

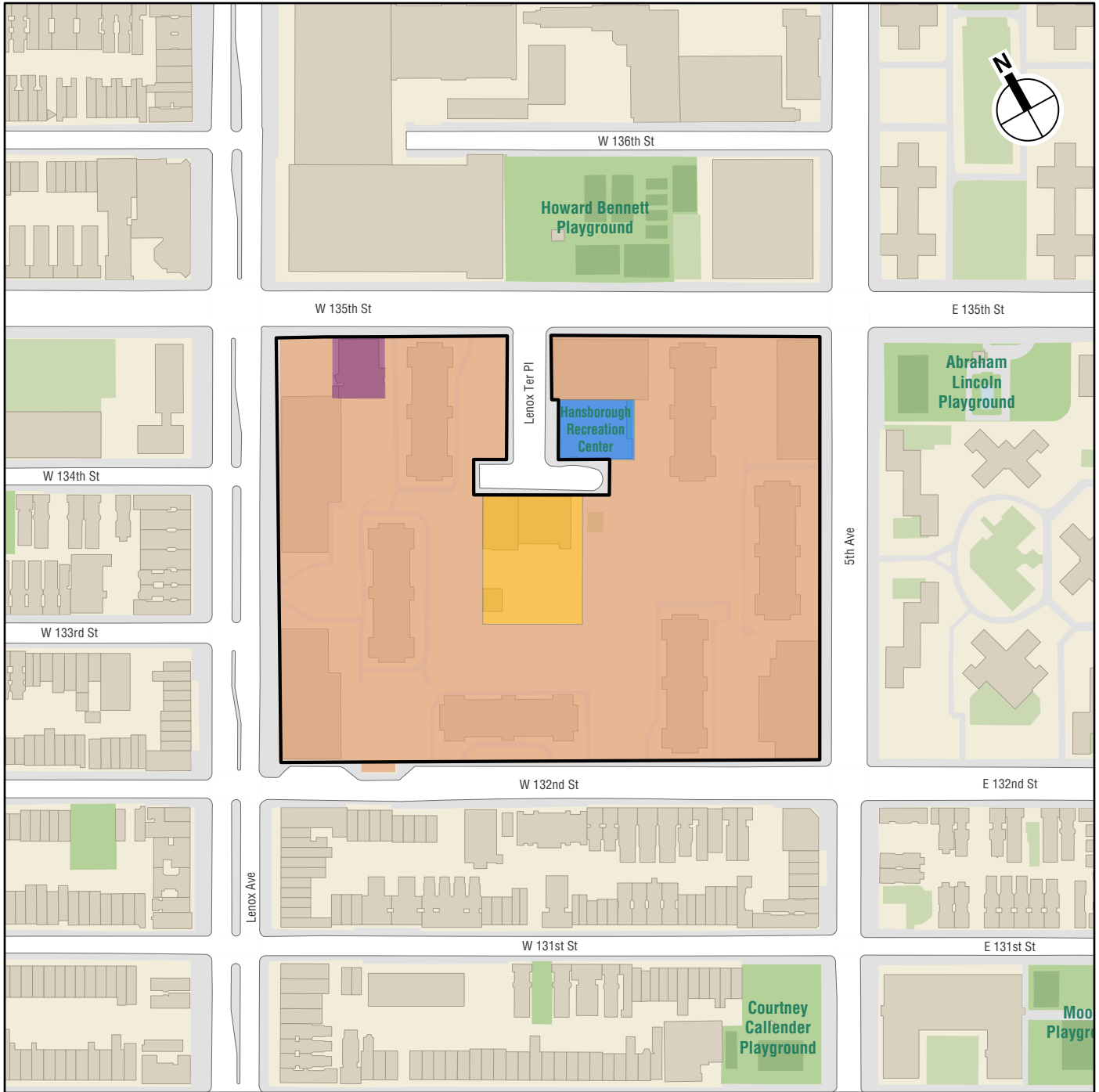
Lenox Terrace
Draft Final Scope of Work for Preparation of a
Draft Environmental Impact Statement
CEQR No.: 18DCP084M (~~12/28/2017~~8/23/2019)

This document is the Final Scope of Work (FSOW) for the Lenox Terrace Draft Environmental Impact Statement (DEIS). This FSOW has been prepared to describe the proposed project, present the proposed framework for the EIS analysis, and discuss the procedures to be followed in the preparation of the DEIS.

