

Appendix 2 – Agency Correspondence

ARCHAEOLOGY

Project number: DEPARTMENT OF CITY PLANNING / 13DCP011M
Project: EAST MIDTOWN REZONING
Date received: 8/23/2012

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

Properties with no Archaeological significance:

- 1) ADDRESS: 266 MADISON AVENUE, BBL: 1008690016
- 2) ADDRESS: 274 MADISON AVENUE, BBL: 1008690058
- 3) ADDRESS: 278 MADISON AVENUE, BBL: 1008690061
- 4) ADDRESS: 16 EAST 40 STREET, BBL: 1008690064
- 5) ADDRESS: 33 EAST 42 STREET, BBL: 1012770020
- 6) ADDRESS: 48 EAST 43 STREET, BBL: 1012770046
- 7) ADDRESS: 327 MADISON AVENUE, BBL: 1012770052
- 8) ADDRESS: 51 EAST 42 STREET, BBL: 1012770027
- 9) ADDRESS: 333 MADISON AVENUE, BBL: 1012780020
- 10) ADDRESS: 3 EAST 43 STREET, BBL: 1012780008
- 11) ADDRESS: 334 MADISON AVENUE, BBL: 1012780014
- 12) ADDRESS: 336 MADISON AVENUE, BBL: 1012780015
- 13) ADDRESS: 340 MADISON AVENUE, BBL: 1012780017
- 14) ADDRESS: 14 EAST 44 STREET, BBL: 1012780062
- 15) ADDRESS: 12 EAST 44 STREET, BBL: 1012780063
- 16) ADDRESS: 10 EAST 44 STREET, BBL: 1012780064
- 17) ADDRESS: 6 EAST 44 STREET, BBL: 1012780065
- 18) ADDRESS: 7 EAST 44 STREET, BBL: 1012790009
- 19) ADDRESS: 346 MADISON AVENUE, BBL: 1012790017
- 20) ADDRESS: 352 MADISON AVENUE, BBL: 1012790057
- 21) ADDRESS: 10 EAST 45 STREET, BBL: 1012790063
- 22) ADDRESS: 6 EAST 45 STREET, BBL: 1012790065
- 23) ADDRESS: 343 MADISON AVENUE, BBL: 1012790023
- 24) ADDRESS: 341 MADISON AVENUE, BBL: 1012790024
- 25) ADDRESS: 47 EAST 44 STREET, BBL: 1012790025
- 26) ADDRESS: 347 MADISON AVENUE, BBL: 1012790048
- 27) ADDRESS: 50 VANDERBILT AVENUE, BBL: 1012790028
- 28) ADDRESS: 52 VANDERBILT AVENUE, BBL: 1012790045
- 29) ADDRESS: 361 MADISON AVENUE, BBL: 1012810021
- 30) ADDRESS: 9 EAST 45 STREET, BBL: 1012810009
- 31) ADDRESS: 366 MADISON AVENUE, BBL: 1012810056
- 32) ADDRESS: 18 EAST 46 STREET, BBL: 1012810059
- 33) ADDRESS: 360 MADISON AVENUE, BBL: 1012817501
- 34) ADDRESS: 250 PARK AVENUE, BBL: 1012820034
- 35) ADDRESS: 378 MADISON AVENUE, BBL: 1012820017
- 36) ADDRESS: 10 EAST 47 STREET, BBL: 1012820064
- 37) ADDRESS: 300 PARK AVENUE, BBL: 1012850036
- 38) ADDRESS: 111 EAST 48 STREET, BBL: 1013030014
- 39) ADDRESS: 523 LEXINGTON AVENUE, BBL: 1013030053

