, including: the Stuyvesant-Fish House at 21 Stuyvesant Street (LPC and S/NR); the Cooper Union Foundation Building at 7 East 7th Street (LPC and S/NR); the Stuyvesant Polyclinic Hospital at 137 Second Avenue (LPC); the New York Public Library's Ottendorfer Branch at 135 Second Avenue (LPC); Webster Hall at 119-125 East 11th Street (LPC); and the Lafayette Street Buildings at 430-434 Lafayette Street (LPC). However, as discussed in Attachment D, "Historic and Cultural Resources," the significance of these resources is not derived from design elements that depend on the contrast between light and dark. Therefore, as direct sunlight does not play a notable role in the special character of these historic resources, none have been identified as sunlight-sensitive resources warranting further analysis.

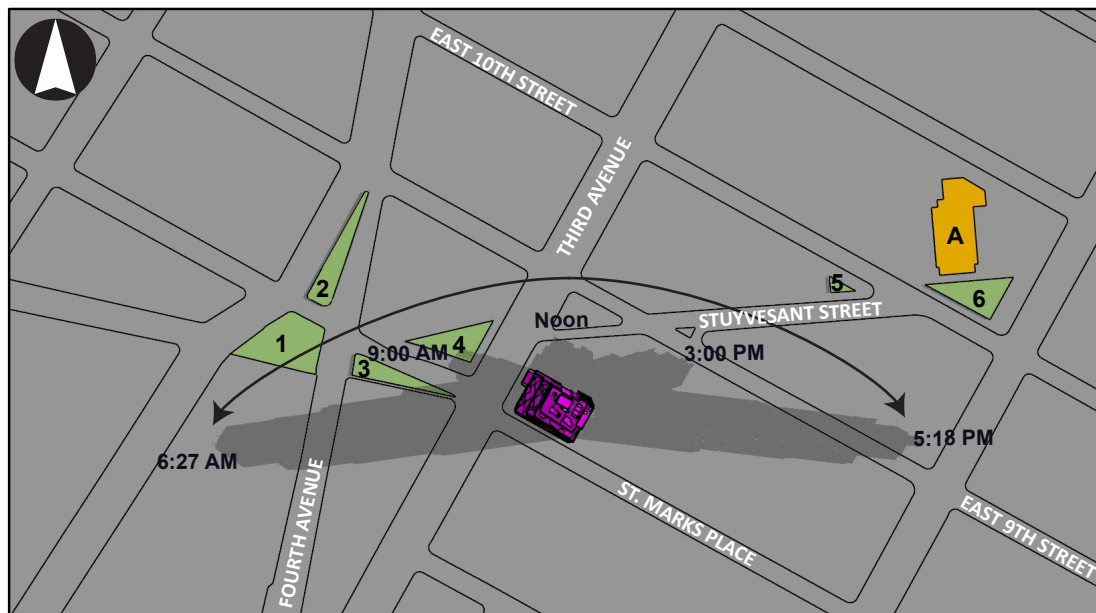
Tier 3 Screening Assessment

According to the *CEQR Technical Manual*, a Tier 3 screening assessment should be performed to determine if, in the absence of intervening buildings, shadows resulting from a proposed action can reach a sunlight-sensitive resource, thereby warranting a detailed shadow analysis. The Tier 3 screening assessment is used to determine if shadows resulting from a proposed action can reach a sunlight-sensitive resource at any time between 1.5 hours after sunrise and 1.5 hours before sunset on representative analysis dates.

As project-generated shadows could reach a number of sunlight-sensitive resources, a Tier 3 assessment was performed using three dimensional (3D) computer mapping software. The 3D model was used to



MARCH 21/SEPTEMBER 21



MAY 6/AUGUST 6

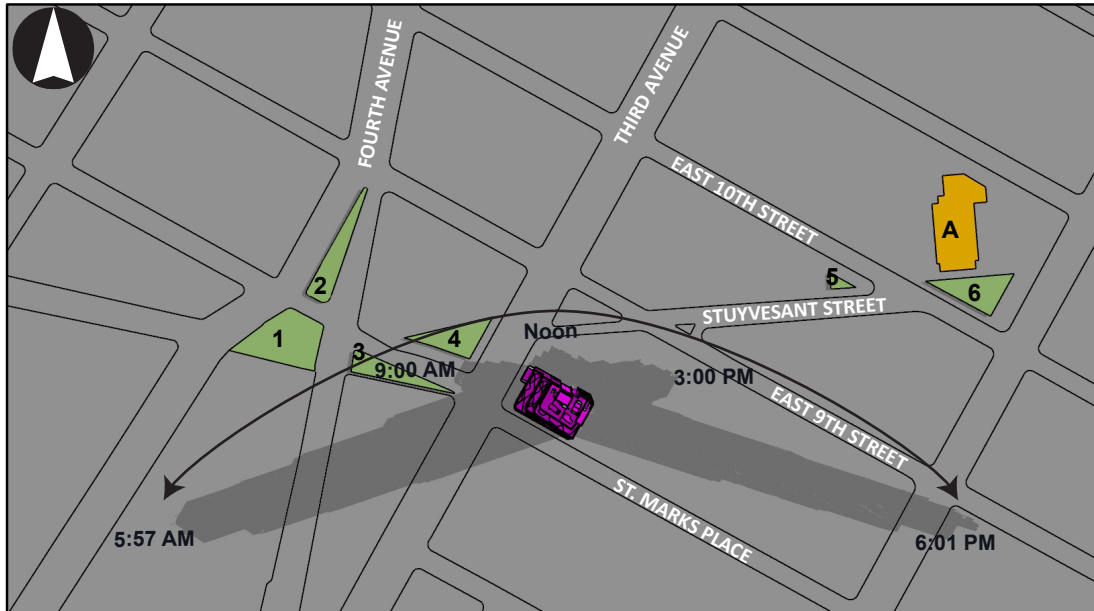
 Proposed With-Action Building

 1 Open Space Resource

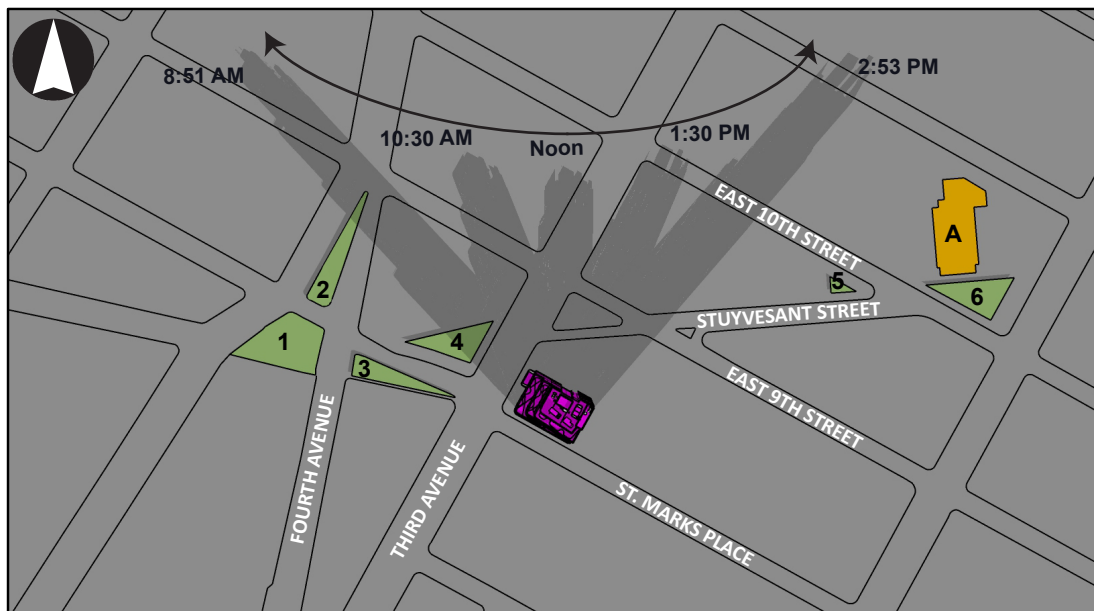
 Project-Generated Shadow

 A Sunlight-Sensitive Historic Resource

Note: Resources keyed to Table C-1



JUNE 21



DECEMBER 21

 Proposed With-Action Building

 1 Open Space Resource

 Project-Generated Shadow

 A Sunlight-Sensitive Historic Resource

Note: Resources keyed to Table C-1

calculate and display project-generated shadows on individual representative analysis dates. The model contained 3D representations of the elements in the base map used in the preceding assessments and a 3D model of the proposed development. At this stage of the assessment, surrounding buildings within the study area were not included in the model so that it may be determined whether project-generated shadows would reach any sunlight-sensitive resources.

The Tier 3 analysis showed that some sunlight-sensitive resources would not receive project-generated shadows on any of the four analysis days, and these resources therefore did not require any further analysis. **Table C-2** presents a summary of the Tier 3 assessment, showing the five open spaces that could, in the absence of intervening buildings, receive project-generated shadows, and on which analysis days the new shadows would occur (refer to **Figure C-2**).

Table C-2: Tier 3 Assessment Results

Map No. ¹	Name	March 21/ Sept. 21 7:36 AM – 4:29 PM	May 6/ August 6 6:27 AM – 5:18 PM	June 21 5:57 AM - 6:01 PM	December 21 8:51 AM - 2:53 PM	Number of Analysis Days
1	Astor Place Plaza	YES	NO	NO	NO	1
2	Fourth Avenue Greenstreet	YES	NO	NO	YES	2
3	Cooper Union Plaza	YES	YES	YES	NO	3
4	51 Astor Place Plaza	YES	YES	YES	YES	4
5	Abe Lebewohl Triangle	YES	NO	NO	NO	1

Note: ¹ Refer to **Figures C-1** and **C-2**.

V. DETAILED ASSESSMENT

Resources of Concern

1. Astor Place Plaza

As shown in **Figure C-1**, Astor Place Plaza is bounded by Fourth Avenue, East 8th Street, and Lafayette Street. It was recently renovated as part of the Cooper Square and Astor Place redesign project, and includes trees, bushes, benches, tables, and chairs. The plaza contains a 15-foot Cor-Ten steel cube mounted on a corner named *Alamo* by Bernard (Tony) Rosenthal, colloquially called “The Cube.” Additionally, the center of the plaza occasionally hosts temporary art installations, most recently accommodating a bronze pyramid of rhinos named *The Last Three* by Gillie and Marc Schattner (which was removed in June 2018).

2. Fourth Avenue GreenStreet

Also known as the Astor Place GreenStreet, this open space resource is bounded by Astor Place, Fourth Avenue, and Lafayette Street (refer to **Figure C-1**), and accommodates the entrance to the Astor Place Subway Station. It was recently renovated as part of the Cooper Square and Astor Place redesign

project, and includes a landscaped median with trees surrounded by sculptural benches, steps, chairs and tables, and bike racks.

3. *Cooper Union Plaza*

Located on the southwest corner of Astor Place and Fourth Avenue (refer to **Figure C-1**), the Cooper Union Plaza was recently renovated as part of the Cooper Square and Astor Place redesign project. It includes street trees and sculptural benches as well as an expanded pedestrian plaza, extending north into Astor Place.

4. *51 Astor Place Plaza*

51 Astor Place is an office building constructed in 2013. As shown in **Figure C-1**, the adjacent Astor Place Plaza is located on the northwest corner of Astor Place and Third Avenue. The plaza includes street trees, landscaped areas, benches, and a Keith Haring sculpture titled “Self Portrait.” It should be noted that a second portion of the plaza is located in the traffic triangle bounded by Third Avenue, Stuyvesant Street, and East 9th Street. However, this portion of the plaza is not publicly accessible open space resource, and therefore is not analyzed per CEQR guidance.

5. *Abe Lebewohl Triangle*

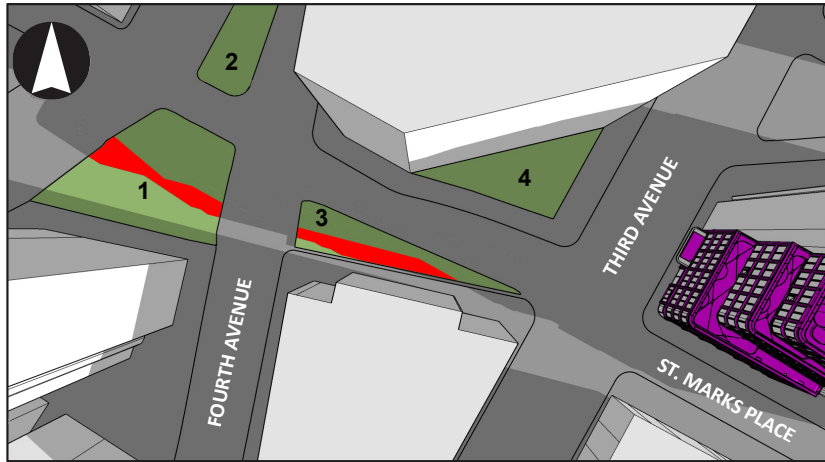
Located on the western corner of East 10th Street and Stuyvesant Street, Abe Lebewohl Triangle is a small open space resource with bushes and trees surrounded by a historic iron fence. The park is named for Abe Lebewohl, a Ukrainian immigrant who owned the famous Second Avenue Deli on the corner of Second Avenue and East 10th Street.

Shadows Analysis

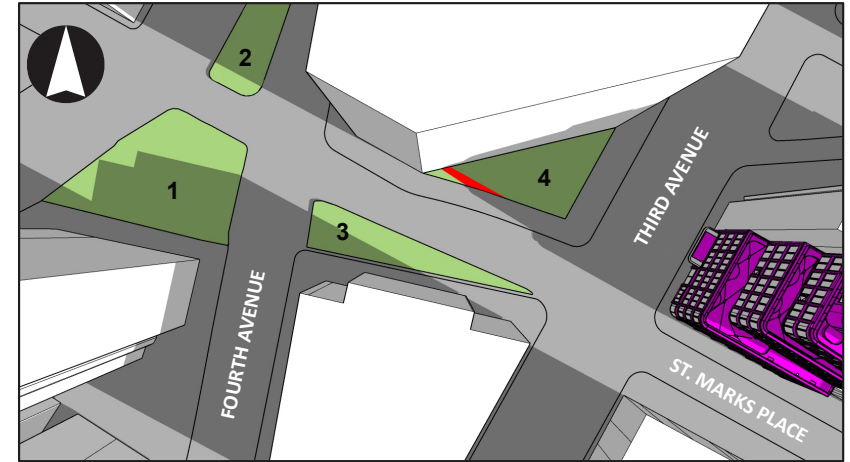
Per *CEQR Technical Manual* guidance, shadow analyses were performed for the five sunlight-sensitive resources identified above on four representative days of the year: March 21st/September 21st, the equinoxes; May 6th, the midpoint between the summer solstice and the equinox (and equivalent to August 6th); June 21st, the summer solstice and the longest day of the year; and December 21st, the winter solstice and shortest day of the year. These four representative days indicate the range of shadows over the course of the year. CEQR guidance defines the temporal limits of a shadow analysis period to fall from 1.5 hours after sunrise to 1.5 hours before sunset. As discussed above, the results of the shadows analysis show the incremental difference in shadow impact between the No-Action and With-Action conditions (refer to **Table C-3**).

As shown in **Table C-3**, incremental project-generated shadows would reach three of the sunlight-sensitive resources identified in the Tier 3 assessment: the Astor Place Plaza (#1); the Cooper Union Plaza (#3); and the 51 Astor Place Plaza (#4). Increases in shadow coverage would occur at three resources on the March 21st/September 21st analysis day; two resources on the May 6th/August 6th analysis day; and one resource on the June 21st analysis day. Increases in shadow coverage would not occur on the December 21st representative analysis day. **Figure C-3**, provided at the end of this attachment, shows representative shadow views for the three sunlight-sensitive resources of concern on three of the four representative analysis days: March 21st/September 21st, May 6th/August 6th, and June 21st.

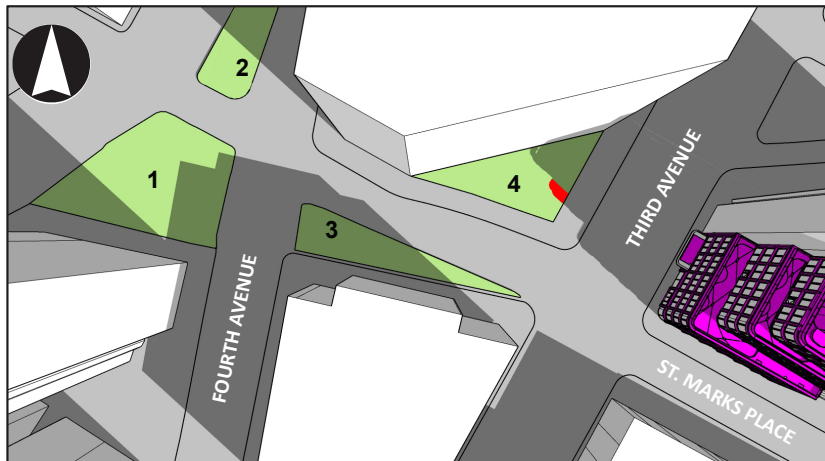
As shown in **Table C-3** and **Figure C-3**, no project-generated incremental shadows would be cast on the Fourth Avenue GreenStreet (#2) or the Abe Lebewohl Triangle (#5) in the future with the Proposed Action.



March 21 / September 21 - 7:36 AM



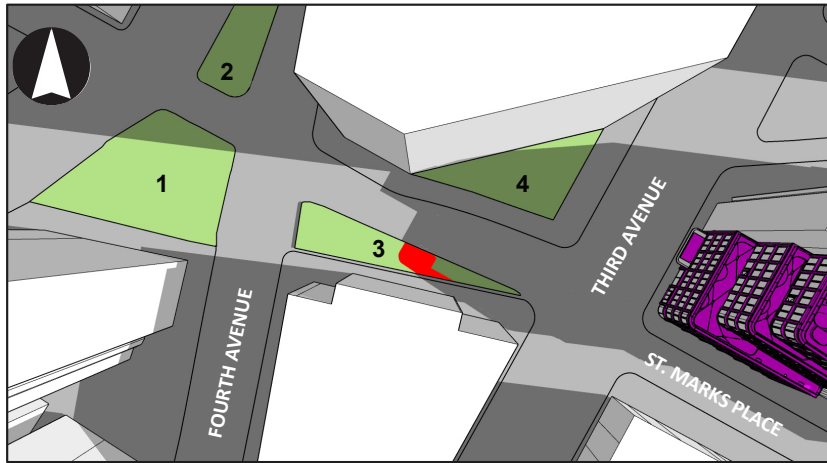
March 21 / September 21 - 8:45 AM



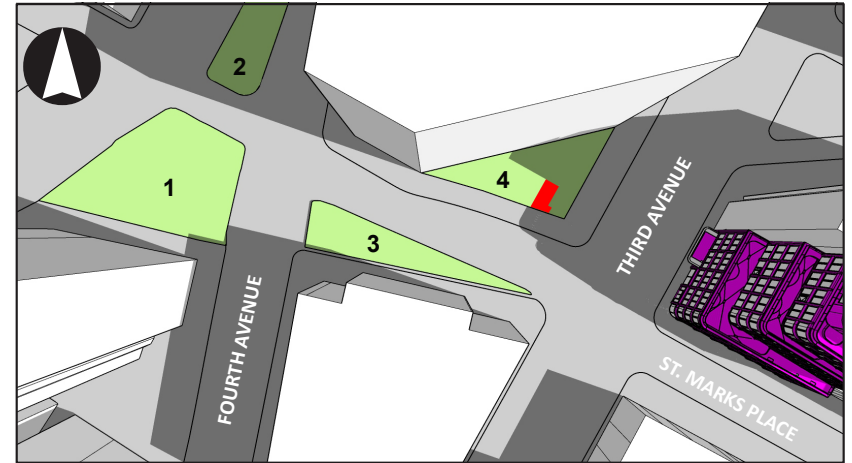
March 21 / September 21 - 9:45 AM

-  Proposed With-Action Building
-  Incremental Project-Generated Shadow
-  Open Space Resource
-  Sunlight-Sensitive Historic Resource

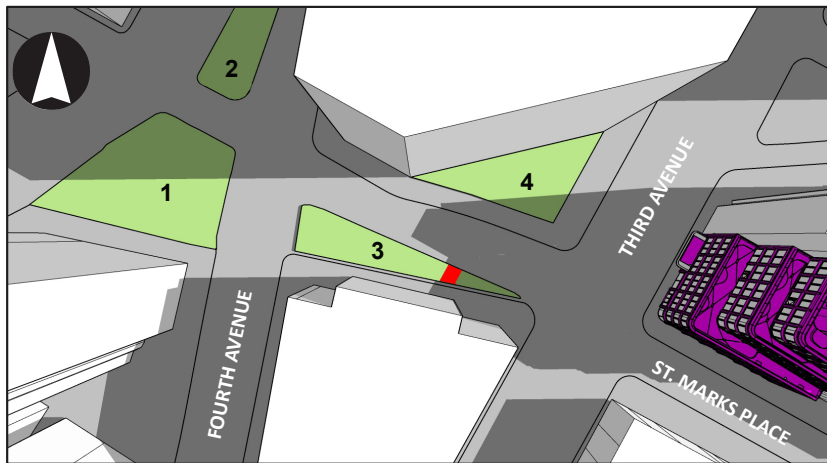
Note: Resources keyed to Table C-1



May 6 / August 6 - 8:00 AM



May 6 / August 6 - 9:00 AM



June 21 - 8:00 AM

-  Proposed With-Action Building
-  Incremental Project-Generated Shadow
-  1 Open Space Resource
-  A Sunlight-Sensitive Historic Resource

Note: Resources keyed to Table C-1

Table C-3: Duration of Project-Generated Shadows on Sunlight-Sensitive Resources (Increment Compared to the No-Action Condition)

Resource	Analysis Day	March 21/ Sept. 21	May 6/ August 6	June 21	December 21
		7:36 AM – 4:29 PM	6:27 AM – 5:18 PM	5:57 AM – 6:01 PM	8:51 AM – 2:53 PM
Astor Place Plaza	Shadow enter-exit time	7:36 – 8:01 AM	--	--	--
	Incremental shadow duration	25 minutes	--	--	--
Cooper Union Plaza	Shadow enter-exit time	7:36 – 8:00 AM	7:21 – 8:25 AM	7:42 – 8:40 AM	--
	Incremental shadow duration	24 minutes	1 hour 4 minutes	58 minutes	--
51 Astor Place Plaza	Shadow enter-exit time	8:31 – 10:06 AM	8:29 – 9:32 AM	--	--
	Incremental shadow duration	1 hour 35 minutes	1 hour 3 minutes	--	--

Note: All times are Eastern Standard Time; Daylight Savings Time was not accounted for per *CEQR Technical Manual* guidance. Table indicates the entry and exit times and total duration of incremental shadow for each sunlight-sensitive resource.