This FSOW incorporates changes that were made subsequent to publication of the Draft Scope of Work (DSOW). Revisions of the DSOW have been incorporated into this FSOW and are indicated by double-underlining new text and striking deleted text.

A. INTRODUCTION

This ~~Final~~ Draft Scope of Work outlines the technical areas to be analyzed in the preparation of an Environmental Impact Statement (EIS) for a proposed project at the Lenox Terrace complex (Block 1730, Lots 1, 7, 9, 25, 33, 36, 40, 45, 50, 52, 64, 68, and 75, referred to as the “proposed development site”) in the Central Harlem neighborhood of Manhattan (Community District 10) (see **Figures 1 and 2**). The applicant, Lenox Terrace Development Associates—an affiliate of The Olnick Organization, Inc.—is seeking several land use actions, including a zoning map amendment from R7-2 and ~~R7-2~~/C1-4 zoning districts to a C6-2 zoning district; two special permits to waive bulk and parking requirements; an authorization pursuant to ZR Section 25-631(f)(2) to modify curb cut requirements under ZR Sections 36-532 and 25-631; and a zoning text amendment to establish the rezoning area as a Mandatory Inclusionary Housing (MIH) area. The proposed actions would facilitate infill construction of five new mixed-use buildings and a connecting podium on the proposed development site. The new buildings would replace existing retail structures, resulting in approximately 1,642 new residential units, a portion of which would be permanently affordable pursuant to the MIH program; approximately 135,500 gsf of commercial space (an increase of approximately 39,845 gsf over No Action conditions); and approximately 15,055 gsf of community facility space. In addition, one two sites-site not owned by the applicant ~~have has~~ been identified as likely to be developed as a result of the proposed actions: ~~Block 1730, Lots 16 and 19 (“Projected Development Site 1”) and Block 1730, Lot 65 (“the “pProjected future dDevelopment Ssite-21”)~~, and one site not owned by the applicant (Block 1730, Lots 16 and 19) will be considered as a potential development site. Overall, the development on the proposed development site would increase from a built floor area ratio (FAR) of approximately 3.04 to a built FAR of approximately 5.61. In total, the incremental development that is projected to occur within the affected area in the future with the proposed actions is as follows: ~~1,708,470~~1,488,758 gsf of residential use, or approximately ~~1,969~~1,711 units (a portion of which are assumed to be permanently affordable pursuant to MIH); 39,845 gsf of retail use; 15,055 gsf of community facility space; and approximately ~~42087~~ to ~~660-222~~ accessory parking spaces.