- 40) ADDRESS: 541 LEXINGTON AVENUE, BBL: 1013040020
- 41) ADDRESS: 143 EAST 49 STREET, BBL: 1013040025
- 42) ADDRESS: 145 EAST 49 STREET, BBL: 1013040026
- 43) ADDRESS: 151 EAST 49 STREET, BBL: 1013040028
- 44) ADDRESS: 138 EAST 50 STREET, BBL: 1013040045
- 45) ADDRESS: 154 EAST 50 STREET, BBL: 1013040041
- 46) ADDRESS: 425 PARK AVENUE, BBL: 1013100001
- 47) ADDRESS: 205 EAST 42 STREET, BBL: 1013160005
- 48) ADDRESS: 219 EAST 42 STREET, BBL: 1013160012
- 49) ADDRESS: 23 EAST 39 STREET, BBL: 1008690025
- 50) ADDRESS: 25 EAST 39 STREET, BBL: 1008690026
- 51) ADDRESS: 27 EAST 39 STREET, BBL: 1008690027
- 52) ADDRESS: 12 EAST 46 STREET, BBL: 1012810062
- 53) ADDRESS: 10 EAST 46 STREET, BBL: 1012810064
- 54) ADDRESS: 6 EAST 46 STREET, BBL: 1012810065
- 55) ADDRESS: 7 EAST 47 STREET, BBL: 1012830008
- 56) ADDRESS: 9 EAST 47 STREET, BBL: 1012830009
- 57) ADDRESS: 11 EAST 47 STREET, BBL: 1012830010
- 58) ADDRESS: 13 EAST 47 STREET, BBL: 1012830011
- 59) ADDRESS: 15 EAST 47 STREET, BBL: 1012830012
- 60) ADDRESS: 17 EAST 47 STREET, BBL: 1012830013
- 61) ADDRESS: 158 EAST 46 STREET, BBL: 1013000042
- 62) ADDRESS: 154 EAST 46 STREET, BBL: 1013000044
- 63) ADDRESS: 730 3 AVENUE, BBL: 1013000033
- 64) ADDRESS: 485 LEXINGTON AVENUE, BBL: 1013010023
- 65) ADDRESS: 750 3 AVENUE, BBL: 1013010033
- 66) ADDRESS: 131 EAST 47 STREET, BBL: 1013020025
- 67) ADDRESS: 137 EAST 47 STREET, BBL: 1013020027
- 68) ADDRESS: 139 EAST 47 STREET, BBL: 1013020127
- 69) ADDRESS: 141 EAST 47 STREET, BBL: 1013020028
- 70) ADDRESS: 143 EAST 47 STREET, BBL: 1013020029
- 71) ADDRESS: 127 EAST 47 STREET, BBL: 1013020123
- 72) ADDRESS: 509 LEXINGTON AVENUE, BBL: 1013020051
- 73) ADDRESS: 501 LEXINGTON AVENUE, BBL: 1013020021
- 74) ADDRESS: 123 EAST 47 STREET, BBL: 1013020022
- 75) ADDRESS: 125 EAST 47 STREET, BBL: 1013020023
- 76) ADDRESS: 129 EAST 47 STREET, BBL: 1013020024
- 77) ADDRESS: 575 LEXINGTON AVENUE, BBL: 1013060023
- 78) ADDRESS: 850 3 AVENUE, BBL: 1013060033
- 79) ADDRESS: 213 EAST 43 STREET, BBL: 1013170009
- 80) ADDRESS: 217 EAST 43 STREET, BBL: 1013170011
- 81) ADDRESS: 685 3 AVENUE, BBL: 1013170001
- 82) ADDRESS: 214 EAST 45 STREET, BBL: 1013180043
- 83) ADDRESS: 711 3 AVENUE, BBL: 1013180001
- 84) ADDRESS: 210 EAST 45 STREET, BBL: 1013180044
- 85) ADDRESS: 212 EAST 45 STREET, BBL: 1013180143
- 86) ADDRESS: 733 3 AVENUE, BBL: 1013190047
- 87) ADDRESS: 279 MADISON AVENUE, BBL: 1012750023
- 88) ADDRESS: 571 MADISON AVENUE, BBL: 1012920052
- 89) ADDRESS: 99 PARK AVENUE, BBL: 1008950001
- 90) ADDRESS: 7 EAST 40 STREET, BBL: 1012750008
- 91) ADDRESS: 13 EAST 40 STREET, BBL: 1012750011
- 92) ADDRESS: 15 EAST 40 STREET, BBL: 1012750012

- 93) ADDRESS: 284 MADISON AVENUE, BBL: 1012750014
- 94) ADDRESS: 290 MADISON AVENUE, BBL: 1012750016
- 95) ADDRESS: 292 MADISON AVENUE, BBL: 1012750059
- 96) ADDRESS: 22 EAST 41 STREET, BBL: 1012750060
- 97) ADDRESS: 18 EAST 41 STREET, BBL: 1012750061
- 98) ADDRESS: 16 EAST 41 STREET, BBL: 1012750063
- 99) ADDRESS: 10 EAST 41 STREET, BBL: 1012750064
- 100) ADDRESS: 350 PARK AVENUE, BBL: 1012870033
- 101) ADDRESS: 410 PARK AVENUE, BBL: 1012900037
- 102) ADDRESS: 400 PARK AVENUE, BBL: 1012900036
- 103) ADDRESS: 65 EAST 54 STREET, BBL: 1012900031
- 104) ADDRESS: 354 LEXINGTON AVENUE, BBL: 1012950017
- 105) ADDRESS: 364 LEXINGTON AVENUE, BBL: 1012950058
- 106) ADDRESS: 100 EAST 42 STREET, BBL: 1012960001

Comments:



9/7/2012

SIGNATURE

Amanda Sutphin, Director of Archaeology

DATE

File Name: 28079_FSO_DNP_09072012.doc

From: [DIANE MCCARTHY](#)
To: "[nrasheed@dot.nyc.gov](#)"; "[Haase, David](#)"
Cc: [ROBERT DOBRUSKIN](#); [MEHDI AMJADI](#); [GLEN PRICE](#); [SAMUEL HORNICK](#); [JAKE RUBINSKY](#); "[sahmed2@dot.nyc.gov](#)"; "[Colon, Henry](#)"; "[Carlin, Chrissie](#)"; [FRANK RUCHALA](#); [ADAM WOLFF](#); [DAVID KARNOVSKY](#); "[John E. Kennard \(JKennard@mnr.org\)](#)"; "[Pamela Mitchell Burford \(pburfor@lirr.org\)](#)"
Subject: RE: East Midtown - mode split adjustment --> final adjustment plus prelim trip gen
Date: Monday, September 17, 2012 10:46:14 AM
Attachments: [Draft TPA and Trip Gen_091312.pdf](#)

In response to additional feedback from NYCDOT, the office use Build Year mode split for auto, taxi, and walk shares have been adjusted as shown in the table below. The various transit shares remain unchanged from what was previous agreed upon with NYCT (see original email message below).

Build Year (2033) – Revised and Acceptable to DCP, DOT, and NYC Transit Per Naim

Auto	Bus	Subway	Railroad	Ferry	Taxi	Bike	Walk	Other	Total
6.0%	14.6%	47.9%	19.0%	0.2%	3.0%	0.6%	8.4%	0.3%	100.0%

Based on the above mode split, initial Build Year values for total person and vehicle trips for each peak hour have been calculated (see attached).