It should be noted that, per the *CEQR Technical Manual*, all times reported herein are Eastern Standard Time and do not reflect adjustments for daylight savings time that is in effect from mid-March to early November. As such, the times reported in this analysis for March 21st/September 21st, May 6th/August 6th, and June 21st need to have one hour added to reflect the Eastern Daylight Saving Time.

March 21st/September 21st

On March 21st/September 21st the time period for shadows analysis begins at 7:36 AM and continues until 4:29 PM. March is considered the beginning of the growing season in New York City, and September 21st, which has the same shadow patterns as March 21st, is also within the growing season. On the March 21st/September 21st analysis day, incremental shadows from the proposed building would reach the Astor Place Plaza for a total of approximately 25 minutes (7:36 AM to 8:01 AM); Cooper Union's northern plaza for a total of approximately 24 minutes (7:36 AM to 8:00 AM); and the 51 Astor Place plaza for a total of approximately one hour and 35 minutes (8:31 AM to 10:06 AM).

May 6th/August 6th

On May 6th/August 6th, the time period for shadows analysis begins at 6:27 AM and continues until 5:18 PM. On the midpoint between the equinoxes and the solstices, incremental shadows from the proposed building would reach Cooper Union's northern plaza for a total of approximately one hour and four minutes (7:21 AM to 8:25 AM) and the 51 Astor Place plaza for a total of approximately one hour and three minutes (8:29 AM to 9:32 AM).

June 21st

On June 21st the time period for shadows analysis begins at 5:57 AM and continues until 6:01 PM. On June 21st, the summer solstice, which is the day of the year with the longest period of daylight, the sun is most directly overhead and shadows are generally the shortest. On this representative analysis day, the proposed building would cast incremental shadows on Cooper Union's northern plaza for a total of approximately 58 minutes (7:42 AM to 8:40 AM).

Assessment

A shadow impact occurs when the incremental shadow from a proposed project falls on a sunlight sensitive resource or feature and reduces its direct sunlight exposure. Determining whether this impact is significant or not depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs.

For open spaces, the uses and features of the space indicate its sensitivity to shadows. Shadows occurring during the cold-weather months of interest generally do not affect the growing season of outdoor vegetation; however, their effects on other uses and activities should be assessed. Therefore, this sensitivity is assessed for both (1) warm-weather-dependent features like wading pools and sand boxes, or vegetation that could be affected by a loss of sunlight during the growing season; and (2) features, such as benches, that could be affected by a loss of winter sunlight. Uses that rely on sunlight include: passive use, such as sitting or sunning; active use, such as playfields or paved courts; and such activities as gardening, or children's wading pools and sprinklers. Where lawns are actively used, the turf requires extensive sunlight. Vegetation requiring direct sunlight includes the tree canopy, flowering plants and plots in community gardens. Generally, four to six hours a day of sunlight, particularly in the growing season, is often a minimum requirement. Consequently, the assessment of an open space's sensitivity to increased shadow focuses on identifying the existing conditions of its facilities, plantings, and uses, and the sunlight requirements for each.

Astor Place Plaza (Map #1)

The proposed With-Action building on the Development Site would only cast incremental shadows on the Astor Place Plaza in the early morning of the March 21st/September 21st analysis day, as compared to No-Action conditions. As shown in **Figure C-3a**, incremental shadows from the proposed building would reach the plaza for a total of approximately 25 minutes from 7:36 AM to 8:01 AM. The Proposed Action would not result in shadows cast on the vegetation in the Astor Place Plaza. Project-generated shadows would briefly shade “The Cube” and adjacent tables and chairs on the March 21st/September 21st analysis day (including the area accommodating temporary art installations), exiting the plaza at 8:01 AM. The short duration of incremental shadows coverage on the plaza which would occur as a result of the Proposed Action would not significantly affect public utilization or enjoyment of the open space resource.

Cooper Union Plaza (Map #3)

As shown in **Figures C-3a** and **C-3b**, the proposed With-Action building on the Development Site would cast incremental shadows on the Cooper Union Plaza on three of the four analysis days as compared to No-Action conditions. However, none of these project-generated incremental shadows would be significant or adverse. On all three analysis days, incremental shadows from the With-Action building would be cast on the plaza during the early morning hours (all before 8:40 AM) of March 21st/September 21st, May 6th/August 6th, and June 21st, as shown in **Figures C-3a** and **C-3b**. Project-generated shadows would briefly shade the plaza's benches and vegetation during these morning hours. However, public utilization and enjoyment of the Cooper Union Plaza would not be significantly or adversely impacted by incremental shadows generated from the proposed building on the Development Site.

51 Astor Place Plaza (Map #4)

The proposed With-Action building on the Development Site would only cast incremental shadows on the 51 Astor Place Plaza on the March 21st/September 21st and May 6th/August 6th analysis days, as compared to No-Action conditions. Incremental shadows from the proposed building would reach the 51 Astor Place

Plaza in the morning hours of these two analysis days, and as shown in **Figures C-3a** and **C-3b**, these project-generated incremental shadows would be very limited in size. Shadows cast as a result of the Proposed Action would briefly shade “Self-Portrait” and the plaza’s benches and vegetation during these morning hours. However, the small incremental shadows on the 51 Astor Place Plaza which would occur as a result of the Proposed Action would not significantly affect public utilization or enjoyment of the open space resource.

ATTACHMENT D
HISTORIC & CULTURAL RESOURCES

3 ST. MARKS PLACE EAS

ATTACHMENT D: HISTORIC & CULTURAL RESOURCES

I. INTRODUCTION

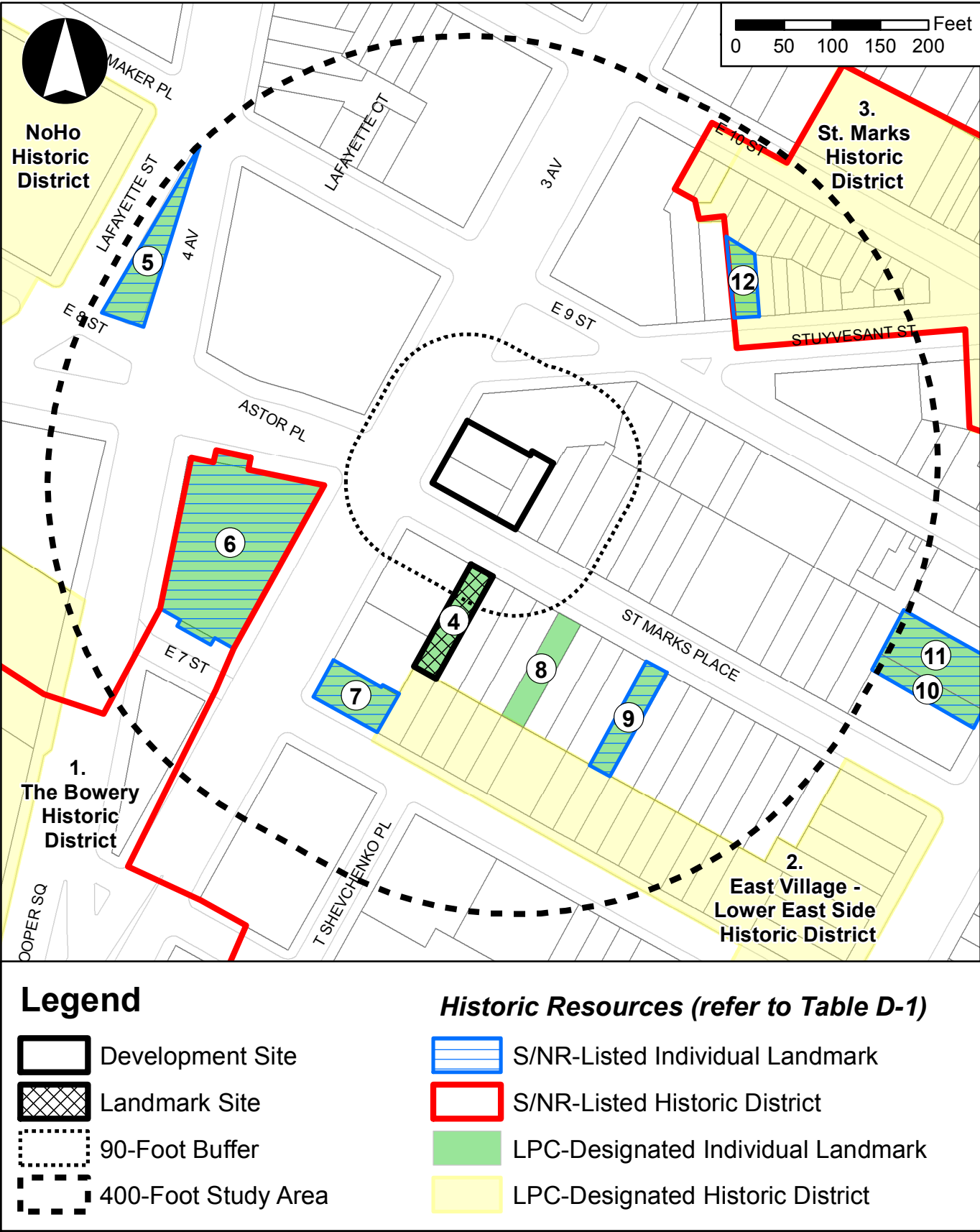
Historic and cultural resources include both architectural and archaeological resources. The 2014 *City Environmental Quality Review (CEQR) Technical Manual* identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed in the State/National Registers of Historic Places (S/NR) or contained within a district listed in or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHL); and properties not identified by one of the programs listed above, but that meet their eligibility requirements. An assessment of historic/archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures or within historic districts, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated.

As discussed in Attachment A, “Project Description,” the Applicant is seeking a special permit in order to facilitate the development of 3 St. Marks Place in Manhattan (refer to **Figure D-1**). The proposed special permit would transfer floor area from the Landmark Site at 4 St. Marks Place (the LPC-designated Hamilton-Holly House) to the Development Site, and allow the proposed building on the Development Site to encroach within the initial setback distance required along St. Marks Place under existing C6-1 zoning regulations. As the Development Site is located in close proximity to several LPC-designated and S/NR-listed historic districts and individual landmarks, including the Landmark Site, it is necessary to assess the potential impacts of the Proposed Action on historic architectural resources. According to *CEQR Technical Manual* guidance, impacts on historic resources are considered on those sites affected by an action and in the area surrounding the project site. The historic resources study area is therefore defined as the Development Site plus an approximate 400-foot radius around the Development Site, as shown in **Figure D-1**, which is typically adequate for the assessment of historic resources in terms of physical, visual, and historical relationships.

Archaeological resources are considered only in those areas where new excavation is likely and would result in new in-ground disturbances as compared to No-Action conditions; these are limited to sites that may be developed as a result of the Proposed Action. As detailed in Attachment A, the Proposed Action would not result in any new in-ground disturbances as compared to No-Action conditions. Additionally, none of the lots that comprise the Development Site are archaeologically sensitive (refer to LPC correspondence in **Appendix 1**). Therefore, the Proposed Action would not result in any significant adverse archaeological impacts and an archaeological analysis is not warranted. As such, this attachment focuses exclusively on historic architectural resources.

II. PRINCIPAL CONCLUSIONS

The Proposed Action would not result in any significant adverse impacts to historic or cultural resources. As detailed below, the Development Site does not contain any designated or eligible historic architectural



resources. The Landmark Site accommodates the LPC-designated Hamilton-Holly House (Resource #4 detailed below), and the additional restoration work and implementation of a cyclical maintenance plan on the site that would occur in the future with the Proposed Action would improve the historic character of the LPC-designated historic resource, bringing it to a sound, first-class condition, and ensure its continued maintenance. Additionally, as the Development Site is located within 90 feet of the LPC-designated Hamilton-Holly House, the proposed new building would be subject to the New York City Department of Building's (DOB's) Technical Policy and Procedure Notice (TPPN) #10/88 during any construction in both the No-Action or With-Action conditions. With the implementation of a Construction Protection Plan pursuant to TPPN #10/88, no construction-related impacts on historic resources would be expected as a result of the Proposed Action.

As compared to No-Action conditions, the With-Action building on the Development Site would minimally alter the setting and visual context of surrounding historic resources. None of these changes would be significant or adverse. None of the proposed changes to building height or bulk would eliminate or substantially obstruct significant public views of architectural resources. No primary facades, significant architectural ornamentation, or notable features of surrounding historic buildings would be obstructed by the proposed building on the Development Site, and all significant elements of these resources would remain visible in view corridors on adjacent streets. The Proposed Action would not alter the relationship of any identified historic resources to the streetscape as compared to No-Action condition. Additionally, no incompatible visual, audible, or atmospheric elements would be introduced by the proposed building to any historic resource's setting in the future with the Proposed Action. In fact, the proposed modification to the height and setback regulations of Zoning Resolution (ZR) Section 33-432 would be for the purpose of providing a harmonious architectural relationship between the proposed building on the Development Site and the existing building on the Landmark Site, as required by ZR Section 74-79.

The Proposed Action would not result in development that would diminish the qualities that make the surrounding LPC-designated and/or S/NR-listed historic resources historically and/or architecturally important. As such, the Proposed Action would not result in significant adverse indirect or contextual impacts to historic architectural resources. Additionally, the With-Action building on the Development Site would not cast incremental shadows on any sunlight-sensitive features of nearby historic resources as compared to No-Action conditions. Therefore, the Proposed Action would not result in any significant adverse shadows impacts on historic resources.

III. DEVELOPMENT BACKGROUND

Prior to the arrival of European fur traders and the Dutch West India Company, Manhattan was populated by Native Americans from the Lenape tribe, who traveled between encampments on the island. Wickquasgeck Road (now Bowery) is believed to be the oldest thoroughfare in Manhattan, used as a foot trail by the Lenape tribe until the Dutch enlarged it into a wagon road in 1626. In 1651, Petrus Stuyvesant, the Direct General of the West India Company in New Amsterdam, purchased 600 acres of farmland that encompass the present-day Development Site, Landmark Site, and the majority of the surrounding study area. Stuyvesant's two farms were separated by a small lane; in 1781 that lane was renamed Stuyvesant Street, and Evert Bancker surveyed the property and laid out a street grid to prepare for subdivision. Several buildings were subsequently constructed on Stuyvesant Street, including 44 Stuyvesant Street (built 1795) and St. Marks-in-the-Bowery at 165 Second Avenue (built 1795-99), both of which are located to the northeast of the historic resources study area. Within the study area stands a single building from this period: a residence constructed at 21 Stuyvesant Street in 1803-04 for Elizabeth Stuyvesant and her husband Nicholas Fish (Resource #12 in **Figure D-1**).

However, the Commissioners' Plan of 1811 laid out the street grid which now overlays much of Manhattan, disregarding Bancker's street grid, save for Stuyvesant Street. Per the Commissioners' Plan, Third Avenue was developed in 1812, Second Avenue in 1816, and East 8th, East 9th, and East 10th Streets in 1826. Development of the study area followed, as wealthy residents fled the overcrowded conditions of downtown neighborhoods. As a result, the area, and in particular St. Marks Place (then known as 8th Street), became one of the most prestigious residential streets in the City, lined with single-family rowhouses, many of which were designed in the fashionable Greek Revival style.

As immigration into New York City continued to soar and the new residents settled in the downtown districts of Manhattan, wealthier residents of the City migrated north into newer neighborhoods. By the 1850s, the existing rowhouses in the study area were largely converted into multiple-family dwellings and boardinghouses, as well as clubs and cultural institutions. Concurrently, the Cooper Union Foundation Building at 7 East 7th Street was completed in 1853-59 (Resource #6 in **Figure D-1**). During this time, the southern portion of the study area was located in what became known as Kleindeutschland (Little Germany) as a result of a massive influx of German immigrants into the area. The new residents established a variety of German institutions in the neighborhood, such as the German-American Shooting Society Clubhouse, which still stands at 12 St. Marks Place (Resource #8 in **Figure D-1**).

Kleindeutschland reached its zenith in the 1870s, after which the Germans largely left the neighborhood and were replaced with waves of new immigrants, mostly from Eastern Europe. In 1878, the Third Avenue elevated train was erected in the study area, connecting South Ferry with 129th Street. As a result, many of the single-family Federal style houses of the neighborhood were demolished and replaced with denser development, including French flats and tenements, to house the massive influx of immigrants during the last decades of the 19th century.

In 1904, the Astor Place subway station was opened (Resource #5 in **Figure D-1**); its foundation was tied to Wanamaker's department store, one of many large anchor stores in the area, which formerly stood on the corner of Fourth Avenue and East 9th Street. The opening of the Astor Place subway station ensured that the already crowded neighborhood would continue to become more densely populated in the period between 1904 and World War I. In the early 20th century, an enclave of Ukrainian immigrants emerged on East 7th Street between Second and Third Avenues in the southern portion of the study area. They established a variety of Ukrainian institutions in the area, including the conversion of the Metropolitan Savings Bank on the corner of Third Avenue and East 7th Street into the First Ukrainian Assembly of God (Resource #7 in **Figure D-1**). Concurrently, the art scene in the area was growing, and off-Broadway theaters and art galleries began to open along St. Marks Place.

After World War II, the study area was home to a number of key "Beat Generation" writers, and the neighborhood became renowned for its protest art and politics, galleries, poetry and coffee houses, bookstores, and clubs, as artists and bohemians moved eastward from Greenwich Village. During this time, Latin American immigrants concurrently established large communities in the area. The residential and cultural desirability of the neighborhood increased with the removal of the Third Avenue elevated train in 1955, leading realtors to rename the neighborhood the "East Village."

In the 1980s, the East Village was the center of the downtown art and music scene, and by the 1990s, the area was rapidly gentrifying. During this time, New York University (NYU) and The Cooper Union were expanding their campuses in the area; NYU constructed the 16-story student dormitory at 31 Third Avenue in 1986, and in 1992, The Cooper Union constructed the 15-story dormitory at 29 Third Avenue, immediately north of the Development Site. Additionally, the Village Alliance Business Improvement District (BID) was formed in 1993 to enhance the neighborhood by creating a cleaner, safer, and more enjoyable environment.

The study area has continued to be redeveloped and reconfigured during the first decades of the 21st century. Construction of a 22-story residential tower at 443 Lafayette Street was completed in 2004, followed by the construction of a Cooper Union academic building at 41 Cooper Square in 2009. In 2013, the 15-story commercial building and surrounding open space resources at 51 Astor Place were completed across the street from the Development Site. Additionally, the redesign of Astor Place and Cooper Square was finished in 2016, expanding pedestrian plazas in the study area with landscaping and artwork, and adding amenities such as bike racks and seating.