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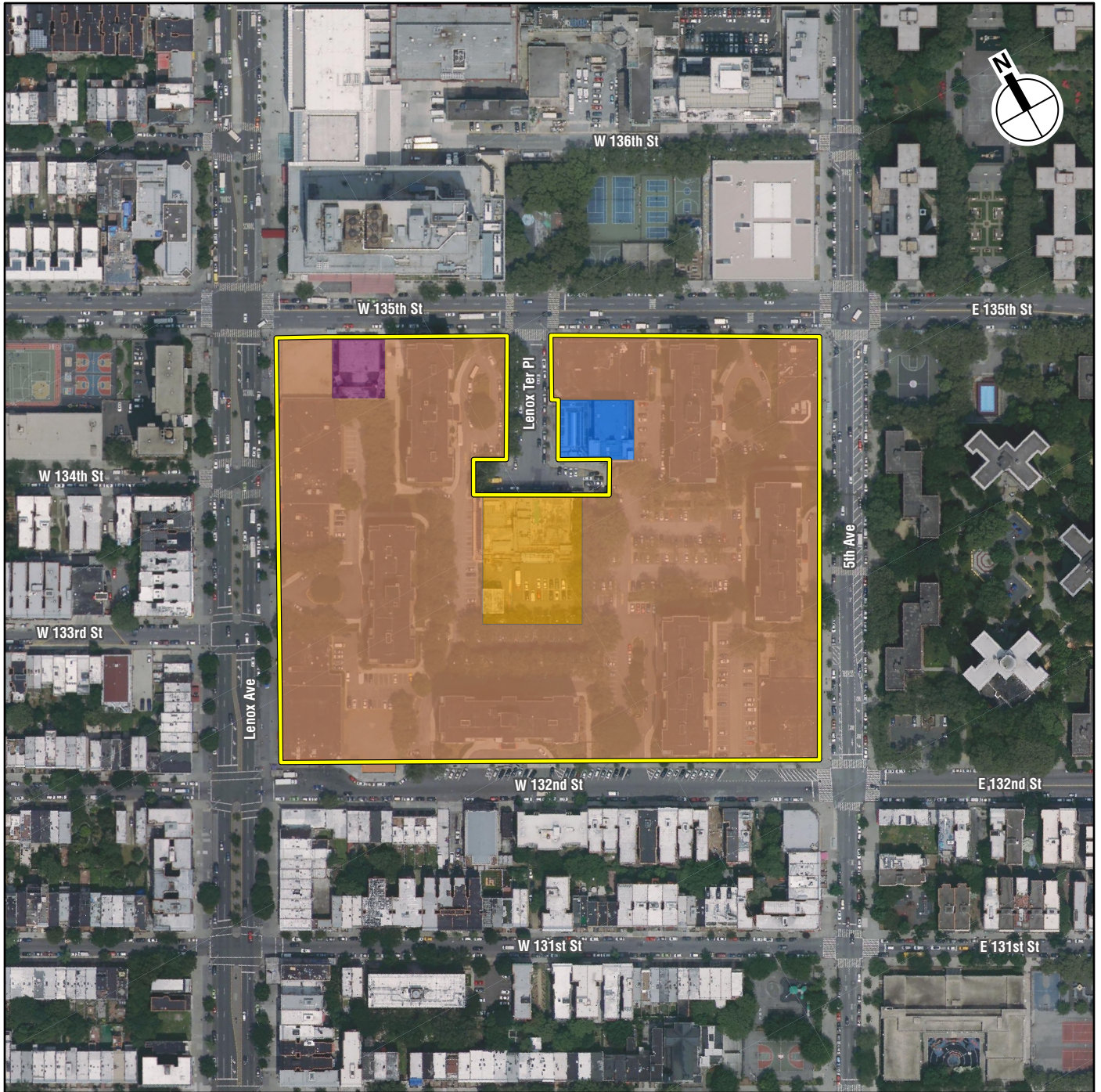
- Rezoning Area
- Proposed Development Site
- Projected Future Development Site
- Potential Development Site
- City-Owned Site

This figure has been revised for the Final Scope of Work



LENOX TERRACE

Project Location
Figure 1



- Rezoning Area
- Proposed Development Site
- Projected Future Development Site
- Potential Development Site
- City-Owned Site

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This figure has been revised for the Final Scope of Work

The New York City Department of City Planning (DCP), acting on behalf of the City Planning Commission (CPC), ~~is~~will be the lead agency for the environmental review. Based on the prepared Environmental Assessment Statement (EAS), the lead agency has determined that the proposed actions have the potential to result in significant adverse environmental impacts, requiring that an EIS be prepared. This ~~Final~~Draft Scope of Work outlines the technical areas to be analyzed in the preparation of a Draft EIS (DEIS) for the proposed actions. Scoping is the first step in the preparation of the EIS and provides an early opportunity for the public and other agencies to be involved in the EIS process. This ~~Final~~Draft Scope of Work is intended to determine the range of issues and considerations to be evaluated in the EIS. It includes a description of the proposed project and the actions necessary for its implementation, presents the proposed framework for the EIS analysis, and discusses the procedures to be followed in the preparation of the DEIS. The 2014 *City Environmental Quality Review (CEQR) Technical Manual* will serve as a general guide on the methodologies and impact criteria for evaluating the proposed actions' effects on the various environmental areas of analysis.