Preliminary network figures illustrating assignments for the primary modes are being generated and will be forwarded to the respective agencies once they have been and checked by DCP. The first of these – for vehicle assignments – have been provided to NYCDOT as of Sept 14.

Diane M

From: DIANE MCCARTHY
Sent: Wednesday, September 05, 2012 4:11 PM
To: 'nrasheed@dot.nyc.gov'; 'Haase, David'
Cc: ROBERT DOBRUSKIN; MEHDI AMJADI; GLEN PRICE; SAMUEL HORNICK; JAKE RUBINSKY; 'sahmed2@dot.nyc.gov'; 'Colon, Henry'; 'Carlin, Chrissie'; FRANK RUCHALA; ADAM WOLFF; DAVID KARNOVSKY
Subject: East Midtown - mode split adjustment --> final

Naim and David,

After consulting with each of your respective agencies in the last several weeks, agreement has been reached on a final adjustment to the transportation mode splits that would utilized for the East Midtown Rezoning EIS as follows:

Base Year (2010/2012)

Auto	Bus	Subway	Railroad	Ferry	Taxi	Bike	Walk	Other	Total
8.0%	15.2%	51.9%	14.5%	0.2%	2.2%	0.4%	7.4%	0.3%	100.0%

Build Year (2033) – Revised and Acceptable to DCP, DOT, and NYC Transit

Auto	Bus	Subway	Railroad	Ferry	Taxi	Bike	Walk	Other	Total
5.0%	14.6%	47.9%	19.0%	0.2%	5.2%	0.6%	7.3%	0.3%	100.0%

In summary for the Base Year (2010/2012) mode split adjustment:

- Although available by county, the reverse journey-to-work (RJTW) data by census tract for 2010 would not be available in sufficient time for the use in the East Midtown Rezoning EIS.
- The 2010 county numbers and other sources such as the 2006-2010 American Community Survey data, support the contention that there has been a reduction since 2000 in workers using auto and an increase in workers using public transportation.
- Therefore, an adjustment was derived by:
 - A comparison of 2000 and 2010 Census RJTW to adjust mode splits (24-hour) based on county-based values.

- Utilizing the 24-hour modal split data and applied a shift in modal split from auto to subway for the census tracts applicable to the East Midtown project, calculated the ratio of the 24-hour auto modal splits and applied this same ratio to the peak period modal split data, and then conducted normalization for number of workers.
- Adjustments for Egress Mode (i.e, LIRR-to-Subway, Port Authority Bus-to-Subway); based on on-board surveys of LIRR, MNRR and New Jersey Transit riders. Assume 2/3 of ferry riders transfer to subway to reach East Midtown (i.e, SI Ferry to 4/5 via Bowling Green)

And for the Build Year (2033):

- Adjustment given the anticipated completion of the East Side Access project – based on 1999 East Side Access EIS, with adjustments to account for less robust service plan into LIRR and deeper terminal.
- Additional adjustments assume continued 50% growth in bike shares.
- Adjusted auto and taxi shares based on DCP & DOT professional judgment given the nature and location of the proposed East Midtown rezoning action and the resultant RWCDs being predominantly high-end commercial office space.

Thanks for all your assistance in this endeavor.

Diane M

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Carter H. Strickland, Jr.
Commissioner

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February 6, 2013

Mr. Robert Dobruskin
Director, Environmental Assessment and Review Division
New York City Department of City Planning
22 Reade Street, Room 4E
New York, New York 10007-1216