IV. ARCHITECTURAL RESOURCES

Criteria and Regulations

Once the study area was determined, an inventory of officially recognized architectural resources was compiled. Criteria for listing on the National Register are in the Code of Federal Regulations, Title 36, Part 63. As recommended in the 2014 *CEQR Technical Manual*, Chapter 9, Section 160, LPC has adopted these criteria for use in identifying National Register listed and eligible architectural resources for CEQR review. Following these criteria, districts, sites, buildings, structures, and objects are eligible for the National Register if they possess integrity of location, design, setting, materials, workmanship, feeling, and association, and: (1) are associated with events that have made a significant contribution to the broad patterns of history (Criterion A); (2) are associated with significant people (Criterion B); (3) embody distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction (Criterion C); or (4) may yield [archaeological] information important in prehistory or history. Properties younger than 50 years of age are ordinarily not eligible, unless they have achieved exceptional significance. Official determinations of eligibility are made by the New York State Office of Parks, Recreation & Historic Preservation (OPRHP).

In addition, LPC designates historically significant properties in the City as NYCLs and/or Historic Districts, following the criteria provided in the Local Laws of the City of New York, New York City Charter, Administrative Code, Title 25, Chapter 3. Buildings, properties, or objects are eligible for landmark status when a part is at least 30 years old. Landmarks have a special character or special historical or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the city, state, or nation. There are four types of designations, which include individual landmarks, interior landmarks, scenic landmarks, and historic districts. In addition to identifying architectural resources officially recognized in the study area (referred to herein as known architectural resources), potential architectural resources within the study area were also identified. Once the architectural resources in the study area were identified, the Proposed Action was assessed for both direct physical impacts and indirect visual and contextual impacts on architectural resources.

Existing Conditions

Designated Historic Resources

As shown in **Figure D-1**, the Development Site does not contain any designated historic resources. In the 400-foot area surrounding the Development Site, there are three historic districts and nine individual landmarks designated by the LPC, listed on the S/NR, and/or designated as NHLs, including the LPC-designated Landmark Site (the Hamilton-Holly House). **Table D-1** provides a list of these resources, photos

of which are presented in **Figure D-2**. The following provides a brief description of each of the designated historic resources identified in the 400-foot historic resources study area.

Table D-1: Historic Resources Located in the 400-Foot Study Area

Map No. ¹	Name	Location	NHL	S/NR-Listed	LPC-Designated ²
1	The Bowery Historic District	Most lots fronting Bowery between Division Street & Cooper Square		X	
2	East Village – Lower East Side Historic District	Lots on Second Avenue and adjacent side streets between East 2 nd & East 7 th Streets			X
3	St. Marks Historic District (& Extensions)	Generally between Second & Third Avenues between East 9 th & East 11 th Streets		X	X
4	Hamilton-Holly House	4 St. Marks Place (Block 463, Lot 11)			X
5	Astor Place Subway Station	Astor Place between Lafayette Street & Fourth Avenue		X	X ³
6	Cooper Union Foundation Building	7 East 7 th Street (Block 544, Lot 76)	X	X ⁴	X
7	Metropolitan Savings Bank	9 East 7 th Street (Block 463, Lot 1)		X	X
8	German-American Shooting Society Clubhouse	12 St. Marks Place (Block 463, Lot 15)			X
9	Daniel Leroy House	20 St. Marks Place (Block 463, Lot 19)		X	X
10	NYPL, Ottendorfer Branch	135 Second Avenue (Block 464, Lot 39)		X	X ⁵
11	Stuyvesant Polyclinic Hospital	137 Second Avenue (Block 464, Lot 37)		X	X
12	Stuyvesant-Fish House	21 Stuyvesant Street (Block 465, Lot 29)	X	X ⁶	X ⁶

Notes: Landmark Site is highlighted.

¹ Refer to **Figure D-1**.

² All LPC-designated resources are Exterior Landmarks or Historic Districts unless otherwise noted.

³ LPC-designated Interior Landmark.

⁴ Also located in the S/NR-listed The Bowery Historic District.

⁵ LPC-designated Interior and Exterior Landmark.

⁶ Also located in the S/NR-listed and LPC-designated St. Marks Historic District.

Designated Historic Districts

1. The Bowery Historic District (S/NR-Listed): *Includes most lots fronting Bowery between Division Street and Cooper Square*

As shown in **Figure D-1**, the northernmost portion of The Bowery Historic District is located within 400 feet of the Development Site (including the individually designated Cooper Union Foundation Building, Resource #6 detailed below). The Bowery is one of the oldest thoroughfares in Manhattan, and the historic district extends the length of the roughly 1.25-mile-long street from Chatham Square to the south to Cooper Square to the north. The Bowery Historic District is unique in that it encompasses buildings dating from every decade from 1780 to the present, including 189 contributing historic resources. As a result, the streetscape of the district contains a wide variety of architectural styles for a wide variety of functions, from Georgian and Federal townhouses, to Italianate, Neo-Grec, and Renaissance Revival commercial and industrial lofts, to Classical banks and institutional buildings (refer to **Figure D-2a**). Buildings in The Bowery Historic District are generally built out to the lot lines without setbacks, creating a continuous streetwall. However, throughout the length of the Bowery, there



Resource #1) View of The Bowery Historic District from Cooper Square.



Resource #1) View of Cooper Triangle in The Bowery Historic District.



Resource #1) View of the Cooper Union Foundation Building (Resource #6) in The Bowery Historic District.



Resource #2) View of the East Village - Lower East Side Historic District along East 7th Street.

is little correlation between geography and the age of structures, creating an irregular and varied streetscape.

2. East Village – Lower East Side Historic District (LPC-Designated): *Includes lots on Second Avenue and adjacent side streets between East 2nd and East 7th Streets*

The East Village – Lower East Side Historic District encompasses lots fronting Second Avenue and adjacent side streets between East 2nd and East 7th Streets (refer to **Figure D-1**). The historic district contains an incredibly dense layering of historic and cultural significance, revealing its transition from a fashionable residential neighborhood in the 1830s, to its subsequent identities as the tenement districts of Kleindeutschland and the Lower East Side, through its heyday as the entertainment center of the Yiddish Rialto, and into its evolution as the bohemian and artistic East Village. The historic district consists of approximately 325 buildings representing nearly two hundred years of history in one of the City's most vibrant neighborhoods.

The 14 buildings of the East Village – Lower East Side Historic District located within 400-feet of the Development Site (shown in **Figure D-1**) were all constructed in the 19th century, encompassing a variety of architectural styles. Nos. 33-39 were some of the first residences built in the neighborhood, developed by Thomas E. Davis and Louis Wilcox in 1832-33 in the Late-Federal style. The four-story tenements are red brick laid in the Flemish bond pattern, and feature Neo-Grec, Italianate, and/or Renaissance Revival elements. To the west is No. 31, a four-story, Neo-Classical building constructed in 1848-50, and altered by Victor Mayper in 1923-24 for the Hebrew Actors' Union, the first theatrical union in the U.S. Nos. 25-29 are five-story, Queen Anne style tenements with complex compositions designed by Jobst Hoffmann in 1880. The remaining buildings on the street, Nos. 11-23, are all five-story tenement buildings constructed between 1865 and 1878 in the Italianate and Neo-Grec styles. No. 15 accommodates McSorley's Old Ale House, the City's oldest continuously operated saloon (refer to **Figures D-2a** and **D-2b**).

3. St. Marks Historic District & Extensions (S/NR-Listed, LPC-Designated): *Generally between Second and Third Avenues between East 9th and East 11th Streets*

As shown in **Figure D-1**, the southwestern portion of the St. Marks Historic District is located within 400 feet of the Development Site (including the individually designated Stuyvesant-Fish House, Resource #12 detailed below). The historic district encompasses a residential neighborhood notable for its quality of architecture, representing one of the oldest developments in this part of the City, which retains much of its original character. In the study area, 21 Stuyvesant Street (the Stuyvesant-Fish House) was constructed in the Federal style in 1803-04. To the east and north are a group of 16 buildings (23-35 Stuyvesant Street and 112-128 East 10th Street) collectively known as "The Triangle." As shown in **Figure D-2b**, the Triangle consists of two uniformly designed rows of five-story, Italianate townhouses built in 1861. To the west, Nos. 106-110 East 10th Street were designed by D&J Jardine Architects in the Late-Italianate style and constructed in 1867.

Designated Individual Landmarks

4. Hamilton-Holly House (LPC-Designated): *4 St. Marks Place (Block 463, Lot 11)*

The Hamilton-Holly House (the Landmark Site) is located on the south side of St. Marks Place, immediately across the street from the Development Site (refer to **Figure D-1**). Thomas E. Davis developed the entire block of St. Marks Place between Second and Third Avenues in 1831, including the Hamilton-Holly House, which he sold to Alexander Hamilton's widow, Elizabeth Schuyler



Resource #2) View of the East Village - Lower East Side Historic District along East 7th Street.



Resource #3) View of St. Marks Historic District along Stuyvesant Street.



Resource #3) View of the St. Marks Historic District along East 10th Street.



Resource #3) View of the St. Marks Historic District along East 10th Street.

Hamilton. She lived in the home with her son and daughter-in-law, Col. Alexander and Eliza Hamilton, until 1842. The building is among the rare surviving and significantly intact large Manhattan townhouses of the Federal style period. As shown in **Figure D-3a**, the 3.5-story residence contains Flemish bond brickwork with a high stoop, a Gibbs surround entrance with a triple keystone and vermiculated blocks, long parlor-floor windows, molded pediment lintels, and a peaked roof with double segmental dormers. In the 1850s, the home was converted into a boardinghouse with a lower-level meeting hall. During the latter half of the 19th century, a fire escape was installed on the front façade and the lower levels were fully converted into commercial spaces. By the 1950s, the building contained a theater and an art gallery as well as offices and apartments on the upper floors. As discussed in the “Future Without the Proposed Action” section below, the site is currently undergoing renovations pursuant to an LPC-issued Certificate of Appropriateness.

5. Astor Place Subway Station (S/NR-Listed, LPC-Designated Interior): *Astor Place between Lafayette Street & 4th Avenue*

The underground interior of the Interborough Rapid Transit (IRT) subway system is among the most important aspects of the New York City subway system; portions of 12 of the original 45 underground stations built under Contracts 1 and 2 of the IRT system are designated landmarks, including the Astor Place Subway Station. Built in 1904-05 as part of IRT Contract 1, the Astor Place Subway Station was designed by the architectural firm of Heins & LaFarge in conjunction with Chief Engineer William Barclay Parsons, and was built using the newly-perfected cut-and-cover method of construction. The original side platform station measures 200 feet in length and 55.5 feet in width and platform extensions were added to both ends of the station during the 20th century. As shown in **Figure D-3a**, the station’s platform walls largely retain their original white glass tile and decorative faience plaques with yellow beaver motifs symbolizing John Jacob Astor’s fur trading business. These details in the Astor Place Subway Station reveal the remarkable material quality and level of craftsmanship incorporated into the design of the station, which retains a relatively high degree of architectural integrity.

6. Cooper Union Foundation Building (NHL, S/NR-Listed, LPC-Designated; also located in The Bowery Historic District): *7 East 7th Street (Block 544, Lot 76)*

Designed by the architect Frederick A. Peterson and constructed in 1853-59, the Cooper Union Foundation Building retains its imposing presence on the block bounded by Third Avenue, East 7th Street, Fourth Avenue, and Cooper Square (refer to **Figure D-1**). The six-story brownstone building, which marked the creation of The Cooper Union, was established as a common meeting place for intellectuals and inventors. The massive structure contains some of the first wrought-iron I-beams ever used in New York City, as well as a cylindrical shaft between floors for the transport of goods by pullies, in anticipation of passenger elevators. As shown in **Figure D-3b**, the Anglo-Italianate style building contains two round-arched porches (or loggias) on the north and south elevations, and heavily-enframed round-arched windows.

7. Metropolitan Savings Bank (S/NR-Listed, LPC-Designated): *9 East 7th Street (Block 463, Lot 1)*

As shown in **Figure D-1**, the Metropolitan Savings Bank building is located on the northeast corner of Third Avenue and East 7th Street. Constructed in 1867, the bank was designed in the French Second Empire style by architect Carl Pfeiffer. The three-story masonry structure was one of the first fireproof commercial buildings constructed in Manhattan. As shown in **Figure D-3b**, the building is unified by ground-floor rustication, horizontal band course at each floor, and an ornate cornice at the roofline. Pilasters framing the windows add a vertical emphasis to the building, particularly at the second and third floors where large brackets support projecting entablatures above the windows. The building is



Resource #4) Hamilton-Holly House
(the Landmark Site)
prior to construction.

Courtesy of Morris Adjmi Architects



Resource #5) The exterior of the Astor Place Subway Station.

Resource #4) Hamilton-Holly House
(the Landmark Site)
currently under construction



Courtesy of Google StreetView



Resource #5) Interior details of the Astor Place Subway Station.



Resource #6) The Cooper Union Foundation Building.



Resource #8) The German-American Shooting Society Clubhouse.



Resource #7) The Metropolitan Savings Bank.



Resource #9) The Daniel Leroy House.

topped with a slate-covered mansard roof pierced by a series of round-hooded dormer windows crowned with segmental arches. In 1937, the bank was purchased by the First Ukrainian Assembly of God, which continues to use the building as a church today.

8. German-American Shooting Society Clubhouse (LPC-Designated): 12 St. Marks Place (Block 463, Lot 15)

The German-American Shooting Society Clubhouse is a rare, intact reminder of the significant German immigrant community that inhabited much of the study area during the mid- to late-19th century. Built in 1888-89 to the designs of William C. Frohne, the clubhouse was one of the last German institutions constructed in Kleindeutscheland (Little Germany), serving as the headquarters for 24 shooting companies. The four-story, German Renaissance Revival style building on the south side of St. Marks Place (refer to **Figure D-1**) features flamboyant ornament, unusual in New York City, including three round-arched openings separated by rusticated limestone piers on the ground-floor, and a prominent fourth-story terra-cotta relief sculpture depicting a target and rifles. As shown in **Figure D-3b**, the building is faced in limestone, yellow brick, and terra-cotta, and topped with a steep, slate-covered mansard roof with tall, ornate dormers.

9. Daniel Leroy House (S/NR-Listed, LPC-Designated): 20 St. Marks Place (Block 463, Lot 19)

The residential building at 20 St. Marks Place was constructed in 1832 for Daniel Leroy, the son-in-law of Elizabeth (Stuyvesant) and Nicholas Fish, who lived nearby at 21 Stuyvesant Street (the Stuyvesant-Fish House, Resource #12 in **Figure D-1** and detailed below). As shown in **Figure D-3b**, the wide, 3.5-story, Federal style townhouse was constructed in Flemish bond brickwork with stone trim, and has an arched stone entrance with a triple keystone and blocks in the enframing, which are decorated with vermiculation. The building retains its original ornately decorated iron handrails at the stoop, including low bird cage newel posts and iron railings in the parlor floor windows. The townhouse was constructed during a transitional period of changing architectural styles, and as such, features the influence of the Greek Revival period in the pedimented lintels over the windows. Although its basement was converted into a restaurant, the building retains much of its original architectural detail.

10. NYPL, Ottendorfer Branch (S/NR-Listed, LPC-Designated Exterior & Interior): 135 Second Avenue (Block 464, Lot 39)

The Ottendorfer Branch of the NYPL was the first branch library in Manhattan and one of the earliest buildings in the City constructed specifically as a public library, as the concept of a free-circulating public library was only just beginning to receive considerable attention in New York City during the 19th century. Built in 1883-84 to the designs of architect William Schickel in conjunction with a neighboring German Dispensary (Resource #11 in **Figure D-1** and detailed below), the building displays elements of both the Neo-Italian Renaissance and the Queen Anne styles on its façade, and its interior is predominately Queen Anne. As shown in **Figure D-3c**, the building features a contrast of deep red brick with dark mortar joints and terra-cotta trim, as well as a manipulation of Classical details. The interior of the building includes a Queen Anne staircase leading to the second floor reading room, which features ample natural light through windows with enframements with cornices and stylized brackets. The library and adjacent dispensary were a gift of Anna and Oswald Ottendorfer, German-American philanthropists who were concerned with the welfare of the German immigrant population of the Lower East Side in the mid- to late-19th century. The adjacency of the library and clinic reflects the 19th century philosophy, particularly influential in Germany, of developing the individual both physically and mentally.



Resource #10) Exterior of the NYPL, Ottendorfer Branch.



Resource #10) Interior of the NYPL, Ottendorfer Branch.



Resource #11) Stuyvesant Polyclinic Hospital.



Resource #12) Stuyvesant-Fish House.

11. Stuyvesant Polyclinic Hospital (S/NR-Listed, LPC-Designated): 137 Second Avenue (Block 464, Lot 37)

As discussed above, the Germany Dispensary (now the Stuyvesant Polyclinic Hospital) was built in 1883-84 to the designs of architect William Schickel in conjunction with a neighboring NYPL branch library (Resource #10 in **Figure D-1** and detailed above). As shown in **Figure D-3c**, the hospital is an exuberant example of the Neo-Italian Renaissance style. It has a symmetrically arranged façade with paired round-arched windows under segmental arches at each floor, flanking the one-story entrance portico. The building is embellished with sculptural terra-cotta ornament, including a series of portrait busts of famous physicians and scientists, alluding indirectly to the relationship between the dispensary and the adjacent library. As discussed above, the clinic and library were a gift of Anna and Oswald Ottendorfer, German-American philanthropists who were concerned with the welfare of the German immigrant population of the Lower East Side in the mid- to late-19th century. The adjacency of the dispensary and library reflects the 19th century philosophy, particularly influential in Germany, of developing the individual both physically and mentally. The German Dispensary was renamed the Stuyvesant Polyclinic Hospital during World War I.

12. Stuyvesant-Fish House (NHL, S/NR-Listed, LPC-Designated; also located in the St. Marks Historic District): 21 Stuyvesant Street (Block 465, Lot 29)

The Stuyvesant-Fish House at 21 Stuyvesant Street is the oldest structure located within 400 feet of the Development Site (refer to **Figure D-1**). The 3.5-story residence was constructed in 1803-04 in the Federal style for Elizabeth Stuyvesant (the daughter of Peter Stuyvesant) at the time of her marriage to Nicholas Fish. As shown in **Figure D-3c**, the building has a stone foundation below red brick laid in Flemish bond. The front door contains rectangular sidelights, a semi-elliptical fanlight, and fluted moldings, and the original ironwork remains around the areaway and stoop. All of the windows of the front façade are topped with original splayed stone lintels and are flanked with painted shutters. The slate pitched roof has a plain wooden cornice and is pierced by two arched dormer windows, each of which as a doubled keystone. The building was the birthplace of lawyer and statesman Hamilton Fish, and remained in the family until around the 20th century, when it was converted into a roominghouse. In 1964 the building was converted back into a single-family home, and restored to its original condition.

Potential Historic Resources

The Development Site and surrounding 400-foot study area were also assessed to identify any potential historic architectural resources that are not designated or listed landmarks. According to the *CEQR Technical Manual*, historic resources can be considered significant if they meet the criteria for listing on the S/NR, established by the U.S. Secretary of the Interior, or criteria for local designation set forth in the New York City Landmarks Law. The S/NR criteria address both historic and architectural significance: a property may be associated with significant events or persons, or may be a notable representation of a particular architectural style or the work of an important architect or builder. Similarly, the criteria of the New York City Landmarks Law include historical, architectural, aesthetic, and cultural value. There are no eligible historic architectural resources in the 400-foot secondary study area.

The Future without the Proposed Action (No-Action Condition)

Under No-Action conditions, the status of historic resources could change. S/NR-eligible architectural resources could be listed in the S/NR, and properties found eligible for consideration for designation as

NYCLs could be calendared and/or designated. Changes to the historic resources identified above or to their settings could also occur irrespective of the Proposed Action. Future projects could affect the settings of architectural resources. It is possible that some architectural resources in the project area and surrounding 400-foot study area could deteriorate, while others could be restored. In addition, future projects could accidentally damage architectural resources through adjacent construction

Properties that are designated NYCLs are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition of those resources can occur. All properties within LPC-designated historic districts also require LPC review and approval prior to new construction, addition, enlargement, or demolition. The owners of a property may work with LPC to modify their plans to make them appropriate. Properties that have been calendared for consideration for designation as NYCLs are also afforded a measure of protection insofar as, due to their calendared status, permits may not be issued by DOB for any structural alteration to the buildings for any work requiring a building permit, without at least 40 days prior notice being given to LPC. During the 40-day period, LPC has the opportunity to consider the case and, if it so chooses, schedule a hearing and move forward with designation.

The New York City Building Code provides some measures of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to designated NYCLs and S/NR-listed historic buildings located within 90 linear feet of a proposed construction site. For these structures, DOB's TPPN #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent NYCL-designated or S/NR-listed historic resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. The procedures and protections of DOB's TPPN #10/88 would apply to any alteration, enlargement, or demolition taking place on the Development Site in the No-Action scenario (refer to **Figure D-1**).