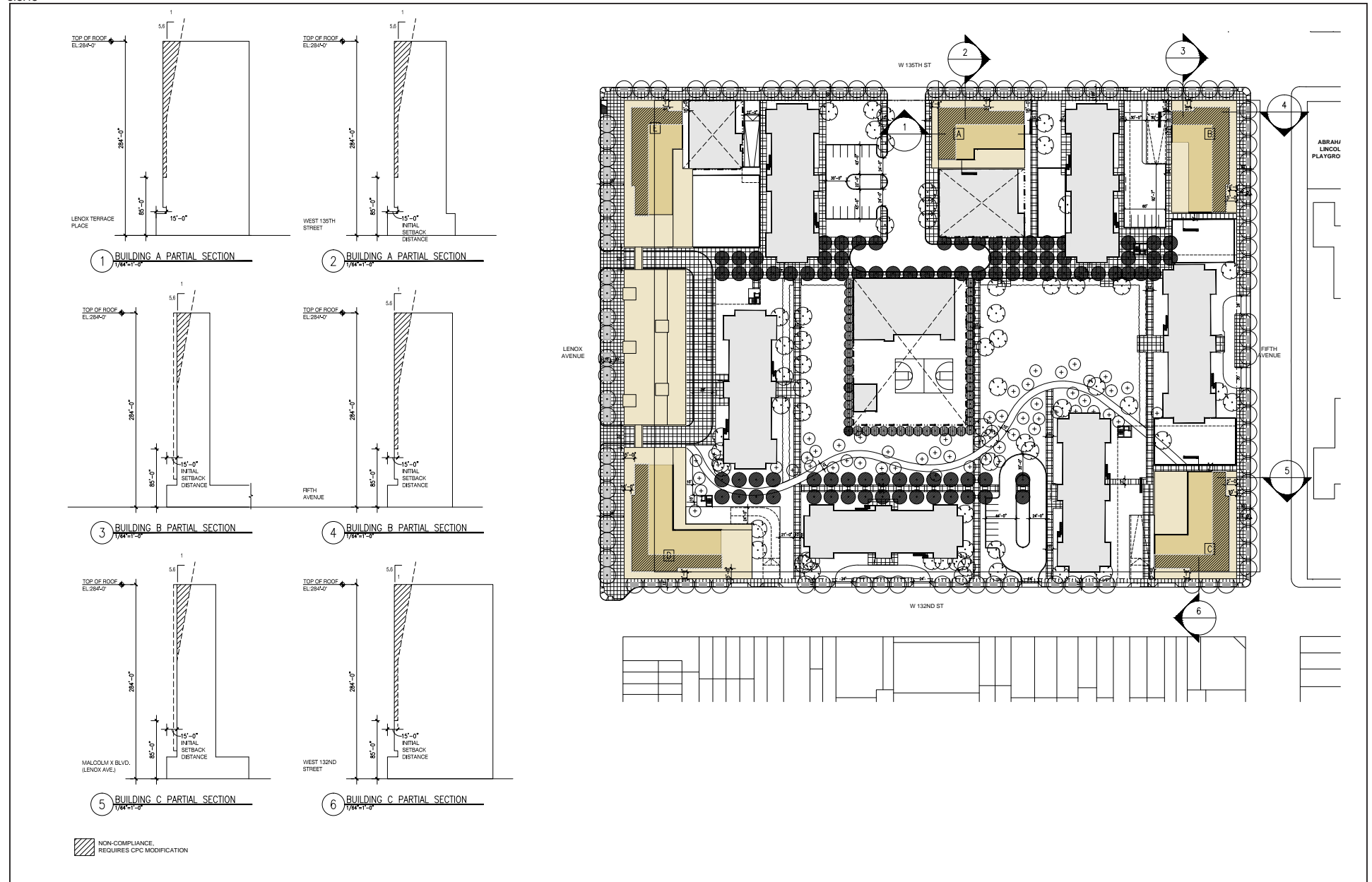
B. PROJECT DESCRIPTION

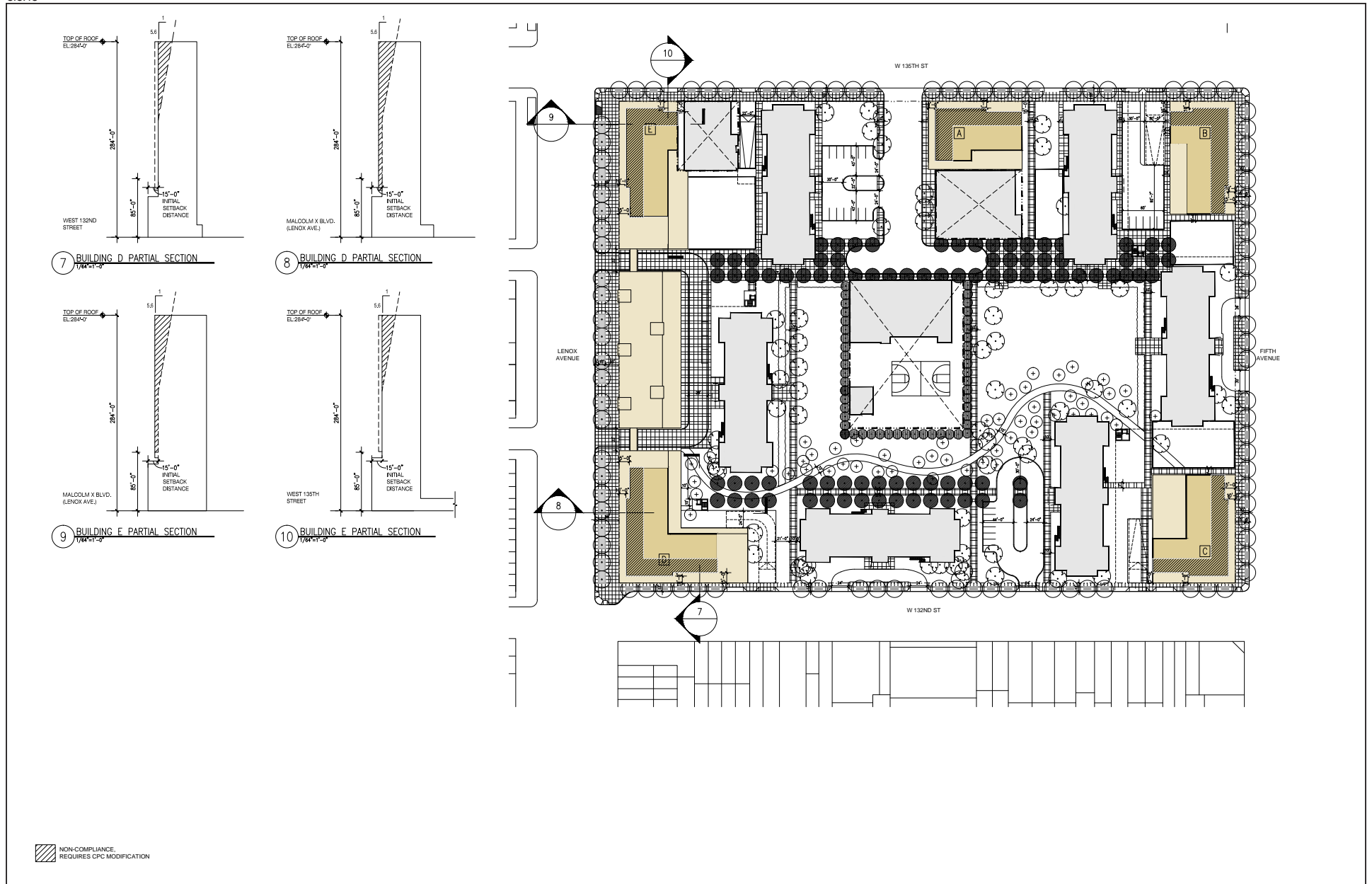
ACTIONS NECESSARY TO FACILITATE THE PROPOSAL

The following actions are being sought to facilitate the proposed project: a zoning map amendment to rezone the entire project block (Block 1730), which is bounded by West 132nd and 135th Streets and Lenox and Fifth Avenues, from R7-2 with C1-4 overlays along Lenox and Fifth Avenues and West 135th Street to C6-2 (an R8 equivalent); a large-scale special permit pursuant to ZR Section 74-743 to modify applicable height, setback, and minimum distance between buildings regulations (ZR Sections 35-61, 35-63, 23-952, 23-641, and 23-711); a curb cut authorization pursuant to ZR 25-631(f)(2); and a special permit pursuant to ZR Section 74-533 to reduce the number of required parking spaces provided on site (ZR Sections 36-33 and 25-23). As detailed below and in the following figures, the project would require modification of regulations regarding the required amount of accessory parking, the required minimum distance between buildings on a single zoning lot (**Figure 3**), and the required sky exposure plane (see **Figure 4**). ~~With the recently enacted Zoning for Quality and Affordability initiative, the~~ The required number of parking spaces for the new residential units