Re: East Midtown Rezoning and Related Actions

Block 869, Lots 16, 20, 22, 24, 25, 26, 27, 34, 49, 54, 58, 61, 64, 66, p/o 74, and p/o 7501; Block 895, Lots p/o 1 and 7501; Block 1275, Lots p/o 6, 8, 11, 12, 14, 16, 23, 27, 44, 50, 59, 60, 61, 63, 64, p/o 66, and 143; Block 1276, Lots p/o 1, 22, 23, 24, 33, 42, 51, 58, 65, 66, and 999; Block 1277, Lots p/o 6, 8, 14, 20, 27, 46, 52, and p/o 67; Block 1278, Lots p/o 1, 8, 14, 15, 17, 20, 62, 63, 64, and 65; Block 1279, Lots p/o 6, 9, 17, 23, 24, 25, 28, 45, 48, 57, 63, 65, and 7501; Block 1280, all Lots; Block 1281, Lots p/o 1, 9, 21, 30, 56, 59, 61, 62, 64, 65, p/o 66, and 7501; Block 1282; Lots p/o 1, 17, 21, 30, 34, 64, and p/o 7501; Block 1283; Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 21, 58, 61, 62, 63, and 64; Block 1284; Lots p/o 6, 7, 12, 13, 14, 17, 21, 26, 33, 52, 55, 56, 59, 60, 152, and p/o 7501; Block 1285, Lots; 13, 15, 21, 36, 46, 59, and p/o 7501; Block 1286, Lots p/o 1, 21, 30, 35, 43, and 53; Block 1287, Lots 8, 9, 10, 14, 21, 27, 28, 33, 52, 58, 61, 62, 63, and p/o 7501; Block 1288, Lots p/o 6, p/o 7, 10, 11, 21, 24, 27, 33, 51, 56, 57, 59, 61, 62, and 63; Block 1289, Lots p/o 6, 8, 14, 21, 23, 24, 28, 36, 45, 52, 59, 65, p/o 67, 107, and 149; Block 1290, Lots p/o 6, 14, 15, 16, 17, 21, 27, 28, 31, 36, 37, 44, 50, 52, 56, 61, 62, 115, 127, 7501, and p/o 7502; Block 1291, Lots p/o 1(p), 10, 21, 28, 38, 45, 47, 51, 127, and p/o 7501; Block 1292, Lots 8, 15, 33, 37, 41, 42, 43, 45, 46, 47, 48, 52, 64, p/o 66, and p/o 7501; Block 1295, all Lots; Block 1296, all Lots; Block 1297, all Lots; Block 1298, all Lots; Block 1299, all Lots; Block 1300, all Lots; Block 1301, all Lots; Block 1302, all Lots; Block 1303, all Lots; Block 1304, all Lots; Block 1305, all Lots; Block 1306, all Lots; Block 1307, all Lots; Block 1308, all Lots; Block 1309, Lots 1, 5, 6, 7, 8, 23, p/o 32, p/o 50, p/o 66, 69, 72, 107, and 7502; Block 1310, Lot p/o 1; Block 1311, Lots 1, p/o 5, and p/o 65; Block 1316, Lots 1, 5, 12, and p/o 23; Block 1317, Lots 1, 7, 9, 11, 15, 19, p/o 20, and 30; Block 1318, Lots 1, 11, 14, 15, 17, 19, 31, 33, 38, 43, 44, and 143; Block 1319, Lots 1, 2, 3, 5, 7, 8, 11, 12, 16, p/o 47, 103, and 104; Block 1320, Lots 46, 7503, and p/o 7506; Block 1321, Lots p/o 1, p/o 42, and 47

DEP # 13DEPTECH038M / CEQR # 13DCP011M
New York, New York

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the January 2013 Preliminary Draft Environmental Impact Statement. The New York City Department of City Planning (DCP/applicant) proposes zoning map and zoning text amendments, and a City Map amendment (the Proposed Action) for an approximately 70 block area in the East Midtown neighborhood of Manhattan Community Districts 5 and 6. The affected area is generally bounded by East 39th Street to the south, East 57th Street to the north, Second and Third avenues to the east and Fifth Avenue to the west. The proposed zoning text amendment would establish an East Midtown Subdistrict (the "Subdistrict") within the Special Midtown District. This new Subdistrict would supersede and subsume the existing Grand Central Subdistrict. The amendment would focus new commercial development with the greatest as-of-right densities on large sites with full block frontage on avenues around Grand Central Terminal, with slightly lower densities allowed along the Park Avenue corridor and elsewhere. It is intended to encourage limited and targeted as-of-right commercial development in appropriate locations. The amendment would also streamline the system for landmark transfers within Grand Central and generate funding for area-wide pedestrian network improvements. The rezoning area is currently zoned predominantly as high density commercial (zoning districts C5 and C6) within the Special Midtown District. The midblock areas between East 42nd and East 46th Streets, and Second and Third Avenues, are predominantly commercial in character, with a number of existing office buildings and parking structures, as well as hotels under construction. The Special Midtown District generally follows the boundary of Midtown's commercial areas and thus this area would more appropriately be located in the Midtown District, and additionally as part of the East Midtown Subdistrict. By incorporating the area into Midtown, the Special District regulations, including height and setback and streetscape requirements, would become applicable. These are more tailored to the needs of the area than the generic 1961 high-density commercial zoning provisions that now apply. In order to do this, the rezoning would replace the existing C5-2 and C6-4 designations in portions of the midblock areas between East 42nd and East 46th Streets, and Second and Third Avenues with C5-3, C5-2.5, C5-2, and C1-9 districts. The C5-3 and C5-2.5 districts will be mapped within the Special Midtown District. The C5-3 designation would be mapped along the 42nd Street frontage, which is a wide street and reflects the typical wide street zoning pattern in Midtown. Midblock areas along East 43rd, 44th and the south side of 45th Streets would be mapped to C5-2.5, reflecting the typical midblock Midtown zoning pattern. The north side of East 45th Street would maintain its 10.0 FAR designation and remain out of the Special Midtown District, but be amended to C5-2 to reflect its existing built character. Finally, a portion of the midblock along East 44th Street closer to Second Avenue would be rezoned to C1-9, remaining outside the special district, to reflect its existing residential character. Subject to further analysis and public consultation, the City may amend the City map to reflect a 'Public Place' designation over portions of Vanderbilt Avenue. Such action would allow for the permanent development of a partially-pedestrianized Vanderbilt Avenue. These portions could include the non-intersection portions of the street between East 42nd and 43rd Streets, East 44th and East 45th Streets, East 45th and 46th Streets, and East 46th and 47th Streets and any such designation would be structured to allow for phased development of improvements as funding is made available from the District Improvement Fund and as surrounding conditions permit.

The PDEIS revealed that historical on-site and surrounding area land uses consisted of a variety of commercial and industrial uses including hazardous waste generators, petroleum spills, fuel oil storage, a railroad depot, railroad tracks, a silk dress factory, horse stables, a power station, an electric substation, parking garages, and a milk depot.