Additionally, historic resources that are listed on the S/NR or that have been found eligible for listing are given a measure of protection from the effects of federally-sponsored, or federally-assisted projects under Section 106 of the National Historic Preservation Act, and are similarly protected against impacts resulting from state-sponsored or state-assisted projects under the New York State Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. Private property owners using private funds can, however, alter or demolish their S/NR-listed or S/NR-eligible properties without such a review process.

Anticipated Developments in the No-Action Condition

Development Site

As detailed in Attachment A, "Project Description," in the 2020 future without the Proposed Action, the existing buildings on the Development Site would be demolished, and the site would be redeveloped with a commercial building. Per existing C6-1 zoning district regulations, the No-Action building would be approximately 60,117 gsf, including approximately 8,061 gsf of local retail space and approximately 52,056 gsf of office space. As shown in **Figure A-2** in Attachment A, the No-Action building would be built out to the lot lines and rise four stories (approximately 63 feet) before setting back 20 feet on St. Marks Place and 15 feet on Third Avenue. The building would then rise five more stories within the sky exposure plane to a total building height of nine stories (approximately 146 feet, or approximately 163 feet with bulkheads). As the Development Site is located within 90 feet of the LPC-designated Hamilton-Holly House (Resource

#4 in **Figure D-1**), a construction protection plan would be required for the site pursuant to DOB's TPPN #10/88, as detailed above.

Landmark Site

Under No-Action conditions, the Landmark Site at 4 St. Marks Place (the LPC-designated Hamilton Holly House, Resource #4 detailed above), would continue to be renovated pursuant a Certificate of Appropriateness (#19-9359) issued by the LPC on March 3, 2017 (provided in **Appendix 1**). As detailed therein, the LPC approved a proposal to replace storefront infill; replace windows and doors; install signage; restore the front façade; construction a rear addition; conduct interior alterations, and perform excavation work on the site. Additionally, LPC issued three Amendments to the Certificate of Appropriateness in April and June 2017, and one in April 2018, to incorporate modifications to the original proposal. Significant changes to the scope of restoration work at the Landmark Site included omitting portions of the rear addition, correcting the material for the cornices from metal to wood, and approving shop drawings for the front and rear façade cornices, windows, and storefront balcony railings. In the future without the Proposed Action, it is anticipated that this proposed restoration work would be completed on the Landmark Site. However, the building would not be restored to match its late-19th century appearance as detailed below, and it would not be renovated to a sound, first-class condition. Additionally, a cyclical maintenance plan to ensure the continued upkeep of the building would not be implemented in the absence of the Proposed Action.

Study Area

As detailed in the "Land Use, Zoning, & Public Policy" section of Attachment B, "Supplemental Screening," there are no known projects under construction or planned for completion within 400 feet of the Development Site in the future without the Proposed Action.

The Future with the Proposed Action (With-Action Condition)

According to the 2014 *CEQR Technical Manual*, generally, if a proposed action would impact those characteristics that make a resource eligible for NYCL designation or S/NR listing, this could be a significant adverse impact. As described above, the designated historic resources in the project area and secondary study area are significant for their architectural quality and for their local and national historic value. This section assesses the Proposed Action's potential to result in significant adverse impacts on the identified architectural resources outlined above. The Proposed Action was assessed in accordance with guidance established in the *CEQR Technical Manual* (Chapter 9, Section 420) to determine (a) whether there would be a physical change to any designated property as a result of the Proposed Action; (b) whether there would be a physical change to the setting of any designated resource, such as context or visual prominence as a result of the Proposed Action; and (c) if so, in either case, whether the change is likely to diminish the qualities of the resource that make it important. Whereas this attachment focuses specifically on the Proposed Action's effects on the visual context of historic resources, an assessment of the Proposed Action's effect on the urban design and visual character of the study area in general is provided separately in Attachment E, "Urban Design & Visual Resources."

As detailed in Attachment A, "Project Description," the Proposed Action would facilitate the transfer of approximately 8,386 gsf of floor area, equivalent to 8,386 zsf, from the Landmark Site to the Development Site. As such, an approximately 68,503 gsf commercial building would be constructed on the Development Site with an FAR of 7.2. The building would be built out to the lot lines to a height of four stories (approximately 62 feet) before setting back from the street line three times – above the fourth, seventh, and ninth stories – to a total height of 10 stories (a maximum of approximately 156 feet, or approximately 176

feet with bulkheads). Portions of the sixth, seventh, eighth, and ninth stories along St. Marks Place would encroach into the 20-foot initial setback distance above the maximum front wall height of 85 feet along St. Marks Place.

Additionally, in the future with the Proposed Action, the Hamilton-Holly House (Resource #4) on the Landmark Site would be restored to a sound, first-class condition, and a cyclical maintenance plan would be implemented to ensure the continued maintenance of the building. The additional restoration work and continuing maintenance plan are not included in the scope of work approved by the LPC Certificate of Appropriateness regulating current renovations to the building, and would be carried out pursuant to a restrictive declaration to be entered into by the owner of the Landmark Site.

Direct (Physical) Impacts

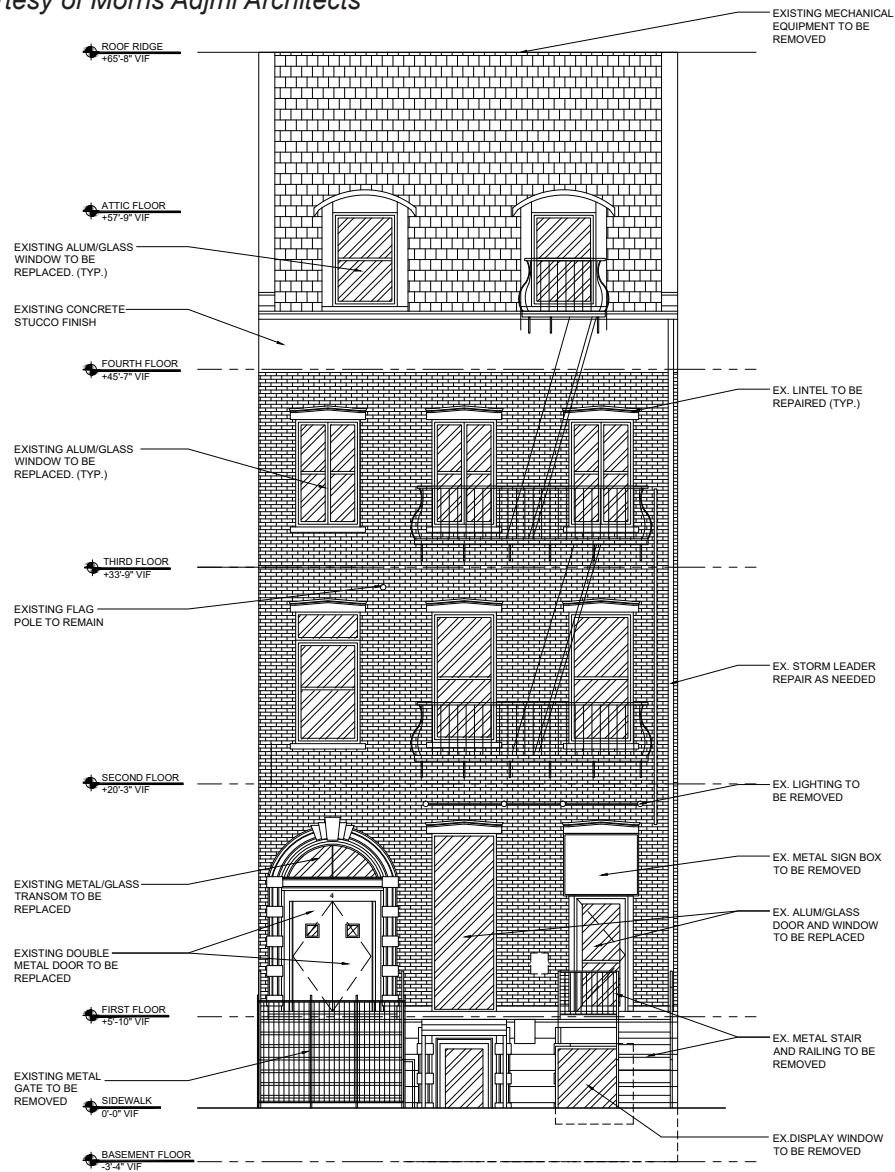
Historic resources can be directly impacted by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. For example, alterations, such as the addition of a new wing to a historic building or replacement of the resource's entrance, could result in significant adverse impacts, depending on the design. Direct impacts also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

The Proposed Action is site-specific, and therefore would not result in any direct impacts to surrounding historic resources. As discussed above, the Development Site does not contain any designated or eligible historic architectural resources, and the Landmark Site accommodates the LPC-designated Hamilton-Holly House (Resource #4). Additional restoration work rehabilitating the building to a sound, first class condition would be implemented in the future with the Proposed Action. The proposed work involves the restoration of the building to match its late-19th century appearance. As shown in **Figure D-4**, on the front façade, the original brick and marble stone masonry surrounds, including the existing historic marble Gibbs surround at the entrance, would be restored. The entrance door would be replaced with a new paneled wooden door with sidelights designed to match historic conditions. The existing masonry stoop would be repaired to comply with rise and tread code requirements, and marble cladding would be added to match its historic appearance. To the west, the modern metal stairs connecting the sidewalk to the commercial parlor entrance would be removed and, along with the other front façade windows, would be replaced with period-appropriate windows with new brick moldings to match the historic Federal style. In addition, in the future with the Proposed Action, the existing asphalt shingle roofing on the Landmark Site would be removed and replaced with a new slate tile roof, the front and rear dormers would be restored, and the wooden roof cornices would be reconstructed, all to match historic conditions (see **Figure D-4**). Additionally, the Proposed Action would include the implementation of a cyclical maintenance plan on the Landmark Site, ensuring the continued maintenance of the LPC-designated Landmark Site in the future. Therefore, the Proposed Action would not result in adverse direct impacts to historic resources, but rather, would improve the historic character of the LPC-designated Hamilton-Holly House on the Landmark Site, and would ensure its continued maintenance.

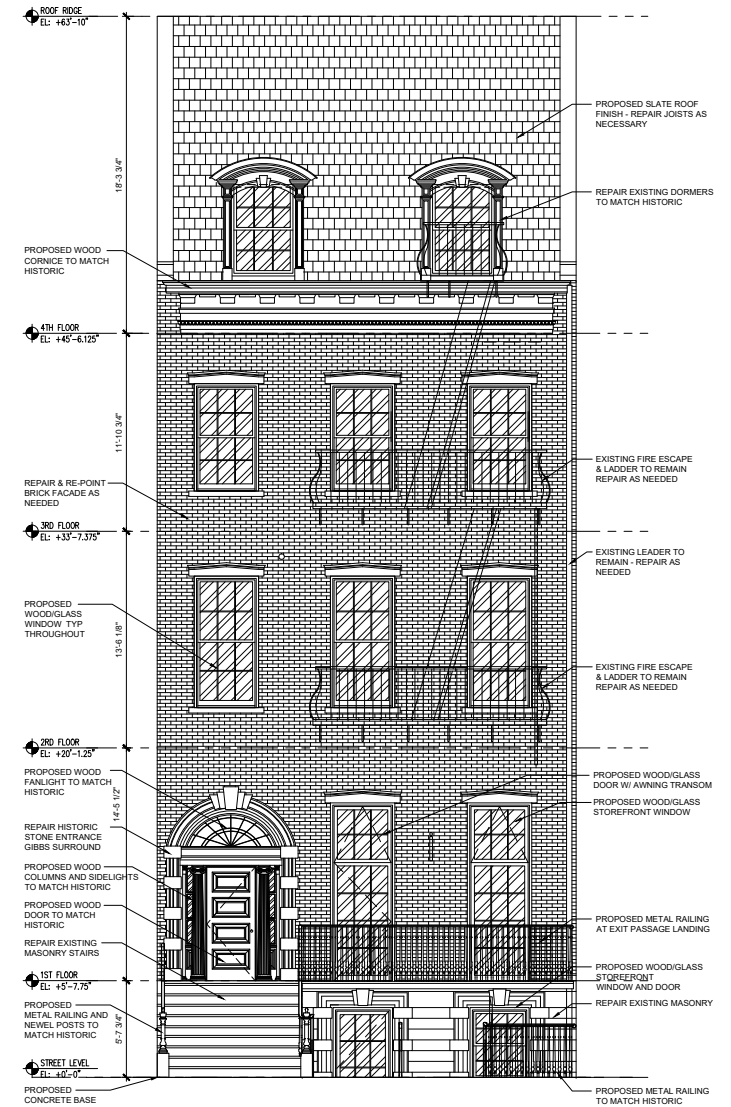
Indirect (Contextual) Impacts

According to the 2014 *CEQR Technical Manual*, possible impacts to architectural resources may include isolation of the property from, or alteration of, its setting or visual relationship with the streetscape. This includes changes to the resource's visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor. Significant indirect impacts can occur if a proposed action would cause a change in the quality of a property that qualifies it for listing on the S/NR or for designation as a NYCL.

Courtesy of Morris Adjmi Architects



1 Hamilton Holly House - Existing Front Elevation
(Source: SWA Architecture)



2 Hamilton Holly House - Proposed Front Elevation
(Source: SWA Architecture)

Existing Conditions & Proposed Restoration- Landmark Site

The Proposed Action would not result in significant adverse indirect impacts on existing historic resources. The With-Action building on the Development Site would not significantly alter the context or setting of surrounding historic resources as compared to No-Action conditions. As detailed above, under No-Action conditions, the Development Site would be redeveloped with a nine-story commercial office building with an FAR of 6.0 pursuant to existing C6-1 zoning regulations. The Proposed Action would facilitate the development of a 10-story commercial office building on the Development Site, with an FAR of 7.2. Portions of the sixth through ninth stories of the proposed With-Action building would encroach into the applicable initial setback distance above the maximum front wall height of 85 feet along St. Marks Place. Although these changes would minimally alter the setting and visual context of surrounding historic resources, none of these changes would be significant or adverse as compared to No-Action conditions. In fact, the proposed modification to the height and setback regulations of ZR Section 33-432 would be for the purpose of providing a harmonious architectural relationship between the proposed building on the Development Site and the existing building on the Landmark Site, as required by ZR Section 74-79. None of the proposed changes to building height or bulk would eliminate or substantially obstruct significant public views of architectural resources. No primary facades, significant architectural ornamentation, or notable features of surrounding historic buildings would be obstructed by the proposed building on the Development Site, and all significant elements of these resources would remain visible in view corridors on adjacent streets. The Proposed Action would not alter the relationship of any identified historic resources to the streetscape as compared to No-Action conditions.

Additionally, no incompatible visual, audible, or atmospheric elements would be introduced by the proposed building on the Development Site to any historic resource's setting in the future with the Proposed Action. As discussed in Attachment E, "Urban Design & Visual Resources," the proposed building on the Development Site would use modern materials that would complement and not detract from surrounding historic buildings. The Proposed Action would not result in development that would diminish the qualities that make the surrounding LPC-designated and/or S/NR-listed historic resources historically and/or architecturally important, but rather, with the implementation of the additional restoration work and cyclical maintenance plan on the Landmark Site detailed above, would improve the conditions of an existing LPC-designated historic resource in the future with the Proposed Action. As such, the Proposed Action would not result in significant adverse indirect or contextual impacts to historic architectural resources.

Construction-Related Impacts

Any new construction taking place within historic districts or adjacent to individual landmarks has the potential to cause damage to contributing buildings to those historic resources from ground-borne construction vibrations. As the proposed actions would not result in any new/additional construction sites, as compared to the No-Action condition, they do not have the potential to result in incremental construction-related impacts on historic and cultural resources.

In addition, construction period impacts on any designated historic resources would be minimized, and the historic structures would be protected, by ensuring that construction on the Development Site adheres to all applicable construction guidelines and follows the requirements laid out in TPPN #10/88. As the Development Site is located within 90 feet of the LPC-designated Hamilton-Holly House, the proposed new building would be subject to DOB'S TPPN #10/88 during construction. Under the TPPN, a construction protection plan must be provided to the LPC for review and approval prior to any demolition and construction on the Development Site under both No-Action and With-Action conditions. The construction protection plan would take into account the guidance provided in the *CEQR Technical Manual*, Chapter 9, Section 523, "Construction Protection Plan." As such, no construction-related impacts on historic resources would be anticipated as a result of the Proposed Action.

Shadows

As detailed in Attachment C, “Shadows,” the With-Action building on the Development Site would not cast incremental shadows on any sunlight-sensitive features of nearby historic resources as compared to No-Action conditions. Therefore, the Proposed Action would not result in any significant adverse shadows impacts on historic resources.

ATTACHMENT E
URBAN DESIGN & VISUAL RESOURCES

3 ST. MARKS PLACE EAS

ATTACHMENT E: URBAN DESIGN & VISUAL RESOURCES

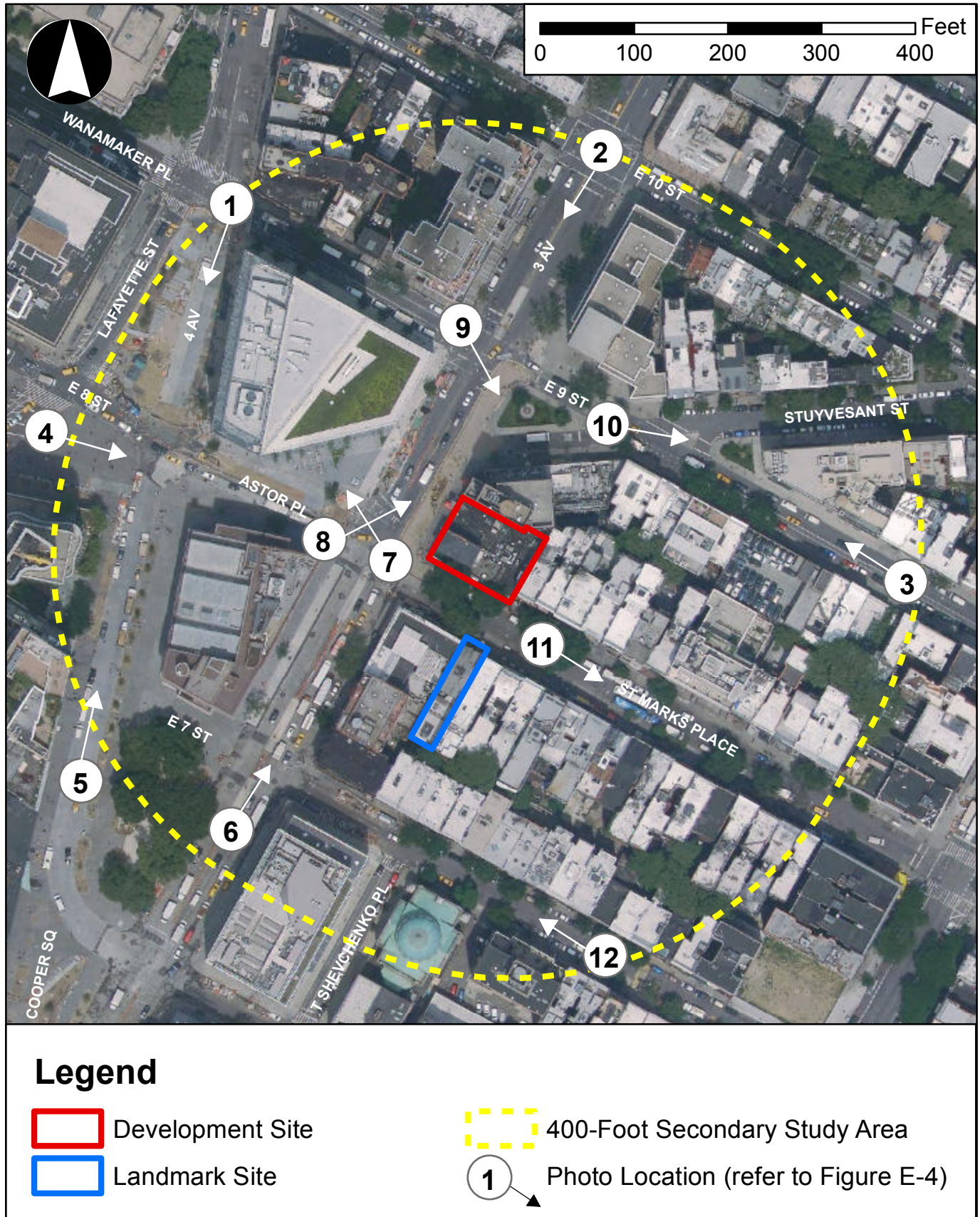
I. INTRODUCTION

Per the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, urban design is defined as the totality of components – including streets, buildings, open spaces, wind, natural resources, and visual resources – that may affect a pedestrian’s experience of public space. A visual resource is defined as the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources. In an urban design and visual resources assessment pursuant to CEQR, one considers whether and how a project may change the visual experience of a pedestrian, focusing on the components of the project that may have the potential to significantly and adversely affect the arrangement, appearance, and functionality of the built and natural environment.