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

Projected and potential development sites

- Projected Site 1: Block 869, Lots 16, 58, 61, and 64***
- Projected Site 2: Block 869, Lots 25, 26, and 27***
- Projected Site 3: Block 1275, Lot 23***
- Projected Site 4: Block 1277, Lots 20, 27, 46, and 52***
- Projected Site 5: Block 1278, Lots 8, 14, 15, 17, 62, 63, 64, and 65***
- Projected Site 6: Block 1279, Lots 9, 17, 57, 63, and 65***
- Projected Site 7: Block 1279, Lots 23, 24, 25, 48, 28, and 45***
- Projected Site 8: Block 1281, Lots 62, 64, and 65***
- Projected Site 9: Block 1281, Lot 21***
- Projected Site 10: Block 1282, Lots 17 and 64***
- Projected Site 11: Block 1283, Lots 8, 9, 10, 11, 12, and 13***
- Projected Site 12: Block 1285, Lot 36***
- Projected Site 13: Block 1292, Lot 52***
- Projected Site 14: Block 1300, Lots 42 and 44***
- Projected Site 15: Block 1302, Lots 25, 27, 127, 28, and 29***
- Projected Site 16: Block 1303, Lot 14***
- Projected Site 17: Block 1304, Lots 20, 25, 26, 28, 45, and 41***
- Projected Site 18: Block 1310, Lot 1***
- Projected Site 19: Block 1316, Lots 12, 23, and 30***
- Potential Site 1: Block 895, Lot 1***
- Potential Site 2: Block 1275, Lots 8, 11, 12, 14, 16, 59, 60, 61, 63, and 64***
- Potential Site 3: Block 1278, Lot 20***
- Potential Site 4: Block 1281, Lots 9, 56, 59, and 7501***
- Potential Site 5: Block 1282, Lot 34***
- Potential Site 6: Block 1287, Lot 33***
- Potential Site 7: Block 1290, Lots 37, 36, and 31***
- Potential Site 8: Block 1295, Lots 17 and 58***
- Potential Site 9: Block 1296, Lot 1***
- Potential Site 10: Block 1300, Lot 33***
- Potential Site 11: Block 1301, Lots 23 and 33***
- Potential Site 12: Block 1302, Lots 123, 51, 21, 22, 23, and 24***
- Potential Site 13: Block 1303, Lot 53***
- Potential Site 14: Block 1306, Lot 23***
- Potential Site 15: Block 1306, Lot 33***
- Potential Site 16: Block 1317, Lot 1***
- Potential Site 17: Block 1318, Lots 43, 1, 44, and 143***

Potential Site 18: Block 1319, Lot 47

Potential Site 19: Block 1305, Lots 33, 40, and 32

Potential Site 20: Block 1307, Lots 43 and 7501

- Based on prior on-site and surrounding area land uses which could result in environmental contamination, DEP concurs with DCP's recommendation that an "E" designation for hazardous materials should be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for the subject properties. The "E" designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance.

The applicant should be directed to coordinate further hazardous materials assessments through the Mayor's Office of Environmental Remediation. Future correspondence related to this project should include the following tracking number **13DEPTECH038M**. If you have any questions, you may contact Mr. Wei Yu at (718) 595-4358.

Sincerely,



Maurice S. Winter
Deputy Director, Site Assessment

- c: E. Mahoney
M. Winter
W. Yu
T. Estes
M. Wimbish
C. Evans – DCP
D. McCarthy – DCP
D. Cole – OER
File



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New York, New York 10007-1216

Re: East Midtown Rezoning and Related Actions

Block 869, Lots 16, 20, 22, 24, 25, 26, 27, 34, 49, 54, 58, 61, 64, 66, p/o 74, and p/o 7501; Block 895, Lots p/o 1 and 7501; Block 1275, Lots p/o 6, 8, 11, 12, 14, 16, 23, 27, 44, 50, 59, 60, 61, 63, 64, p/o 66, and 143; Block 1276, Lots p/o 1, 22, 23, 24, 33, 42, 51, 58, 65, 66, and 999; Block 1277, Lots p/o 6, 8, 14, 20, 27, 46, 52, and p/o 67; Block 1278, Lots p/o 1, 8, 14, 15, 17, 20, 62, 63, 64, and 65; Block 1279, Lots p/o 6, 9, 17, 23, 24, 25, 28, 45, 48, 57, 63, 65, and 7501; Block 1280, all Lots; Block 1281, Lots p/o 1, 9, 21, 30, 56, 59, 61, 62, 64, 65, p/o 66, and 7501; Block 1282; Lots p/o 1, 17, 21, 30, 34, 64, and p/o 7501; Block 1283; Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 21, 58, 61, 62, 63, and 64; Block 1284; Lots p/o 6, 7, 12, 13, 14, 17, 21, 26, 33, 52, 55, 56, 59, 60, 152, and p/o 7501; Block 1285, Lots; 13, 15, 21, 36, 46, 59, and p/o 7501; Block 1286, Lots p/o 1, 21, 30, 35, 43, and 53; Block 1287, Lots 8, 9, 10, 14, 21, 27, 28, 33, 52, 58, 61, 62, 63, and p/o 7501; Block 1288, Lots p/o 6, p/o 7, 10, 11, 21, 24, 27, 33, 51, 56, 57, 59, 61, 62, and 63; Block 1289, Lots p/o 6, 8, 14, 21, 23, 24, 28, 36, 45, 52, 59, 65, p/o 67, 107, and 149; Block 1290, Lots p/o 6, 14, 15, 16, 17, 21, 27, 28, 31, 36, 37, 44, 50, 52, 56, 61, 62, 115, 127, 7501, and p/o 7502; Block 1291, Lots p/o 1(p), 10, 21, 28, 38, 45, 47, 51, 127, and p/o 7501; Block 1292, Lots 8, 15, 33, 37, 41, 42, 43, 45, 46, 47, 48, 52, 64, p/o 66, and p/o 7501; Block 1295, all Lots; Block 1296, all Lots; Block 1297, all Lots; Block 1298, all Lots; Block 1299, all Lots; Block 1300, all Lots; Block 1301, all Lots; Block 1302, all Lots; Block 1303, all Lots; Block 1304, all Lots; Block 1305, all Lots; Block 1306, all Lots; Block 1307, all Lots; Block 1308, all Lots; Block 1309, Lots 1, 5, 6, 7, 8, 23, p/o 32, p/o 50, p/o 66, 69, 72, 107, and 7502; Block 1310, Lot p/o 1; Block 1311, Lots 1, p/o 5, and p/o 65; Block 1316, Lots 1, 5, 12, and p/o 23; Block 1317, Lots 1, 7, 9, 11, 15, 19, p/o 20, and 30; Block 1318, Lots 1, 11, 14, 15, 17, 19, 31, 33, 38, 43, 44, and 143; Block 1319, Lots 1, 2, 3, 5, 7, 8, 11, 12, 16, p/o 47, 103, and 104; Block 1320, Lots 46, 7503, and p/o 7506; Block 1321, Lots p/o 1, p/o 42, and 47

DEP # 13DEPTECH038M / CEQR # 13DCP011M
New York, New York

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the January 2013 Preliminary Draft Environmental Impact Statement. The New York City Department of City Planning (DCP/applicant) proposes zoning map and zoning text amendments, and a City Map amendment (the Proposed Action) for an approximately 70 block area in the East Midtown neighborhood of Manhattan Community Districts 5 and 6. The affected area is generally bounded by East 39th Street to the south, East 57th Street to the north, Second and Third avenues to the east and Fifth Avenue to the west. The proposed zoning text amendment would establish an East Midtown Subdistrict (the "Subdistrict") within the Special Midtown District. This new Subdistrict would supersede and subsume the existing Grand Central Subdistrict. The amendment would focus new commercial development with the greatest as-of-right densities on large sites with full block frontage on avenues around Grand Central Terminal, with slightly lower densities allowed along the Park Avenue corridor and elsewhere. It is intended to encourage limited and targeted as-of-right commercial development in appropriate locations. The amendment would also streamline the system for landmark transfers within Grand Central and generate funding for area-wide pedestrian network improvements. The rezoning area is currently zoned predominantly as high density commercial (zoning districts C5 and C6) within the Special Midtown District. The midblock areas between East 42nd and East 46th Streets, and Second and Third Avenues, are predominantly commercial in character, with a number of existing office buildings and parking structures, as well as hotels under construction. The Special Midtown District generally follows the boundary of Midtown's commercial areas and thus this area would more appropriately be located in the Midtown District, and additionally as part of the East Midtown Subdistrict. By incorporating the area into Midtown, the Special District regulations, including height and setback and streetscape requirements, would become applicable. These are more tailored to the needs of the area than the generic 1961 high-density commercial zoning provisions that now apply. In order to do this, the rezoning would replace the existing C5-2 and C6-4 designations in portions of the midblock areas between East 42nd and East 46th Streets, and Second and Third Avenues with C5-3, C5-2.5, C5-2, and C1-9 districts. The C5-3 and C5-2.5 districts will be mapped within the Special Midtown District. The C5-3 designation would be mapped along the 42nd Street frontage, which is a wide street and reflects the typical wide street zoning pattern in Midtown. Midblock areas along East 43rd, 44th and the south side of 45th Streets would be mapped to C5-2.5, reflecting the typical midblock Midtown zoning pattern. The north side of East 45th Street would maintain its 10.0 FAR designation and remain out of the Special Midtown District, but be amended to C5-2 to reflect its existing built character. Finally, a portion of the midblock along East 44th Street closer to Second Avenue would be rezoned to C1-9, remaining outside the special district, to reflect its existing residential character. Subject to further analysis and public consultation, the City may amend the City map to reflect a 'Public Place' designation over portions of Vanderbilt Avenue. Such action would allow for the permanent development of a partially-pedestrianized Vanderbilt Avenue. These portions could include the non-intersection portions of the street between East 42nd and 43rd Streets, East 44th and East 45th Streets, East 45th and 46th Streets, and East 46th and 47th Streets and any such designation would be structured to allow for phased development of improvements as funding is made available from the District Improvement Fund and as surrounding conditions permit.

The PDEIS revealed that historical on-site and surrounding area land uses consisted of a variety of commercial and industrial uses including hazardous waste generators, petroleum spills, fuel oil storage, a railroad depot, railroad tracks, a silk dress factory, horse stables, a power station, an electric substation, parking garages, and a milk depot.