As described in Attachment A, “Project Description,” the Applicant is seeking a special permit in order to facilitate the development of 3 St. Marks Place (Block 464, Lots 1, 3, and 59) at the confluence of the East Village and NoHo neighborhoods in Manhattan Community District 3 (refer to **Figure E-1**). The proposed special permit pursuant to Zoning Resolution (ZR) Section 74-79 would: (a) transfer approximately 8,386 gross square feet (gsf) of floor area, equivalent to 8,386 zoning square feet (zsf), from the Landmark Site at 4 St. Marks Place (Block 463, Lot 11) to the Development Site; and (b) modify ZR Section 33-432 to allow the proposed building on the Development Site to encroach within the required setback distance above a maximum front wall height of 85 feet on St. Marks Place (the “Proposed Action”). As the Proposed Action would enable development to be constructed that would differ from existing zoning envelopes and would result in physical changes beyond the bulk and form currently permitted as-of-right on the Development Site, a detailed analysis of the potential impacts of the Proposed Action on urban design and visual resources was prepared in conformance with the *CEQR Technical Manual*, and is provided below. This analysis describes existing conditions and compares conditions in the futures without and with the Proposed Action to determine potential urban design and visual resource impacts.

II. PRINCIPAL CONCLUSIONS

No significant adverse impacts to urban design or visual resources would occur in the future with the Proposed Action. The proposed building that would be facilitated by the Proposed Action on the Development Site would not be incompatible with the existing character of the surrounding area. As compared to No-Action conditions, the Proposed Action would increase the height of the proposed building from nine- to 10-stories, and would increase the maximum permitted FAR on the Development Site from 6.0 to 7.2 FAR. This additional height and density would be in keeping with the existing built environment of the study area. Additionally, the proposed building on the Development Site would be built out to the lot lines to a height of four stories (approximately 63 feet) before setting back from the street line. This setback would match the setback of the adjacent Cooper Union dorm on Third Avenue, and would relate to the height of the building on the Landmark Site and the heights of the rowhouses and tenement buildings immediately east of the Development Site along St. Marks Place, extending the continuous streetwalls to the intersection of Third Avenue and St. Marks Place. The Proposed Action would not alter uses on the



Development Site as compared to No-Action conditions, and the proposed building would contain ground-level local retail spaces, in keeping with the surrounding commercial corridor.

Portions of the sixth through ninth floors of the proposed building on the Development Site would encroach into the 20-foot initial setback distance above the maximum front wall height of 85 feet on St. Marks Place as a result of the Proposed Action. However, this would result in minimal changes to pedestrian perception along St. Marks Place and Third Avenue, and would not obstruct or substantially alter significant viewsheds of surrounding visual resources. The proposed building on the Development Site would be designed to complement the historic forms of the adjacent buildings, including the building on the Landmark Site, and would be clad with horizontal bands of dark stone separating bands of large windows, which would not detract from the nearby historic resources. Additionally, the proposed building on the Development Site would include a planted canopy above the ground-floor of the building and street trees along Third Avenue and St. Marks Place, enhancing the streetscapes in the immediate vicinity of the site and improving the pedestrian experience of the area.

In the 2020 future with the Proposed Action, the landmark building at 4 St. Marks Place would be restored to a sound, first-class condition to match its late-19th century appearance, and a cyclical maintenance plan would be implemented to ensure the continued maintenance of the building. As detailed in Attachment D, “Historic & Cultural Resources,” the additional restoration work and continuing maintenance plan would improve the character of this visual resource, further enhancing the pedestrian experience along St. Marks Place in the future with the Proposed Action.

III. METHODOLOGY

In general, an assessment of urban design is needed when a project may have effects on one or more of the elements that contribute to a pedestrian’s experience of public space. These elements, the totality of which defines the concept of urban design, are described below:

- **Streets.** For many neighborhoods, streets are the primary component of public space. The arrangement and orientation of streets define the location and flow of activity in an area, set street views, and create the blocks on which buildings and open spaces are organized. The apportionment of streetscape between cars, bicycles, transit, and sidewalk is critical to making a successful streetscape, as is the careful design of street furniture, grade, materials uses, and permanent fixtures, including plantings, street lights, fire hydrants, curb cuts, and newsstands.
- **Buildings.** Buildings support streets. A building’s streetwalls form the most common backdrop in the city for public space. A building’s size, setbacks, lot coverage, placement on the zoning lot and block, the orientation of active uses, and pedestrian and vehicular entrances all play major roles in the vitality of the streetscape. The public realm also extends to building facades and rooftops, offering more opportunity to enrich the visual character of an area.
- **Visual Resources.** A visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.
- **Open Space.** For the purposes of urban design, open space includes public and private areas, such as parks, yards, cemeteries, parking lots, and privately owned public spaces.

- **Natural Features.** Natural features include vegetation and geologic, topographic, and aquatic features. Rock out-croppings, street slopes, or varied ground elevation, beaches, or wetlands may help define the overall visual character of an area.
- **Wind.** Channelized wind pressure from between tall buildings and downwashed wind pressure from parallel tall buildings may cause winds that jeopardize pedestrian safety.

A pedestrian wind condition analysis is not warranted for the Proposed Action pursuant to *CEQR Technical Manual* methodology. As stated in the *CEQR Technical Manual*, construction of large buildings at locations that experience high wind conditions may result in an exacerbation of wind conditions due to “channelization” or “downwash” effects that may affect pedestrian safety. The need for a wind analysis is based on a number of factors, including whether the location is exposed to high wind conditions, such as along west and northwest-facing waterfronts, as well as the size and orientation of the buildings that are proposed to be constructed. As shown in **Figure E-1**, the Development Site is not located along the waterfront, and therefore, is not exposed to high wind conditions. As such, a pedestrian wind condition analysis is not warranted for the Proposed Action pursuant to *CEQR Technical Manual* methodology.

Study Areas

The study areas for the assessment of urban design and visual resources correspond to the areas where the Proposed Action may influence land use patterns and the built environment, and are consistent with those used for the land use analysis. For visual resources, the view corridors within the study area from which such resources are publicly viewable have been identified. The urban design analysis considers both a primary study area, which is generally coterminous with the boundaries of the Development Site and, for the purposes of this analysis, also includes the Landmark Site, and a secondary study area, which extends approximately 400-feet from the Development Site (refer to **Figure E-1**).

III. DETAILED ASSESSMENT

Existing Conditions

Primary Study Area

The Applicant-owned Development Site at 3 St. Marks Place (Block 464, Lots 1, 3, and 59) is comprised of three low-rise buildings with frontages along St. Marks Place (a narrow street) to the south and Third Avenue (a wide street) to the west at the confluence of the East Village and NoHo neighborhoods in Manhattan (refer to **Figure E-1**). Located on the northeast corner of St. Marks Place and Third Avenue, Lot 1 currently accommodates a four-story (approximately 42-foot-tall) mixed-use building with various local retail and restaurant uses below apartments. Lot 3 contains a one-story (approximately 15-foot-tall) commercial building fronting Third Avenue with local retail and restaurant uses. On St. Marks Place, Lot 59 accommodates a one-story (approximately 15-foot-tall) commercial building also occupied by local retail and restaurant uses. In total, the Development Site has an existing FAR of 1.25. The site does not encompass any streets, open space resources, natural resources, or significant visual resources.

As shown in **Figure E-1**, the proposed Development Site is located immediately across the street from the Landmark Site at 4 St. Marks Place (Block 463, Lot 11), which accommodates the Hamilton-Holly House, a Landmarks Preservation Commission (LPC)-designated New York City Landmark (NYCL), a significant visual resource in the study area. The landmark is a 3.5-story (approximately 54-foot-tall) mixed-use building with lower-level commercial spaces and upper-level apartments, with an existing FAR of 3.22.

The Landmark Site is currently undergoing renovations pursuant to an LPC-approved Certificate of Appropriateness, including the removal and replacement of a non-complying rear addition and the restoration of the front façade on St. Marks Place. The site does not encompass any streets, open space resources, or natural resources.

Secondary Study Area

Streets & Streetscape

As shown in **Figure E-1**, the unique street grid of the study area, resulting from the splitting of The Bowery into Third and Fourth Avenues as well as the survival of Stuyvesant Street, which predates the standard street grid of Manhattan, creates irregular block shapes and multiple small pedestrian plazas in the study area. Most streets in the area are lined with parallel parking lanes and/or bus-only lanes and flanked with 13- to 22-foot-wide sidewalks with traffic signs, streetlights, fire hydrants, and a substantial amount of street furniture, including benches, bus stops, parking ticket machines, garbage cans, bike racks, mailboxes, newsracks, street vendors, and LinkNYC kiosks. Most roads in the study area are lined with street trees and/or planters, many of which as a result of the Astor Place and Cooper Square redesign project completed in 2016, which expanded pedestrian spaces with landscaping, artwork, and amenities.

Third Avenue is a major vehicular thoroughfare in the study area and a designated local truck route. The street is approximately 70 feet wide (exclusive of sidewalks) and contains two northeast-bound and two southwest-bound vehicular lanes. Concrete pedestrian refuge islands with additional signals are located in the east-west sidewalks of most intersections in the secondary study area. The southern portion of Third Avenue, as well as Fourth Avenue to the west, are part of Cooper Square. Fourth Avenue contains two northbound lanes of vehicular traffic. In the southern portion of the study area, Fourth Avenue is approximately 60 feet wide (exclusive of sidewalks), narrowing to 34-feet just south of East 9th Street. There are Citi Bike stations at Cooper Square and Astor Place (40 docks) and Lafayette Street and East 8th Street (29 docks).

As shown in **Figure E-1**, east-westbound local streets in the secondary study area include East 7th Street, East 8th Street/Astor Place/St. Marks Place, East 9th Street, and East 10th Street. All except Astor Place are 30- to 34-feet wide (exclusive of sidewalks) and contain one lane of vehicular traffic: East 7th Street and East 9th Street are one-way westbound, while East 8th Street/Astor Place/St. Marks Place and East 10th Street are one-way eastbound. Due to the convergence of several streets, Astor Place is wider than the other streets, ranging from 41- to 44-feet in width in the secondary study area. Designated bike lanes are located on East 9th and East 10th Streets. Additionally, Astor Place between Fourth Avenue and Lafayette Street is pedestrian-only.

Stuyvesant Street is unique in the study area in that it is one of the only remaining streets from the original 18th century streetgrid laid over Peter Stuyvesant's farm (detailed in Attachment D, "Historic & Cultural Resources"). As such, the street irregularly cuts through the northeastern portion of the study area (refer to **Figure E-1**). Stuyvesant Street is 34 feet wide (exclusive of sidewalks) and contains one northeast-bound lane of local vehicular traffic. Additionally, Taras Shevchenko Place is a 24-foot-wide street (exclusive of sidewalks) with one lane of southbound vehicular traffic connecting East 6th and East 7th Streets in the southernmost portion of the secondary study area.

Buildings

The area surrounding the Development Site is predominately residential, commercial, and institutional. The buildings accommodating these uses vary greatly in height, bulk, and style. As shown in **Figure E-1**, most buildings in the secondary study area are built out to the lot lines with few to no front yards or side yards,

creating uniform streetwalls throughout much of the neighborhood. The streets to the east of Third Avenue contain predominately low- and mid-rise residential and commercial buildings from the turn of the 20th century. Most of these buildings are located on narrow lots and have FARs below 6.0 (refer to **Figures E-2 and E-3**).

As detailed above, due to the unique street grid of the study area, detailed above, blocks to the west of Third Avenue are irregular. Lots fronting Third Avenue in the study area generally accommodate taller buildings with large footprints and high FARs. As shown in **Figures E-2 and E-3**, a 15-story Cooper Union dorm building with an FAR of approximately 6.81 is located immediately north of the Development Site at 29 Third Avenue. Further north is a 16-story New York University (NYU) dorm building with an FAR of approximately 5.31. Across Third Avenue to the northwest of the Development Site are a 20-story residential tower at 30 Third Avenue with an FAR of approximately 12.99; an eight-story, approximately 7.47 FAR residential building at 59 Fourth Avenue; and a 14-story commercial building at 51 Astor Place with an FAR of approximately 10.72. To the southwest of the Development Site are a 22-story residential tower at 443 Lafayette Street with an FAR of approximately 7.96, and the seven-story, approximately 7.45 FAR Cooper Union Foundation Building at 7 East 7th Street. Additionally, a nine-story Cooper Union academic building in the southernmost portion of the study area at 41 Cooper Square has an FAR of approximately 9.9 (see **Figures E-2 and E-3**).

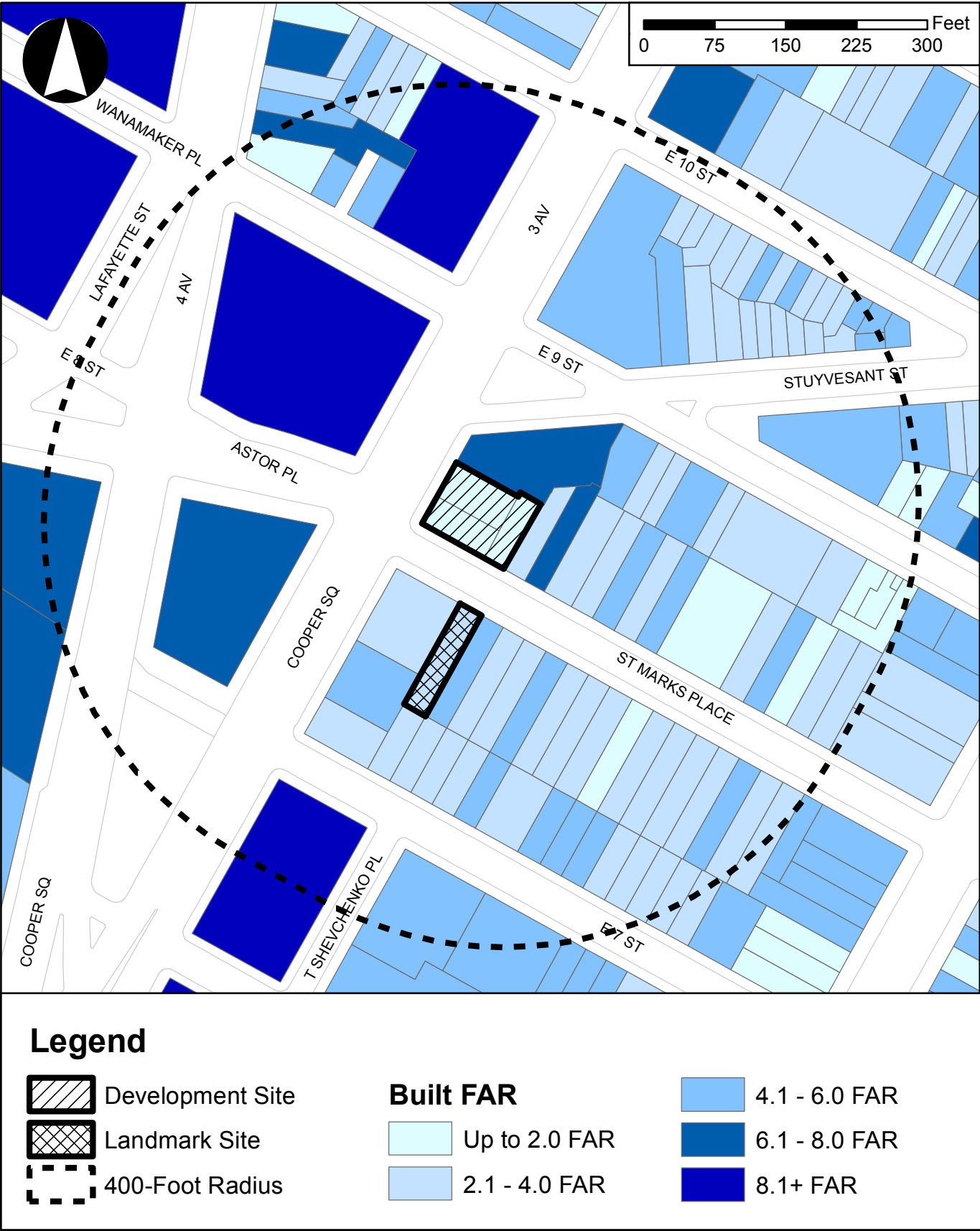
Open Space & Natural Resources

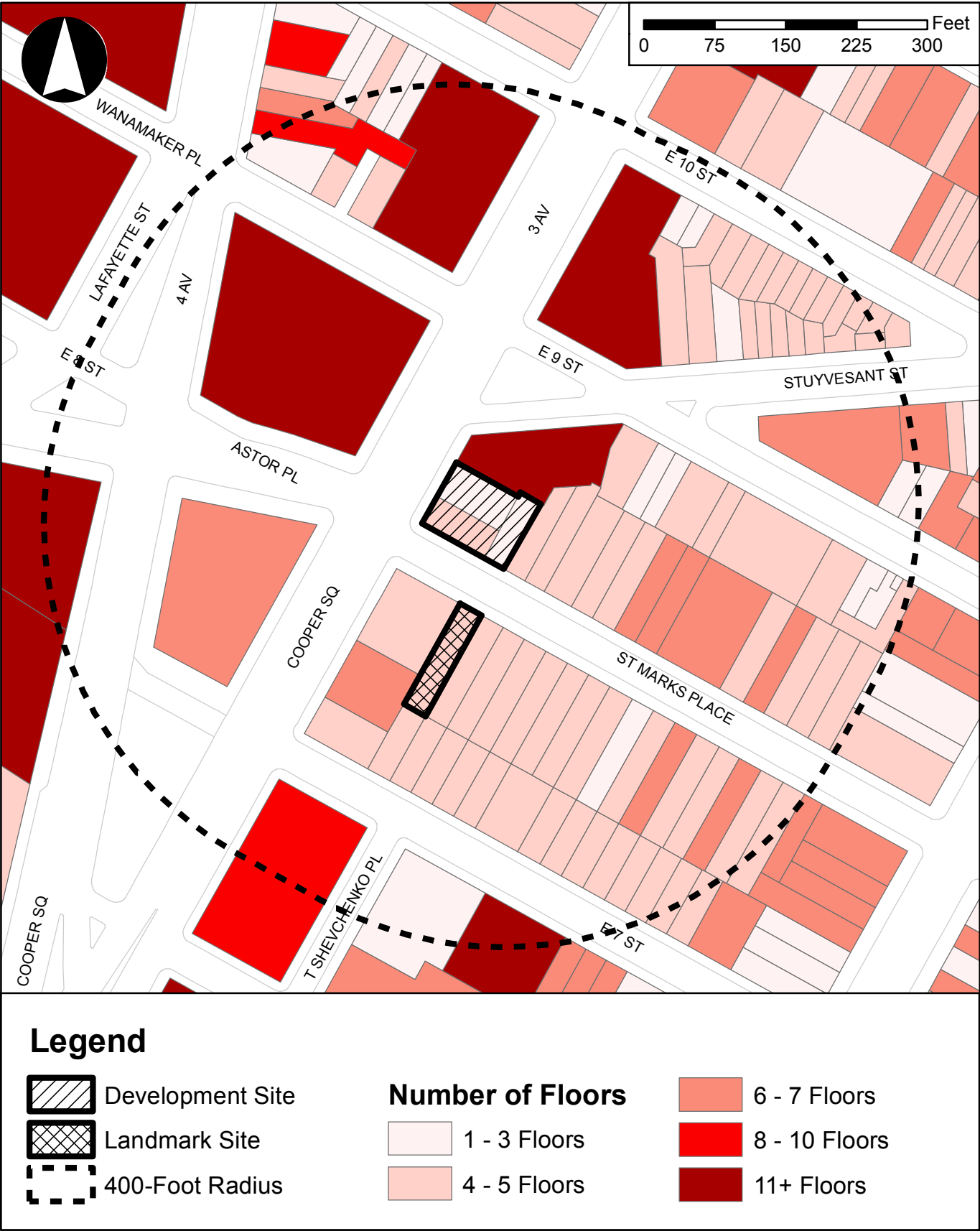
The topography of the secondary study area is generally flat. As discussed above, the study area contains an abundance of small public plazas as a result of the irregular street grid. To the southwest of the Development Site is Cooper Square, bounded by Third Avenue, East 7th Street, and Fourth Avenue. To the west of the Development Site are the Astor Place Plaza, bounded by Astor Place, East 8th Street, and Fourth Avenue; the Fourth Avenue GreenStreet, bounded by East 8th Street, Lafayette Street, and Fourth Avenue; and the Cooper Union Plaza on the south side of Astor Place between Third and Fourth Avenues. The 51 Astor Place Plazas are located on the northwest corner of Third Avenue and Astor Place, just west of the Development Site, and in the triangle bounded by Third Avenue, East 9th Street, and Stuyvesant Street to the north of the Development Site. Additionally, as noted above as shown in **Figure E-4**, there are numerous street trees and planters located throughout the study area.