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

Projected and potential development sites

- Projected Site 1: Block 869, Lots 16, 58, 61, and 64***
- Projected Site 2: Block 869, Lots 25, 26, and 27***
- Projected Site 3: Block 1275, Lot 23***
- Projected Site 4: Block 1277, Lots 20, 27, 46, and 52***
- Projected Site 5: Block 1278, Lots 8, 14, 15, 17, 62, 63, 64, and 65***
- Projected Site 6: Block 1279, Lots 9, 17, 57, 63, and 65***
- Projected Site 7: Block 1279, Lots 23, 24, 25, 48, 28, and 45***
- Projected Site 8: Block 1281, Lots 62, 64, and 65***
- Projected Site 9: Block 1281, Lot 21***
- Projected Site 10: Block 1282, Lots 17 and 64***
- Projected Site 11: Block 1283, Lots 8, 9, 10, 11, 12, and 13***
- Projected Site 12: Block 1285, Lot 36***
- Projected Site 13: Block 1292, Lot 52***
- Projected Site 14: Block 1300, Lots 42 and 44***
- Projected Site 15: Block 1302, Lots 25, 27, 127, 28, and 29***
- Projected Site 16: Block 1303, Lot 14***
- Projected Site 17: Block 1304, Lots 20, 25, 26, 28, 45, and 41***
- Projected Site 18: Block 1310, Lot 1***
- Projected Site 19: Block 1316, Lots 12, 23, and 30***
- Potential Site 1: Block 895, Lot 1***
- Potential Site 2: Block 1275, Lots 8, 11, 12, 14, 16, 59, 60, 61, 63, and 64***
- Potential Site 3: Block 1278, Lot 20***
- Potential Site 4: Block 1281, Lots 9, 56, 59, and 7501***
- Potential Site 5: Block 1282, Lot 34***
- Potential Site 6: Block 1287, Lot 33***
- Potential Site 7: Block 1290, Lots 37, 36, and 31***
- Potential Site 8: Block 1295, Lots 17 and 58***
- Potential Site 9: Block 1296, Lot 1***
- Potential Site 10: Block 1300, Lot 33***
- Potential Site 11: Block 1301, Lots 23 and 33***
- Potential Site 12: Block 1302, Lots 123, 51, 21, 22, 23, and 24***
- Potential Site 13: Block 1303, Lot 53***
- Potential Site 14: Block 1306, Lot 23***
- Potential Site 15: Block 1306, Lot 33***
- Potential Site 16: Block 1317, Lot 1***
- Potential Site 17: Block 1318, Lots 43, 1, 44, and 143***

Potential Site 18: Block 1319, Lot 47

Potential Site 19: Block 1305, Lots 33, 40, and 32

Potential Site 20: Block 1307, Lots 43 and 7501

- Based on prior on-site and surrounding area land uses which could result in environmental contamination, DEP concurs with DCP's recommendation that an "E" designation for hazardous materials should be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for the subject properties. The "E" designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance.

The applicant should be directed to coordinate further hazardous materials assessments through the Mayor's Office of Environmental Remediation. Future correspondence related to this project should include the following tracking number **13DEPTECH038M**. If you have any questions, you may contact Mr. Wei Yu at (718) 595-4358.

Sincerely,



Maurice S. Winter
Deputy Director, Site Assessment

- c: E. Mahoney
M. Winter
W. Yu
T. Estes
M. Wimbish
C. Evans – DCP
D. McCarthy – DCP
D. Cole – OER
File

From: [Mitterman, Gregory](#)
To: [DIANE MCCARTHY](#)
Cc: [ROBERT DOBRUSKIN](#); [FRANK RUCHALA](#); [Molinari, Nicholas](#); [GLEN PRICE](#); [Alderson, Colleen](#)
Subject: RE: request for CEQR # 13DCP011M [East Midtown] Reference # 13DCP011M-01-06092012150926
Date: Monday, January 14, 2013 1:34:05 PM
Attachments: [East Midtown Rezoning.jpg](#)
[East Midtown Rezoning Open Space Comparison.xls](#)

Hello Diane,

I am very sorry for the delay in getting our (DPR) comments to you. For the most part everything looks ok, with just a few minor discrepancies in acreages for a few of the properties. I am attaching a spreadsheet that shows a comparison of the acreages for our properties within the study area from our records and the acreages given in the pDEIS. The discrepancies are as follows:

- Central Park and Grand Army Plaza are one property, all part of Central Park. The total for those two combined areas in the pDEIS is 9.7 acres, but our analysis has the acreage as 9.83 acres, with a minor difference of .13 acre
- The Tudor City Greens (1 of 2, # 84 on pDEIS map) parcel is listed as being co-managed by DPR and TPL. DPR only has ownership of the Mary O'Connor Playground (part of the total area identified as #84 on the pDEIS map), which has an acreage of .25 acres. I do not have information as to the total acreage of the TPL part of the green space at the moment.
- The Tudor City Greens (2 of 2, #89 on pDEIS map) parcel has the same issue as above. DPR owns only the Tudor Grove Playground area of the parcel identified as #89 on the pDEIS map, which is .2 acres. Tudor City Greens, Inc., manages the other part of the area identified, and I currently do not have the exact acreage on the green space that they manage.
- Ralph Bunche Park (#85 on pDEIS map) is .42 acres, but is listed as only being .23 acres in the pDEIS. .42 acres is the correct number.
- Although it was identified as an area not included in the quantitative analysis in the pDEIS, one of the Park Avenue Malls listed (labeled A1 on pDEIS map) has an acreage given as .44 acres, while our records have an acreage of .35, which is a minor difference of .09 acre.

Those were the only issues that I identified in the pDEIS. If you have any questions for me, please get in touch.

Thank you,
Greg

From: DIANE MCCARTHY
Sent: Monday, January 14, 2013 10:41 AM
To: Alderson, Colleen
Cc: ROBERT DOBRUSKIN; FRANK RUCHALA; Molinari, Nicholas; Mitterman, Gregory; GLEN PRICE
Subject: RE: request for CEQR # 13DCP011M [East Midtown] Reference # 13DCP011M-01-06092012150926

Colleen,

Following up on the information you had provided for East Midtown last fall . . .