Visual Resources

As detailed in Attachment D, “Historic & Cultural Resources,” the secondary study area contains multiple designated historic districts and individual landmarks designated by the LPC and/or listed on the S/NR. As presented in **Figure D-1**, The Bowery Historic District (S/NR), the East-Village-Lower East Side Historic District (LPC), and the St. Marks Historic District (LPC and S/NR) are located in, respectively, the southwestern, southeastern, and northeastern sections of the study area. To the west of the Development Site are the Astor Place Subway Station (LPC and S/NR) on Astor Place between Lafayette Street and Fourth Avenue and the Cooper Union Foundation Building (LPC and S/NR) at 7 East 7th Street. The Metropolitan Savings Bank (LPC and S/NR) is located to the south of the Development Site at 9 East 7th Street. To the east of the Development Site are the German-American Shooting Society Clubhouse (LPC) at 12 St. Marks Place; the Daniel Leroy House (LPC and S/NR) at 20 St. Marks Place; the NYPL, Ottendorfer Branch (LPC) at 135 Second Avenue; and the Stuyvesant Polyclinic Hospital (LPC) at 137 Second Avenue. Lastly, the Stuyvesant-Fish House (LPC and S/NR) is located to the north of the Development Site at 21 Stuyvesant Street. All of these historic resources can be seen from public vantage points along adjacent streets and sidewalks in the study area.

There are also three sculptures displayed in public plazas in the secondary study area that are considered significant visual resources: *Self-Portrait* by Keith Haring in the 51 Astor Place Plaza, and, in the Astor







1. View south on Fourth Avenue from East 9th Street, including the Fourth Street GreenStreet.



2. View south on Third Avenue from East 10th Street.



3. View west on East 9th Street between Second and Third Avenues.



4. View east along the pedestrian-only section of Astor Place from Lafayette Street, including the Alamo Monument.



5. View north on Fourth Avenue from Cooper Square, with Cooper Triangle on the right.



6. View north on Third Avenue from Cooper Square, with the Cooper Union Foundation Building to the left and the Metropolitan Savings Bank to the right.



7. 51 Astor Place, including the "Self-Portrait" sculpture, on the northwest corner of Astor Place and Third Avenue.



8. Development Site on the northeast corner of St. Marks Place and Third Avenue, with The Cooper Union and NYU dorms to the left.

3 St. Marks Place EAS

Figure E-4b
Existing Conditions in the Secondary Study Area



9. View southeast from the intersection of Third Avenue and East 9th Street.



10. View east from the intersection of Stuyvesant Street and East 9th Street.



11. View west on St. Marks Place between Second and Third Avenues.



12. View east on East 7th Street between Second and Third Avenues.

Place Plaza, *The Alamo Monument* by Bernard (Tony) Rosenthal, colloquially referred to as “The Cube,” and *The Last Three* by Gillie and Marc Schattner. All three of these pieces are located to the west of the Development Site and, as shown in **Figure E-4**, can be viewed from multiple points in and surrounding the public plazas.

The Future Without the Proposed Action (No-Action Condition)

Primary Study Area

As detailed in Attachment A, “Project Description,” in the 2020 future without the Proposed Action, the existing buildings on the Development Site would be demolished, and the site would be redeveloped with a commercial building. Per existing C6-1 zoning district regulations, the No-Action building would be approximately 60,117 gross square feet (gsf), including approximately 8,061 gsf of local retail space and approximately 52,056 gsf of office space. As shown in **Figures E-5** and **E-6**, the No-Action building would be built out to the lot lines and rise four stories (approximately 63 feet) before setting back 20 feet on St. Marks Place and 15 feet on Third Avenue. The building would then rise five more stories within the sky exposure plane to a total building height of nine stories (approximately 146 feet, or approximately 163 feet with bulkheads). No on-site parking would be provided.

In the future without the Proposed Action, the Landmark Site would continue to be renovated pursuant to the previously granted Certificate of Appropriateness, as discussed in more detail in Attachment D, “Historic & Cultural Resources.” However, the building would not be restored to a sound, first-class condition to match its 19th-century appearance, and a cyclical maintenance plan to ensure the continued upkeep of the building would not be implemented in the absence of the Proposed Action.

Secondary Study Area

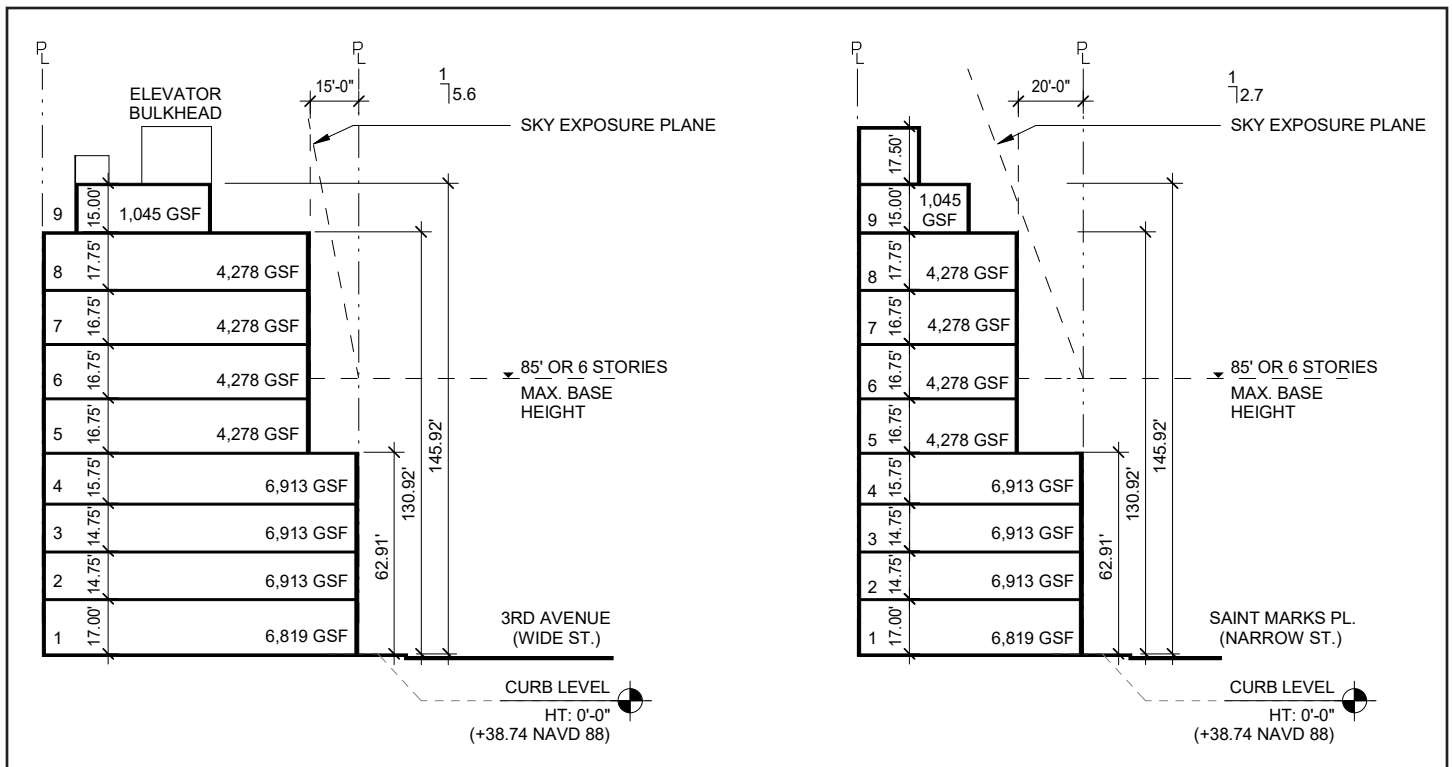
As discussed in the “Land Use, Zoning, & Public Policy” section of Attachment B, “Supplemental Screening,” in the 2020 future without the Proposed Action, there are no projects planned or under construction within 400-feet of the Development Site, and there are no known changes to zoning or public policies applicable to the secondary study area. As such, no changes to urban design or visual resources are expected in the secondary study area in the 2020 future without the Proposed Action.

The Future With the Proposed Action (With-Action Condition)

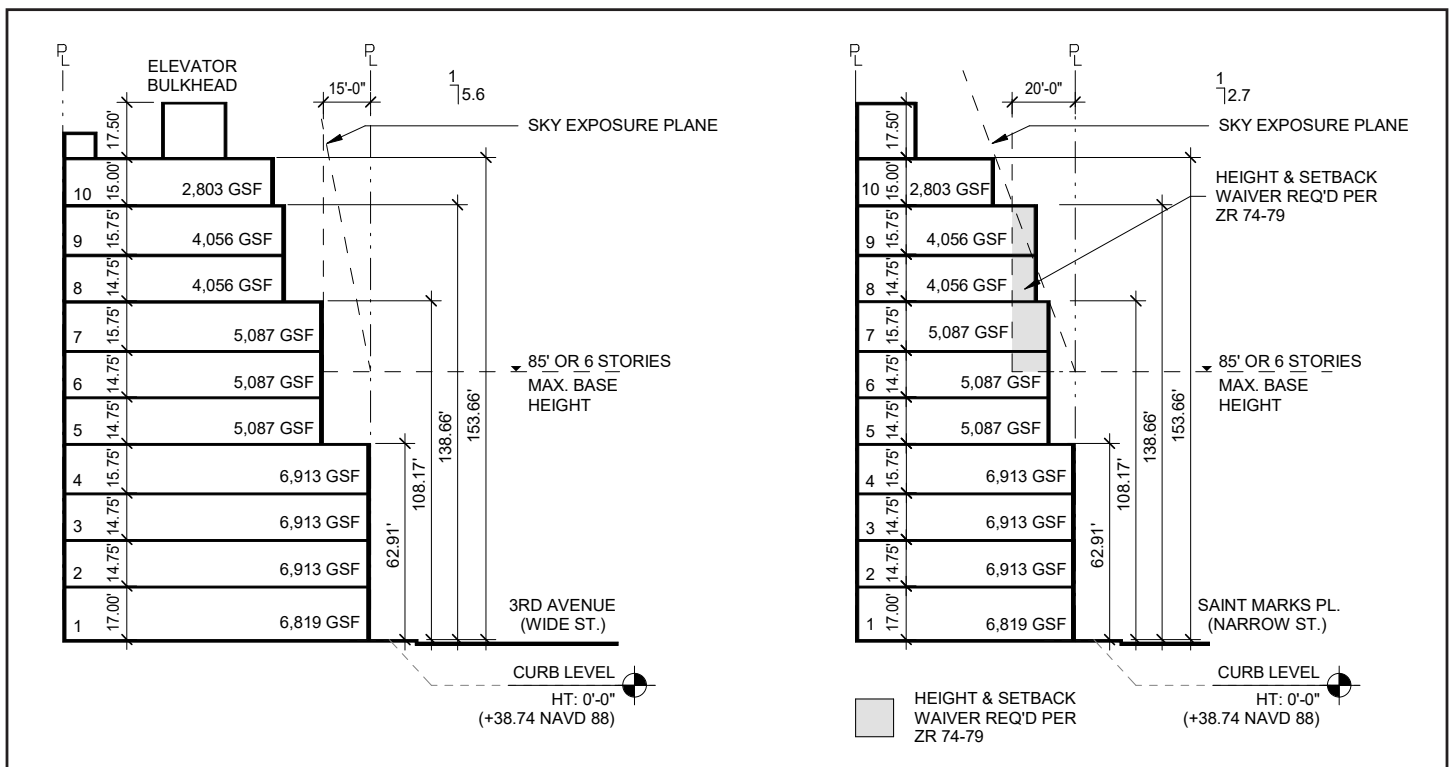
As described in Attachment A, “Project Description,” the Applicant is seeking a special permit pursuant to Zoning Resolution (ZR) Section 74-79 to: (a) transfer approximately 8,386 gsf of floor area, equivalent to 8,386 zsf, from the Landmark Site at 4 St. Marks Place to the Development Site at 3 St. Marks Place; and (b) modify ZR Section 33-432 to allow the proposed building on the Development Site to encroach within the required setback distance above a maximum front wall height of 85 feet on St. Marks Place. This section describes the urban design conditions that would result from the Proposed Action by the analysis year of 2020, and evaluates the potential for the Proposed Action to result in significant adverse impacts related to urban design and visual resources.

Primary Study Area

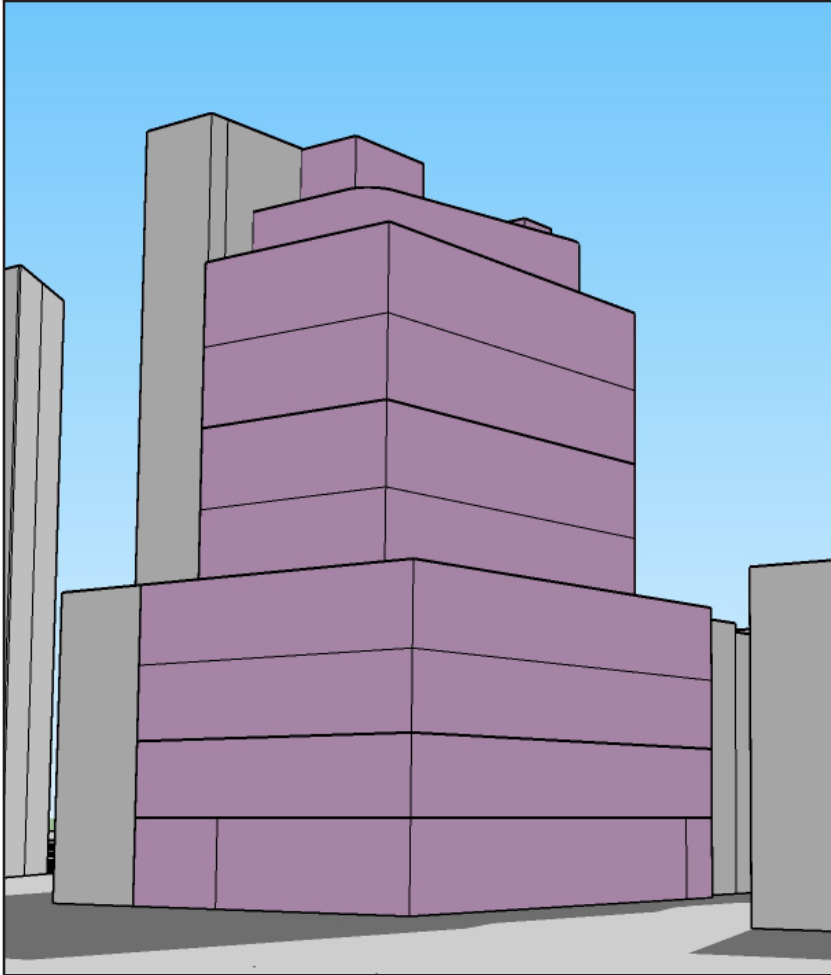
The proposed With-Action building on the Development Site would be constructed on an existing block and would not entail any changes to topography, street pattern and hierarchy, block shapes, open space, or natural features. The Proposed Action would not create land uses or structures that would be substantially incompatible with the underlying zoning, and the proposed building would not alter the urban design of the



As-of-Right No-Action Building at 3 St. Marks Place



Proposed With-Action Building at 3 St. Marks Place



Illustrative view of the as-of-right No-Action building on 3 St. Marks Place, looking east from the intersection of Third Avenue.



Illustrative view of the proposed With-Action building on 3 St. Marks Place, looking east from the intersection of Third Avenue.

Applicant-owned Development Site at 3 St. Marks Place as compared to No-Action conditions. The proposed transfer of floor area would increase the maximum allowable commercial floor area on the Development Site from 6.0 FAR to 7.2 FAR, and the proposed height and setback waiver would allow the front wall of the proposed building to exceed the 85-foot maximum building height within the 20-foot initial setback distance along St. Marks Place. An approximately 68,503 gsf commercial office building with ground-floor retail would be constructed on the Development Site.

As shown in **Figures E-5 and E-6**, the proposed building on the Development Site would be built out to the lot lines to a height of four stories (approximately 63 feet) before setting back from the street line three times – above the fourth, seventh, and ninth stories – to a total height of 10 stories (a maximum of approximately 156 feet, or approximately 176 feet with bulkheads). Portions of the building along St. Marks Place would encroach into the applicable initial setback distance above the maximum front wall height of 85 feet on St. Marks Place. The entrance to the office lobby would be located in the northwestern section of the building on Third Avenue, and retail entrances would be located on both Third Avenue and St. Marks Place. As shown in **Figure E-6**, a continuous planted canopy would project from the building above the ground floor and passive recreational terraces for office tenants would be located on the rooftops of the three setbacks (above the fourth, seventh, and ninth stories).

In the 2020 future with the Proposed Action, the landmark building at 4 St. Marks Place would be restored to a sound, first-class condition to match its late-19th century appearance, and a cyclical maintenance plan would be implemented to ensure the continued maintenance of the building. The additional restoration work and continuing maintenance plan are not included in the scope of work approved by the LPC Certificate of Appropriateness regulating current renovations to the building, and would be carried out pursuant to a restrictive declaration to be entered into by the owner of the Landmark Site.

Secondary Study Area

As the Proposed Action is site-specific, it would not alter building uses, bulks, or arrangements in the surrounding area, or result in any changes to topography, open spaces, natural features, streets, or buildings in the secondary study area under 2020 With-Action conditions. Additionally, no changes to visual resources would occur in the surrounding study area in the future with the Proposed Action.

Assessment

No significant adverse impacts to urban design or visual resources would occur in the future with the Proposed Action. The building facilitated by the Proposed Action on the Development Site would not be incompatible with the existing character of the secondary study area. As shown in **Figure E-5 and E-6**, the Proposed Action would increase the height of the Development Site building from nine- to 10-stories, and would increase the maximum permitted FAR on the Development Site from 6.0 to 7.2 FAR. This additional height and density would be in keeping with the existing built environment of the study area, which includes a 15-story, approximately 6.81 FAR Cooper Union dorm immediately north of the Development Site; a 16-story NYU dorm further north; a 20-story, approximately 12.99 FAR residential tower at 30 Third Avenue; a 14-story, approximately 10.72 FAR commercial building at 51 Astor Place; a 22-story, approximately 7.96 FAR residential building at 443 Lafayette Street; the approximately 7.45 FAR Cooper Union Foundation Building at 7 East 7th Street; and the approximately 9.9 FAR Cooper Union academic building at 41 Cooper Square, among others (refer to **Figures E-2 and E-3**). The additional height and bulk on the Development Site would not obstruct any significant viewsheds in the study area, or substantially alter the pedestrian experience in the vicinity of the Development Site.

As noted above, the proposed building on the Development Site would be built out to the lot lines to a height of four stories (approximately 63 feet) before setting back from the street. This setback would match the setback of the adjacent Cooper Union dorm on Third Avenue, and would relate to the height of the building on the Landmark Site and the heights of the rowhouses and tenement buildings immediately east of the Development Site along St. Marks Place, extending the continuous streetwalls to the intersection of Third Avenue and St. Marks Place. Additionally, the Proposed Action would not alter uses on the Development Site as compared to No-Action conditions, and the proposed building would contain ground-level local retail spaces, in keeping with the surrounding commercial corridor.

As shown in **Figure E-5**, portions of the sixth through ninth floors of the proposed building on the Development Site would encroach into the 20-foot initial setback distance above the maximum front wall height of 85 feet on St. Marks Place as a result of the Proposed Action. However, this would result in minimal changes to pedestrian perception along St. Marks Place and Third Avenue, and it would not obstruct or substantially alter significant viewsheds of surrounding visual resources (refer to **Figures E-5** and **E-6**).

The proposed building on the Development Site would be designed to complement the historic forms of the adjacent buildings, including the building on the Landmark Site, and would be clad with horizontal bands of dark stone separating bands of large windows, which would not detract from the nearby historic resources. Additionally, the proposed building on the Development Site would include a planted canopy above the ground floor of the building and street trees along Third Avenue and St. Marks Place, enhancing the streetscapes in the immediate vicinity of the site and improving the pedestrian experience of the area.

In the 2020 future with the Proposed Action, the landmark building at 4 St. Marks Place would be restored to a sound, first-class condition to match its late-19th century appearance, and a cyclical maintenance plan would be implemented to ensure the continued maintenance of the building (refer to Attachment D, “Historic & Cultural Resources,” for more details). Therefore, the Proposed Action would not result in significant adverse direct impacts to visual resources, but rather, would improve the historic character of the LPC-designated Hamilton-Holly House on the Landmark Site, and would ensure its continued maintenance.