Is there any additional details available about the open space improvements listed in your email below? Although many of the improvements are located outside the open space study area, it would be instructive to know additional details for the qualitative section of the analysis.

Thanks, Diane M

From: Alderson, Colleen

Sent: Thursday, September 20, 2012 5:04 PM
To: DIANE MCCARTHY
Cc: ROBERT DOBRUSKIN; FRANK RUCHALA; Molinari, Nicholas; Mitterman, Gregory
Subject: RE: request for CEQR # 13DCP011M [East Midtown] Reference # 13DCP011M-01-06092012150926

Tramway can be removed – it is apparently RIOC plans for elevator work.

From: Alderson, Colleen
Sent: Thursday, September 20, 2012 4:31 PM
To: DIANE MCCARTHY
Cc: ROBERT DOBRUSKIN; FRANK RUCHALA; Molinari, Nicholas; Mitterman, Gregory
Subject: RE: request for CEQR # 13DCP011M [East Midtown] Reference # 13DCP011M-01-06092012150926

Diane,

The following information is for DPR open space improvements – we are trying to obtain further details for you (dates for completion and more details on the actual improvements)

- Reconstruction of Waterside Pier 38th-41st Street (open for open space use with minimal public amenities) – start late 2013, complete mid-2015 (outside study area)
- Robert Moses Playground alienation (.662 acres – not entire park – west side of park– late 2013 projected closure)
- Paving/stripping of St. Vartan Park playing field surface to accommodate roller hockey affected by Robert Moses Playground alienation– complete late 2013 (just outside of study area)
- Outer Detour Roadway Esplanade* 51st-60th - start 2016 complete 2018 (outside study area)
- Andrew Haswell Green Park Phase 2A – start 2013, completion 2014 (outside study area) & AHG Phase 2B (projected) – start 2015, complete 2017
- Central Park South Beautification (from FY13 Exec. Plan, doesn't specify what area of Central Park – we are trying to pinpoint area for improvements)
- Central Park East Side, Lake Landscapes & Facilities (from FY13 Exec. Plan, doesn't specify what area of Central Park - we are trying to pinpoint area for improvements)
- 54th St. Recreation Center Roofdeck Resurface
- Trygve LIE Plaza redesign and renovation/reconstruction of the Plaza
- Tramway Plaza Reconstruction – E. 59th thru E. 60th Streets
- One Sutton Place Park development – construction to begin next year (outside study area)
- Heliport Park Phase Two

Colleen

From: DIANE MCCARTHY
Sent: Thursday, September 13, 2012 12:12 PM
To: Alderson, Colleen
Cc: ROBERT DOBRUSKIN; FRANK RUCHALA; Molinari, Nicholas
Subject: RE: request for CEQR # 13DCP011M [East Midtown] Reference # 13DCP011M-01-06092012150926

Here you go plus a list of the census tracts in play for open space.

BTW, we may tweak the project area boundary just a bit, but it would be very unlikely that it would bring any other census tracts into play for open space. I should be able to confirm that one way or another by late today.

- 78
- 80
- 82
- 84
- 86.02
- 88
- 90
- 92
- 94
- 96
- 98
- 100
- 102
- 104
- 108
- 112.01
- 112.02
- 112.03
- 114.01
- 114.02

From: Alderson, Colleen
Sent: Thursday, September 13, 2012 11:47 AM
To: DIANE MCCARTHY
Cc: ROBERT DOBRUSKIN; FRANK RUCHALA; Molinari, Nicholas
Subject: RE: request for CEQR # 13DCP011M [East Midtown] Reference # 13DCP011M-01-06092012150926

Diane,

Do you have a map showing the ¼-mile open space study area boundary? This will help us determine which existing resources to provide feedback on.

Colleen

From: DIANE MCCARTHY
Sent: Thursday, September 06, 2012 3:26 PM
To: Alderson, Colleen; Molinari, Nicholas
Cc: ROBERT DOBRUSKIN; FRANK RUCHALA
Subject: request for CEQR # 13DCP011M [East Midtown] Reference # 13DCP011M-01-06092012150926
Importance: High

Hello,

Please log into CEQR-View to view the details of this request and provide an acknowledgement that you have recorded it.

Thank you

Additional Notes:

Requesting information regarding planned new open spaces or improvements to existing open spaces as part of the future no-action condition for East Midtown action by the analysis year of 2033.

Attached is a figure illustrating the extents of the proposed action plus a table of all affected blocks and lots. If needed for reference, the DSOW and EAS issued for the project are posted to CEQR-View.

Thanks, Diane M

Diane M. McCarthy, AICP
NYCDCP-EARD
212-720-3417
D_Mccart@planning.nyc.gov

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 13DCP011M
Project: EAST MIDTOWN REZONING
Date received: 4/18/2013

Comments: The LPC is in receipt of the revised Historic and Cultural Resource Chapter and revised language for the St. Patrick's Cathedral Lady Chapel, both dated 4/18/13. The chapter and the revised language appear acceptable.

LPC also notes that DCP has stated that the language in the Shadows Chapter detailing the distinction between Projected and Potential sites in the impacts analysis will be removed.



4/18/2013

SIGNATURE
Gina Santucci, Environmental Review Coordinator

DATE

File Name: 28079_FSO_GS_04182013.doc