ATTACHMENT F
NOISE

3 ST. MARKS PLACE EAS ATTACHMENT F: NOISE

I. INTRODUCTION

As described in Attachment A, “Project Description,” the Applicant is seeking a special permit in order to facilitate the development of 3 St. Marks Place (Block 464, Lots 1, 3, and 59) at the confluence of the East Village and NoHo neighborhoods in Manhattan Community District 3 (refer to **Figure F-1**). The proposed special permit pursuant to Zoning Resolution (ZR) Section 74-79 would: (a) transfer approximately 8,386 gross square feet (gsf) of floor area, equivalent to 8,386 zoning square feet (zsf), from the Landmark Site at 4 St. Marks Place (Block 463, Lot 11) to the Development Site; and (b) modify ZR Section 33-432 to allow the proposed building on the Development Site to encroach within the required setback distance above a maximum front wall height of 85 feet on St. Marks Place (the “Proposed Action”). As the Development Site fronts Third Avenue, a heavily trafficked thoroughfare, a noise analysis is warranted for the Proposed Action.

The noise analysis for the Proposed Action was carried out in compliance with *City Environmental Quality Review (CEQR) Technical Manual* guidance and consists of two parts: (1) a screening analysis to determine whether traffic generated by the Proposed Action would have the potential to result in significant noise impacts on existing sensitive receptors; and (2) an analysis to determine the level of building attenuation necessary to ensure that the proposed building’s interior noise levels satisfy applicable interior noise criteria. This attachment does not include an analysis of mechanical equipment because such mechanical equipment would be designed to meet all applicable noise regulations and, therefore, would not result in significant adverse noise impacts.

II. PRINCIPAL CONCLUSIONS

In the future with the Proposed Action, the predicted peak period L_{10} values at the receptor locations would range from a minimum of 71.5 dBA to a maximum of 76.2 dBA. When compared to the future without the Proposed Action, the relative increases in noise levels would be below 3.0 dBA at both analyzed receptor locations. Therefore, no significant adverse mobile source noise impacts due to action-generated vehicular traffic would occur.

As the maximum projected exterior noise levels around the Development Site would be 76.2 dBA at Receptor Location 1 (on Third Avenue) and 71.5 dBA at Receptor Location 2 (on St. Marks Place), additional building attenuation would be required for the site. Therefore, additional building attenuation would be required for the site, pursuant to an (E) Designation. On any façades facing Third Avenue or portions of façades facing St. Marks Place within 50 feet of Third Avenue, 28 dBA window/wall attenuation would be required for commercial office uses. On all other façades, 23 dBA window/wall attenuation would be required for commercial office uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided including, but not limited to, air conditioning. With the implementation of these attenuation requirements, no significant adverse noise impacts would occur as a result of the Proposed Action.

III. NOISE FUNDAMENTALS

Quantitative information on the effects of airborne noise on people are well documented. If sufficiently loud, noise may adversely affect people in several ways. For example, noise may interfere with human activities such as sleep, speech communication, and tasks requiring concentration or coordination. It may also cause annoyance, hearing damage, and other physiological problems. Although it is possible to study these effects on people on an average or statistical basis, it must be remembered that all the stated effects of noise on people vary greatly with the individual. Several noise scales and rating methods are used to quantify the effects of noise on people. These scales and methods consider factors such as loudness, duration, time of occurrence, and changes in noise level with time.

“A”-Weighted Sound Levels (dBA)

Noise is typically measured in units called decibels (dB), which are 10 times the logarithm of the ratio of the sound pressure squared to a standard reference pressure squared. Because loudness is important in the assessment of the effects of noise on people, the dependence of loudness on frequency must be taken into account in the noise scale used in environmental assessments. Frequency is the rate at which sound pressures fluctuate in a cycle over a given quantity of time and is measured in Hertz (Hz), where one Hz equals one cycle per second. Frequency defines sound in terms of pitch components. In the measurement system, one of the simplified scales that accounts for the dependence of perceived loudness on frequency is the use of a weighting network (known as A-weighting” that simulates the response of the human ear. For most noise assessments, the A-weighted sound pressure level in units of dBA is used due to its widespread recognition and its close correlation to perception. In this analysis, all measured noise levels are reported in dBA or A-weighted decibels. Common noise levels in dBA are shown in **Table F-1**.

Table F-1: Summary of CEQR Technical Area Screening

Sound Source	(dBA)
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
Soft Whisper at Five Meters	30
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0

Note: A 10 dBA increase appears to double the loudness and a 10 dBA decrease appears to halve the apparent loudness.

Sources: *CEQR Technical Manual*; Cowan, James P., *Handbook of Environmental Acoustics*, Van Nostrand Reinhold, New York, 1994; and Egan, M. David, *Architectural Acoustics*, McGraw-Hill Book Company, 1988.

Community Response to Changes in Noise Levels

Table F-2 shows the average ability of an individual to perceive changes in noise. Generally, changes in noise levels less than three dBA are barely perceptible to most listeners. However, as illustrated in **Table F-2**, five dBA changes are readily noticeable. 10 dBA changes are normally perceived as doublings (or

halvings) of noise levels. These guidelines permit direct estimations of an individual's probable perception of changes in noise levels.

Table F-2: Average Ability to Perceive Changes in Noise Levels

Change (dBA)	Human Perception of Sound
2-3	Barely perceptible
5	Readily noticeable
10	A doubling or halving of the loudness of sound
20	A dramatic change
40	Difference between a faintly audible sound and a very loud sound

Source: Bolt Beranek and Neuman, Inc., *Fundamentals and Abatement of Highway Traffic Noise* (Report No. PB-222-703). Prepared for the Federal Highway Administration (FHA), June 1973.

Noise Descriptors Used in Impact Assessment

Because the sound pressure level unit (dBA) describes a noise level at just one moment and very few noises are constant, other ways of describing noise over extended periods of time have been developed. One way of describing fluctuating sound is to describe the fluctuating noise heard over a specific time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the “equivalent sound level” (L_{eq}) can be computed. L_{eq} is the constant sound level that, in a given situation and time period (e.g., one hour [denoted by $L_{eq(1)}$] or 24 hours [denoted as $L_{eq(24)}$]), conveys the same sound energy as the actual time-varying sound. Statistical sound level descriptors such as L_1 , L_{10} , L_{50} , L_{90} , and L_x are sometimes used to indicate noise levels that are exceeded 1, 10, 50, 90, and x percent of the time, respectively. Discrete event peak levels are given as L_1 levels. L_{eq} is used in the prediction of future noise levels by adding the contributions from new sources of noise (i.e., increases in traffic volumes) to the existing levels and in relating annoyance to increases in noise levels.

The relationship between L_{eq} and levels of exceedance is worth noting. Because L_{eq} is defined in energy rather than straight numerical terms, it is not simply related to the levels of exceedance. If the noise fluctuates very little, L_{eq} will approximate L_{50} or the median level. If the noise fluctuates broadly, the L_{eq} will be approximately equal to the L_{10} value. If extreme fluctuations are present, the L_{eq} will exceed L_{90} or the background level by 10 or more decibels. Thus the relationship between L_{eq} and the levels of exceedance will depend on the character of the noise. In community noise measurements it has been observed that the L_{eq} is generally between L_{10} and L_{50} . The relationship between L_{eq} and exceedance levels has been used in this analysis to characterize the noise sources and to determine the nature and extent of their impact at all receptor locations.

For the purposes of this analysis, the maximum one-hour equivalent sound level ($L_{eq(1)}$) has been selected as the noise descriptor to be used in the noise impact evaluation. $L_{eq(1)}$ is the noise descriptor used in the noise impact evaluation. $L_{eq(1)}$ is the noise descriptor used in the *CEQR Technical Manual* for noise impact evaluation and is used to provide an indication of highest expected sound levels; $L_{10(1)}$ is the noise descriptor used in the *CEQR Technical Manual* for building attenuation. Hourly statistical noise levels (particularly L_{10} and L_{eq} levels) were used to characterize the relevant noise sources and their relative importance at each receptor location.

Applicable Noise Codes and Impact Criteria

New York City Noise Control Code

The New York City Noise Control Code, as amended in December 2005, contains prohibitions regarding unreasonable noise and specific noise standards, including plainly audible criteria for specific noise sources.

In addition, the amended code specifies that no sound source operating in connection with any commercial or business enterprise may exceed the decibel levels in the designated octave bands at specified receiving properties.

CEQR Technical Manual Noise Exposure Standards

The New York City Department of Environmental Protection (DEP) has set external noise exposure standards. These standards are shown in **Table F-3**. Noise exposure is classified into four categories: acceptable, marginally acceptable, marginally unacceptable, and clearly unacceptable. The standards shown are based on maintaining an interior noise level for the worst-case hour L_{10} of less than or equal to 45 dBA. Attenuation requirements are shown in **Table F-4**.

Table F-3: Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport ³ Exposure	Marginally Acceptable General External Exposure	Airport ³ Exposure	Marginally Unacceptable General External Exposure	Airport ³ Exposure	Clearly Unacceptable General External Exposure	Airport ³ Exposure
1. Outdoor area requiring serenity and quiet ²		$L_{10} \leq 55$ dBA	----- $L_{dn} \leq 60$ dBA -----		----- $60 < L_{dn} \leq 65$ dBA -----		(1) $65 < L_{dn} \leq 70$ dBA, (II) $70 \leq L_{dn}$		----- $L_{dn} \leq 75$ dBA -----
2. Hospital, Nursing Home		$L_{10} \leq 55$ dBA		$55 < L_{10} \leq 65$ dBA		$65 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
3. Residence, residential hotel or motel	7 AM to 10 PM	$L_{10} \leq 65$ dBA		$65 < L_{10} \leq 70$ dBA		$70 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
	10 PM to 7 AM	$L_{10} \leq 55$ dBA		$55 < L_{10} \leq 70$ dBA		$70 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
4. School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only ⁴	Note 4	Note 4		Note 4		Note 4		Note 4	

Notes:

(i) In addition, any new activity shall not increase the ambient noise level by three dBA or more;

¹ Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

² Tracts of land where serenity and quiet are extraordinarily important and serve an important public need and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and old-age homes.

³ One may use the Federal Aviation Administration- (FAA-) approved L_{dn} contours supplied by the Port Authority, or the noise contours may be computed from the federally approved Integrated Noise Model (INM) Computer Model using flight data supplied by the Port Authority of New York and New Jersey.

⁴ External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are octave band standards).

Source: DEP (adopted policy 1983).

Table F-4: Required Attenuation Values to Achieve Acceptable Interior Noise Levels

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

Notes:

^A The above composite window-wall attenuation values are for residential dwellings. Commercial office spaces and meeting rooms would be five dBA less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.

^B Required attenuation values increase by one dBA increments for L_{10} values greater than 80 dBA.

Sources: DEP; *CEQR Technical Manual*.

IV. NOISE PREDICTION METHODOLOGY

Future noise levels resulting from traffic were calculated with a proportional modeling technique used as a screening tool to estimate changes in noise levels. The proportional modeling technique is an analysis methodology recommended for analysis purposes in the *CEQR Technical Manual*.

Proportional Modeling

Proportional modeling was used to determine No-Action and With-Action noise levels along the Development Site's Third Avenue and St. Marks Place frontages, as discussed in more detail below. Proportional modeling is one of the techniques recommended in the *CEQR Technical Manual* for mobile source analysis.

Using this technique, the prediction of future noise levels (where traffic is the dominant noise source) is based on a calculation using measured existing noise levels and predicted changes in traffic volumes to determine No-Action and With-Action noise levels. Vehicular traffic volumes (counted during the noise recording), are converted into passenger car equivalent (PCE) values, for which one medium-duty truck (having a gross weight between 9,900 and 26,400 pounds) is assumed to generate the noise equivalent of 13 cars; one heavy-duty truck (having a gross weight of more than 26,400 pounds) is assumed to generate the noise equivalent of 47 cars; and one bus (vehicles designed to carry more than nine passengers) is assumed to generate the noise equivalent of 18 cars. Future noise levels are calculated using the following equation:

$$\text{FNA NL} = 10 \log (\text{NA PCE} / \text{E PCE}) + \text{E NL}$$

where:

FNA NL = Future No-Action Noise Level

NA PCE = No-Action PCEs

E PCE = Existing PCEs

E NL = Existing Noise Level

Sound levels are measures in decibels and therefore increase logarithmically with sound source strength. In this case, the sound source is traffic volumes measures in PCEs. For example, assume that traffic is the dominant noise source at a particular location. If the existing traffic volume on a street is 100 PCEs and if the future traffic volumes were increased by 50 PCEs to a total of 150 PCEs, the noise level would increase by 1.8 dBA. Similarly, if the future traffic were increased by 100 PCEs, or doubled to a total of 200 PCEs, the noise level would increase by 3.0 dBA.

For the purpose of this analysis, during the noise recording, vehicles were counted and classified. To calculate the 2020 No-Action PCE values, the number of incremental trips generated by the projected No-Action development and an annual background growth rate of 0.25 percent for years one through three was applied to the counted PCE values.¹ To calculate the 2020 With-Action PCE values, the number of incremental trips generated by the Proposed Action was added to the No-Action PCE values. To calculate the 2020 With-Action PCE values, a trip generation (refer to **Appendix 3**) was prepared based on the incremental (net) change in office floor area that would occur in the future with the Proposed Action (an increase of 8,386 gsf). The trip generation was prepared using existing modal split data for census tracts in the vicinity of the Development Site.² The total incremental vehicles generated per hour (in and out trips combined) by the Proposed Action were estimated at one for the weekday AM peak hour, one for the weekday midday peak hour, and one for the weekday PM peak hour. For the purposes of trip assignment, it was conservatively assumed that all project-generated trips would be analyzed along the two thoroughfares fronting the Development Site: Third Avenue and St. Marks Place.

V. EXISTING NOISE LEVELS

Selection of Noise Receptor Locations

As detailed above and shown in **Figure F-1**, the Development Site at 3 St. Marks Place in Manhattan (Block 464, Lots 1, 3, and 59) fronts Third Avenue to the west and St. Marks Place to the south. As vehicles are the main source of noise in the surrounding area, noise monitoring was conducted along the Development Site's two street frontages. Receptor 1 was located on the eastern side of Third Avenue just north of St. Marks Place, and Receptor 2 was located on the northern side of St. Marks Place, just east of Third Avenue.

Noise Monitoring

Noise monitoring on the receptor locations was carried out on Wednesday, November 14, 2018. The weather was sunny with temperatures in the high-30s to low-40s and an average wind speed of one mile per hour (mph). 20-minute spot measurements of existing noise levels were performed at the two receptor locations for the weekday AM, midday, and PM noise analysis time periods to establish existing noise levels. As discussed above, for the purpose of this analysis, during the noise recordings, vehicles were counted and classified.

Equipment Used During Noise Monitoring

The instrumentation used for the measurements was a Brüel & Kjær Type 4189 ½-inch microphone connected to a Brüel & Kjær Model 2250 Type 1 (as defined by ANSI) sound level meter. This assembly was mounted at a height of six feet above the ground surface on a tripod and at least six feet away from any sound-reflecting surfaces to avoid major interference with source sound level that was being measured. The

¹ Calculations according to Table 16-4 in the *CEQR Technical Manual*.

² 2012-2016 American Community Survey (ACS) Means of Transportation to Work for Manhattan Census Tracts 38, 40, 42, 57.

meter was calibrated before and after readings with a Brüel & Kjær Type 4231 sound-level calibrator using the appropriate adaptor. The data were digitally recorded by the sound level meter and displayed at the end of the measurement period in units of dBA. Measured quantities included L_{eq} , L_1 , L_{10} , L_{50} , and L_{90} . A windscreen was used during all sound measurements except for calibration. Only traffic-related noise was measured; noise from other sources (e.g., emergency sirens, aircraft flyovers, etc.) was excluded from the measured noise levels. Weather conditions were noted to ensure a true reading as follows: wind speed under 12 mph; relative humidity under 90 percent; and temperature above 14°F and below 122°F (pursuant to ANSI Standard S1.13-2005).

Existing Noise Levels at Noise Monitoring Locations

Noise monitoring results for the two receptor locations are shown in **Table F-5**. As indicated in the table, existing L_{10} noise levels at Receptor 1 range from 73.5 dBA to 76.1 dBA in the weekday peak hours, with the highest monitored L_{10} noise levels during the midday peak hour. Existing L_{10} noise levels at Receptor 2 range from 70.7 dBA to 71.3 dBA in the weekday peak hours, with the highest monitored L_{10} noise levels during the AM peak hour. In terms of CEQR noise exposure categories, the existing L_{10} noise levels at Receptors 1 falls within the “Marginally Unacceptable (III)” category and Receptor Location 2 falls within the “Marginally Unacceptable (I)” category.

Table F-5: Existing Noise Levels at Receptor Locations (in dBA)

Receptor ¹	Location	Time ²	L_{eq}	L_{max}	L_{min}	L_1	L_{10} ³	L_{50}	L_{90}	CEQR Noise Exposure Category
1	East side of Third Avenue just north of St. Marks Place	AM	71.2	84.0	60.8	78.9	74.3	69.3	64.7	Marginally Unacceptable (III)
		MD	74.4	92.6	61.5	85.3	76.1	70.2	66.4	
		PM	70.8	84.3	62.9	79.4	73.5	68.9	65.0	
2	North side of St. Marks Place just east of Third Avenue	AM	69.0	87.2	56.1	78.3	71.3	67.2	61.7	Marginally Unacceptable (I)
		MD	68.2	80.7	58.9	76.3	70.7	66.8	62.0	
		PM	69.7	90.6	62.9	77.4	71.0	67.0	64.7	

Notes:

¹ Keyed to **Figure F-1**.

² AM = weekday AM peak hour; MD = weekday midday peak hour; PM = weekday PM peak hour.

³ Highest L_{10} value at each receptor location indicated in **bold**.

VI. FUTURE WITHOUT THE PROPOSED ACTION (NO-ACTION)

As detailed in Attachment A, “Project Description,” in the 2020 future without the Proposed Action, the existing buildings on the Development Site would be demolished, and the site would be redeveloped with an as-of-right, approximately 60,117 gsf commercial building, including approximately 8,061 gsf of local retail space and approximately 52,056 gsf of office space. Future No-Action noise levels at the receptor locations were calculated using the methodology described above in Section IV.

Table F-6 compares the future No-Action and existing noise levels at the receptors. As indicated in **Table F-6**, noise levels at each receptor locations are expected to change minimally, ranging from 0.04 dBA to 0.36 dBA in the 2020 No-Action condition as a result of the as-of-right development on the Development Site and general background growth in the area. Therefore, L_{10} noise levels at the Receptor Locations 1 and

2 would remain in the “Marginally Unacceptable (III)” and “Marginally Unacceptable (I)” categories, respectively.

Table F-6: Future No-Action Noise Levels at Receptor Locations (in dBA)

Receptor ¹	Location	Time ²	Existing L _{eq}	No-Action L _{eq}	Change in L _{eq} from Existing Conditions	No-Action L ₁₀ ³	CEQR Noise Exposure Category
1	East side of Third Avenue just north of St. Marks Place	AM	71.2	71.3	0.06	74.4	Marginally Unacceptable (III)
		MD	74.4	74.4	0.08	76.2	
		PM	70.8	70.8	0.04	73.5	
2	North side of St. Marks Place just east of Third Avenue	AM	69.0	69.2	0.21	71.5	Marginally Unacceptable (I)
		MD	68.2	68.5	0.36	71.1	
		PM	69.7	69.8	0.13	71.1	

Notes:

¹ Keyed to **Figure F-1**.

² AM = weekday AM peak hour; MD = weekday midday peak hour; PM = weekday PM peak hour.

³ No-Action L₁₀ values calculated by adding the difference between the measured L₁₀ and L_{eq} to the calculated L_{eq}. Highest L₁₀ value at each receptor location indicated in **bold**.

VII. THE FUTURE WITH THE PROPOSED ACTION (WITH-ACTION)

In the future with the Proposed Action, approximately 8,386 gsf would be transferred to the Development Site at 3 St. Marks Place from the Landmark Site at 4 St. Marks Place. As such, an approximately 68,503 gsf commercial building would be constructed on the Development Site in the future with the Proposed Action. As under No-Action conditions, the proposed With-Action building would contain approximately 8,061 gsf of retail space. However, the With-Action building would contain an additional 8,386 gsf of commercial office space on floors six through 10. Future With-Action noise levels at the receptors were calculated using the noise prediction methodology described above and in the trip generation presented in **Appendix 3**.

Table F-7: Future With-Action Noise Levels at Receptor Locations (in dBA)

Receptor ¹	Location	Time ²	No-Action L _{eq}	With-Action L _{eq}	Change in L _{eq} from No-Action Conditions	With-Action L ₁₀ ³	CEQR Noise Exposure Category
1	East side of Third Avenue just north of St. Marks Place	AM	71.3	71.3	0.00	74.4	Marginally Unacceptable (III)
		MD	74.4	74.4	0.00	76.2	
		PM	70.8	70.8	0.00	73.5	
2	North side of St. Marks Place just east of Third Avenue	AM	69.2	69.2	0.01	71.5	Marginally Unacceptable (I)
		MD	68.5	68.5	0.01	71.1	
		PM	69.8	69.9	0.01	71.1	

Notes:

¹ Keyed to **Figure F-1**.

² AM = weekday AM peak hour; MD = weekday midday peak hour; PM = weekday PM peak hour.

³ With-Action L₁₀ values calculated by adding the difference between the measured L₁₀ and L_{eq} to the calculated L_{eq}. Highest L₁₀ value at each receptor location indicated in **bold**.

As shown in **Table F-7** above, in the future with the Proposed Action, the maximum projected L_{10} noise level along the Development Site's Third Avenue frontage (Receptor 1) would be 76.2 dBA, and along the Development Site's St. Marks Place frontage (Receptor 2) would be 71.5 dBA. Receptor Locations 1 and 2 would fall within the "Marginally Unacceptable (III)" and "Marginally Unacceptable (I)" CEQR noise exposure categories, respectively, as under existing and No-Action conditions.

Comparing the future With-Action noise levels with No-Action noise levels, noise levels at the receptor locations would experience increases of up to 0.01 dBA. According to the *CEQR Technical Manual*, increases of these magnitudes would not be perceptible. As these increases are less than the CEQR impact criteria threshold (3.0 dBA), the overall changes to noise levels at each receptor location as a result of the Proposed Action would not result in any significant adverse noise impacts.

VIII. BUILDING ATTENUATION REQUIREMENTS

As shown earlier in **Table F-4**, the *CEQR Technical Manual* has set noise attenuation requirements for buildings based on exterior L_{10} noise levels. Recommended noise attenuation values for buildings are designed to maintain a maximum interior noise level of 45 dBA or lower for residential and community facility uses and 50 dBA or lower for commercial office uses, and are determined based on exterior L_{10} noise levels. Results of the building attenuation analysis are summarized in **Table F-8** and **Figure F-2**.

Table F-8: Required Attenuation at Noise Measurement Locations (CEQR)

Development Site	Frontage	Associated Receptor Location ¹	Maximum Calculated Total L_{10} Noise Level in dBA	CEQR Minimum Required Attenuation in dBA ²
(Block 464; Lots 1, 3, 59)	Western Frontage (Third Avenue)	1	76.2	33
	Eastern Frontage	2	71.5	28
	Northern Frontage	1	76.2	N/A ³
	Southern Frontage (St. Marks Place > 50 feet from 3 rd Avenue)	2	71.5	28
	Southern Frontage (St. Marks Place ≤ 50 feet from 3 rd Avenue)	1	76.2	33

Notes:

¹ Receptor locations shown in **Figure F-1**; required attenuation levels are shown in **Figure F-2**.

² N/A = Not Applicable. Additional noise attenuation measures above standard construction practices are not required to achieve interior noise levels of 45 dBA or lower for residential/community facility and 50 dBA or lower for commercial uses. The facades facing the interior of the block would be shielded by the existing buildings on Lots 6 and 58, where traffic noise levels would be significantly reduced.

² The above composite window-wall attenuation values are for residential/community facility uses. Commercial office uses would be 5.0 dBA less in each category. All the above categories require a closed window situation and an alternate means of ventilation.

³ The northern facades of the proposed With-Action building facing the interior of the block would be flush with the southern facades of the existing buildings on Lots 6 and 58, and, as such, are not expected to contain any windows and would be shielded by the adjacent existing buildings. Therefore, additional noise attenuation measures above standard construction practices are not required for the proposed building's northern facades to achieve interior noise levels of 45 dBA or lower for residential/community facility uses and 50 dBA or lower for commercial uses.

All facades that would experience an L_{10} of 70.0 dBA or greater must provide an alternate means of ventilation (AMV) permitting a closed window condition during warm weather. This can be achieved by installing double-glazed windows on a heavy frame for masonry structures or windows consisting of laminated glass, along with AMB such as central air conditioning, through-wall sleeve-fitted air

conditioners, packaged terminal air conditioning (PTAC) units, trickle vents integrated into window frames, or other approved means. Where the required window/wall attenuation is above 40 dBA, special design features may be necessary that go beyond the normal double-glazed window and air conditioning. These may include specially designed windows (e.g., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.) and additional building insulation.

As detailed and presented in **Table F-7**, the maximum projected L_{10} noise level along the Development Site's Third Avenue (Receptor 1) street frontage would be 76.2 dBA, and along the Development Site's St. Marks Place (Receptor 2) street frontage would be 71.5 dBA. As the maximum exterior L_{10} noise levels at both receptor locations are above 70 dBA, attenuation beyond standard construction practices is required to maintain a maximum interior noise level of 45 dBA or lower for residential and community facility uses and 50 dBA or lower for commercial office uses on the Development Site, in accordance with *CEQR Technical Manual* guidance.

(E) Designation

An (E)-Designation for noise provides a notice of the presence of an environmental requirement pertaining to high ambient noise levels on a particular tax lot. If an environmental analysis indicates that a development on a property may be adversely affected by noise, then an (E)-Designation for window/wall attenuation and alternate means of ventilation may be placed on the property by the lead agency in order to address such issues in conjunction with any new development or new use of the property. For new developments, enlargements of existing buildings, or changes in use, the New York City Department of Buildings (DOB) will not issue a building permit until the environmental requirements of the (E)-Designation are satisfied. The New York City Office of Environmental Remediation (OER) administers the (E)-Designation Environmental Review Program.

The composite window/wall attenuations described above would be required through the assignment of an (E)-Designation for noise to the applicant-owned Development Site at 3 St. Marks Place (Block 464, Lots 1, 3, and 59) in conjunction with the Proposed Action. With the implementation of this composite window/wall noise attenuation, no significant adverse noise impacts would occur as a result of the Proposed Action. The text for the (E)-Designation (E-552) is as follows:

Block 464, Lots 1, 3, and 59 (Development Site)

To ensure an acceptable interior noise environment, future commercial office uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all façades facing Third Avenue or portions of facades facing St. Marks Place within 50 feet from Third Avenue, and 23 dBA of attenuation on all other façades to maintain an interior noise level not greater than 50 dBA for commercial office uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

IX. OTHER NOISE CONCERNS

Mechanical Equipment

No detailed designs of the proposed With-Action building's mechanical systems (i.e., heating, ventilation, and air conditioning systems) are available at this time. However, those systems will be designed to meet

all applicable noise regulations and requirements and would be designed to produce noise levels that would not result in any significant increase in ambient noise levels. In addition, the proposed With-Action building's mechanical systems would be designed with enclosures where necessary to meet all applicable noise regulations (i.e., Subchapter 5, Section 24-227 of the New York City Noise Control Code and DOB's Building Code) and to avoid producing levels that would result in any significant increase in ambient noise levels.

Train Noise

An initial train noise impact screening analysis would be warranted if a new receptor would be located within 1,500 feet of existing rail activity and have a direct line of sight to that activity. As the Development Site is not within 1,500 feet of an existing rail line nor does the site have a direct line of sight to a rail activity, no initial train noise impact screening analysis is warranted for the Proposed Action.

Aircraft Noise

An initial aircraft noise impact screening analysis would be warranted if the new receptor would be located within one mile of an existing flight path, or cause aircraft to fly through existing or new flight paths over or within one mile of a receptor. Since the Development Site is not within one mile of an existing flight path, no initial aircraft noise impact screening analysis is warranted.

APPENDIX 1
LANDMARKS PRESERVATION COMMISSION (LPC) CORRESPONDENCE

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-M
Project: 3 ST. MARK'S PLACE
Date received: 10/15/2018

Properties with no Architectural or Archaeological significance:

- 1) ADDRESS: 23 3 AVENUE, BBL: 1004640001
- 2) ADDRESS: 25 3 AVENUE, BBL: 1004640003
- 3) ADDRESS: 3 ST MARKS PLACE, BBL: 1004640059

Comments:

The LPC is in receipt of a draft EAS Historic and Cultural Resources chapter and Appendix A of the EAS dated 10/9/18. The project application includes a Special Permit request for a ZR 74-79 action involving the transfer of FAR from the LPC designated Hamilton-Holly House at 4 St. Mark's Place. The text of the chapter and Table D-1, "Historic Resources Located in the 400' Study Area" is acceptable with the following changes.

Page D-2, first paragraph. Remove "to match its late 19th century appearance".
Page D-12, first paragraph. Remove "to match its late 19th century appearance".

All work on the Hamilton-Holly House pursuant to this 74-79 action, including such work requiring a DOB permit, must also have an LPC permit under the LPC law. In addition, all work on the exterior of a designated building, and work on an interior landmark, that is not ordinary repair and maintenance, as defined by the LPC law, also requires LPC approval. Please see LPC's website for more guidance, and confer with the agency's Preservation Department prior to any work being done.

If there is any discretionary State or Federal funding or permitting for this project, the New York State SHPO must also be contacted.



11/1/18

SIGNATURE
Gina Santucci, Environmental Review Coordinator

DATE

File Name: 33724_FSO_DNP_10162018.doc

APPENDIX 2
PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA)
EXECUTIVE SUMMARY

Phase I Environmental Site Assessment

23, 25-27 3rd Avenue and 3 St. Marks Place

23, 25-27 3rd Avenue and 3 St. Marks Place
New York, New York

EBI Project No. 1117004703

August 22, 2017



Prepared for:

Arel Capital

540 Madison Avenue, 26th Floor
New York, New York 10022

Prepared by:



EBI Consulting
environmental | engineering | due diligence

August 22, 2017

Mr. Teddy Schiff
Arel Capital
540 Madison Avenue, 26th Floor
New York, New York 10022

Subject: Phase I Environmental Site Assessment
23, 25-27 3rd Avenue and 3 St. Marks Place
23, 25-27 3rd Avenue and 3 St. Marks Place, New York, New York
EBI Project No. 1117004703

Dear Mr. Schiff:

Attached please find our *Phase I Environmental Site Assessment* (the report) for the above-mentioned asset (the Subject Property). During the survey and research, our surveyor met with agents representing the Subject Property, or agents of the owner, and reviewed the Subject Property and its history. The report was completed according to the terms and conditions authorized by you. This report has been completed in general conformance with the ASTM Standard E 1527-13.

The purpose of this report is to assist *Arel Capital* in its underwriting of a proposed mortgage loan on the Subject Property described herein.

This report is addressed to *Arel Capital* and their respective successors and assigns.

Reliance on the report and the information contained herein shall mean (i) the report may be relied upon by *Arel Capital*, in determining whether to make a loan evidenced by a note secured by the Subject Property ("the Mortgage Loan"); (ii) the report may be relied upon by any loan purchaser in determining whether to purchase the Mortgage Loan from *Arel Capital*, or an interest in the Mortgage Loan or securities backed or secured by the Mortgage Loan, and any rating agency rating securities representing an interest in the Mortgage Loan or backed or secured by the Mortgage Loan; (iii) the report may be referred to in and included, in whole or in part, with materials offering for sale the Mortgage Loan or an interest in the Mortgage Loan or securities backed or secured by the Mortgage Loan; and (iv) the report speaks only as of its date in the absence of a specific written update of the report signed and delivered by EBI Consulting.

There are no intended or unintended third party beneficiaries to this report, except as expressly stated herein.

EBI is an independent contractor, not an employee of either the issuer or the borrower, and its compensation was not based on the findings or recommendations made in the report or on the closing of any business transaction.

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312 and we have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Subject Property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Thank you very much for the opportunity to provide environmental consulting services to *Arel Capital*. Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Respectfully submitted,
EBI CONSULTING

Natalie Matson
Author / Scientist I

Hallie Vitolo
Reviewer / Senior Program Director
hvitolo@ebiconsulting.com

603.818.2750

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
1.0 INTRODUCTION	3
1.1 Purpose.....	3
1.2 Scope-of-Services	3
1.3 Assumptions, Limitations and Exceptions	4
1.4 Special Terms and Conditions.....	5
1.5 Data Gaps	6
2.0 SUBJECT PROPERTY DESCRIPTION	7
2.1 Ownership and Location	7
2.2 Subject Property Improvements.....	7
2.3 Current Use of the Subject Property.....	7
2.4 Municipal Services & Utilities.....	8
2.5 Adjoining Properties.....	8
3.0 USER PROVIDED INFORMATION	9
3.1 Title Records.....	9
3.2 Environmental Liens and Activity and Use Limitations.....	9
3.3 Specialized Knowledge.....	9
3.4 Commonly Known or Reasonably Ascertainable Information.....	9
3.5 Valuation Reduction for Environmental Issues.....	9
3.6 Owner, Property Manager, and Occupant Information.....	9
3.7 Reason for Performing Phase I ESA.....	9
4.0 RECORDS REVIEW	10
4.1 Standard Environmental Records.....	10
4.1.1 Federal Agency Database Records.....	11
4.1.2 State and Tribal Agency Database Records	13
4.1.3 Local Regulatory Agency Records.....	17
4.1.4 Vapor Migration.....	17
4.2 Physical Setting	18
4.2.1 Topography.....	18
4.2.2 Geology and Soils.....	18
4.2.3 Hydrogeology and Hydrology	18
4.3 Historical Use of the Subject Property and Adjoining Properties.....	18
4.3.1 Aerial Photographs	19
4.3.2 Fire Insurance Maps	19
4.3.3 Topographic Maps.....	20
4.3.4 Street Directories	20
4.3.5 Recorded Land Title Records	21
4.3.6 Property Tax Records.....	21
4.3.7 Environmental Liens and Activity and Use Limitations.....	21
4.3.8 Previous Environmental Reports	21
4.3.9 Other Historical Records and Interviews	22
5.0 SUBJECT PROPERTY RECONNAISSANCE.....	23
5.1 Methodology and Limiting Conditions.....	23
5.2 Hazardous Substances and Petroleum Products	23
5.2.1 Hazardous Substances and Petroleum Products (Identified Uses).....	23
5.2.2 Hazardous Substances and Petroleum Products (Unidentified Uses).....	23
5.2.3 Unidentified Substances Containers	23

5.3	Waste Generation, Storage, and Disposal	23
5.4	Underground Storage Tanks (USTs) & Aboveground Storage Tanks (ASTs)	24
5.4.1	Existing Storage Tanks	24
5.4.2	Former Storage Tanks	24
5.5	Oil-Containing Equipment and Polychlorinated Biphenyls (PCBs)	24
5.6	Additional Site Conditions	25
6.0	INTERVIEWS	26
7.0	CONSIDERATIONS OUTSIDE THE SCOPE OF ASTM PRACTICE E 1527-13	27
7.1	Asbestos-Containing Material (ACM)	27
7.2	Radon	27
7.3	Lead-Based Paint (LBP)	28
7.4	Lead in Drinking Water	28
8.0	FINDINGS AND OPINIONS	29
9.0	RECOMMENDATIONS	30
10.0	REFERENCES	31
APPENDIX A	PHOTOGRAPHS	
APPENDIX B	FIGURES	
APPENDIX C	PRE-SURVEY QUESTIONNAIRE AND OTHER RELEVANT DOCUMENTATION	
APPENDIX D	PROFESSIONAL QUALIFICATIONS	
APPENDIX E	REGULATORY DATABASE REPORT	
APPENDIX F	HISTORICAL DOCUMENTATION	
APPENDIX G	PORTIONS OF PREVIOUS REPORTS	
APPENDIX H	TERMINOLOGY	

EXECUTIVE SUMMARY

At the request of Arel Capital, EBI has performed a Phase I Environmental Site Assessment (ESA) of the property located at 23, 25-27 3rd Avenue and 3 St. Marks Place in New York, New York, herein referred to as the Subject Property. The main objective of this ESA was to identify *recognized environmental conditions* in connection with the Subject Property, defined in ASTM Practice E 1527-13 as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: 1) due to any release to the environment, 2) under conditions indicative of a release to the environment, or 3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions. This ESA also includes a preliminary evaluation of certain potential environmental conditions that are outside the scope of ASTM Practice E 1527-13.

The Subject Property includes three contiguous rectangular-shaped parcels, cumulatively totaling approximately 0.16 acres. The Subject Property is currently improved with two one-story retail and one four-story mixed-use building, with a gross area of approximately 7,735± square feet. The Subject Property includes seven retail tenant spaces and two apartment units. There are partial basements present beneath the existing structures. The existing improvements were reportedly constructed in 1936. There are currently no manufacturing or industrial operations conducted at the Subject Property.

Below is the Assessment Summary Table presenting our recommended actions for the Subject Property. EBI's Findings and Opinions are presented in Section 8.0, and recommendations for further action or investigation are presented in Section 9.0.

ASSESSMENT SUMMARY TABLE 23, 25-27 3RD AVENUE AND 3 ST. MARKS PLACE 23, 25-27 3RD AVENUE AND 3 ST. MARKS PLACE, NEW YORK, NEW YORK								
ASSESSMENT COMPONENT	SECTION	NO FURTHER ACTION	REC	HREC	CREC	OTHER	RECOMMENDED ACTION	ESTIMATED COST
Current Occupants/Operations	2.3, 5.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
Historical Review	4.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
Regulatory Review	4.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
Potential Off-site Sources	2.5, 4.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
Hazardous Substances / Petroleum Products	5.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
Other Suspect Containers	5.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
Waste Generation	5.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
USTs	5.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
ASTs	5.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
PCBs	5.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
Additional Site	5.6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	

Conditions								
Asbestos Containing Materials	7.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Develop and implement Asbestos Operations and Maintenance (O&M) Plan.	\$500
Radon	7.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
Lead-based Paint	7.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Develop and implement LBP Operations and Maintenance (O&M) Plan.	\$500
Lead in Drinking Water	7.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	
Vapor Migration	4.1.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Further Action	

APPENDIX 3
TRANSPORTATION PLANNING FACTORS

Table 1: Transportation Planning Factors			
Land Use:		Office	
Incremental SF:		8,386 gsf	
Trip Generation:		(1)	
Weekday		18.0	
Saturday		3.9	
		per 1,000 sf	
Temporal Distribution:		(1)	
AM		12.0%	
MD		15.0%	
PM		14.0%	
SatMD		17.0%	
		(2,3)	
Modal Splits:		AM/PM/SAT	MD
Auto		5.1%	2.0%
Taxi/Drop-Off		2.3%	3.0%
Subway		56.7%	6.0%
Bus		4.7%	6.0%
Walk/Ferry/Other		31.2%	83.0%
		100.0%	100%
		0.0%	
In/Out Splits:		In	Out
AM		95.0%	5.0%
MD		48.0%	52.0%
PM		15.0%	85.0%
Sat MD		54.0%	46.0%
Vehicle Occupancy:		(2,3)	
Auto		1.35	
Taxi		1.40	
Truck Trip Generation:		(1)	
		0.32	
		0.01	
		per 1,000 sf	
		(1)	
AM		10.0%	
MD		11.0%	
PM		2.0%	
Sat MD		11.0%	
		In	Out
AM/MD/PM		50.0%	50.0%
Notes:			
(1)	Based on data from 2014 <i>CEQR Technical Manual</i> .		
(2)	Model split and vehicle occupancy data are based on 2012-2016 ACS journey-to-work data for Manhattan Census Tracts 38, 40, 42, and 57. Midday modal splits		
	Based on data from the <i>East Village / Lower East Side FEIS</i> .		
(3)	Based on data from the <i>East Village / Lower East Side FEIS</i> .		

Table 2: Travel Demand Forecast			
Land Use:	<u>Office</u>		
Incremental SF:	8,386 gsf		
Peak Hour Trips:			
AM	18		
MD	23		
PM	21		
Sat MD	6		
Person Trips:	In	Out	
AM Auto	1	0	
Taxi/Drop-Off	0	0	
Subway	10	1	
Bus	1	0	
Walk/Ferry/Other	<u>6</u>	<u>0</u>	
Total	18	1	
	In	Out	
MD Auto	0	1	
Taxi/Drop-Off	0	0	
Subway	1	1	
Bus	1	1	
Walk/Ferry/Other	<u>9</u>	<u>10</u>	
Total	11	13	
	In	Out	
PM Auto	0	1	
Taxi/Drop-Off	0	0	
Subway	2	9	
Bus	0	1	
Walk/Ferry/Other	<u>1</u>	<u>6</u>	
Total	3	17	
	In	Out	
Sat MD Auto	0	0	
Taxi/Drop-Off	0	0	
Subway	2	2	
Bus	0	0	
Walk/Ferry/Other	<u>1</u>	<u>1</u>	
Total	3	3	
Vehicle Trips :	In	Out	
AM Auto (Total)	1	0	
Taxi/Drop-Off	0	0	
Truck	<u>0</u>	<u>0</u>	
Total	1	0	
	In	Out	
MD Auto (Total)	0	1	
Taxi/Drop-Off	0	0	
Truck	<u>0</u>	<u>0</u>	
Total	0	1	
	In	Out	
PM Auto (Total)	0	1	
Taxi/Drop-Off	0	0	
Truck	<u>0</u>	<u>0</u>	
Total	0	1	
	In	Out	
Sat MD Auto (Total)	0	0	
Taxi/Drop-Off	0	0	
Truck	<u>0</u>	<u>0</u>	
Total	0	0	