would be between approximately 460 and 492, based on the percentage of units to be designated as affordable. To facilitate the applicant's proposed project, the proposed modification of accessory parking requirements is necessary to reduce the number of required spaces on the proposed development site from between approximately 847 and 879 (including the 387 parking spaces allocated to existing dwelling units, as well as between approximately 460 and 492 spaces required for proposed units) to between ~~420-525~~460-492 and 660 spaces.¹

¹ There are currently 457 parking spaces on site, 387 of which are allocated to serve the existing residential development, and 70 of which are additional accessory spaces. Under ZR 25-251, affordable units are exempted from parking requirements. Assuming the creation of approximately 1,642 new residential units at the proposed development site, of which between 411 and 493 units are assumed to be affordable, there would be between approximately 1,149 and 1,231 units subject to underlying zoning requirements for parking. The applicable parking requirement is 0.40 spaces per unit. Therefore, for the approximately 1,149 to 1,231 units subject to this parking requirement, between 460 and 492 new parking spaces would be required. The total number of required parking spaces on the proposed development site would be between 847 and 879 (387 spaces for existing units, and between 460 and 492 spaces for proposed units).







The applicant is also seeking a zoning text amendment to Appendix F of the ZR to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the rezoning area (see **Figure 5**). Under MIH, when new housing capacity is approved through land use actions, CPC and the New York City Council can choose to impose either one or both of ~~several different options regarding affordable housing set asides~~. ~~The these two basic options that are mapped for every MIH area are:~~

- MIH Option 1: ~~At least~~ 25 percent of the total residential floor area would be set aside for persons making no more than an average of 60 percent of Area Median Income (AMI) ~~on average~~, with at least 10 percent of the residential floor area set aside for persons households making an average of 40 percent of the AMI, ~~and no AMI bands shall exceed 130 percent of the AMI;~~ or
- MIH Option 2: ~~At least~~ 30 percent of the total residential floor area would be set aside for persons households making no more than an average of 80 percent of the AMI ~~on average~~, and ~~no AMI bands shall exceed 130 percent of the AMI.~~

The CPC and the City Council could also add one or both of two other affordability options:

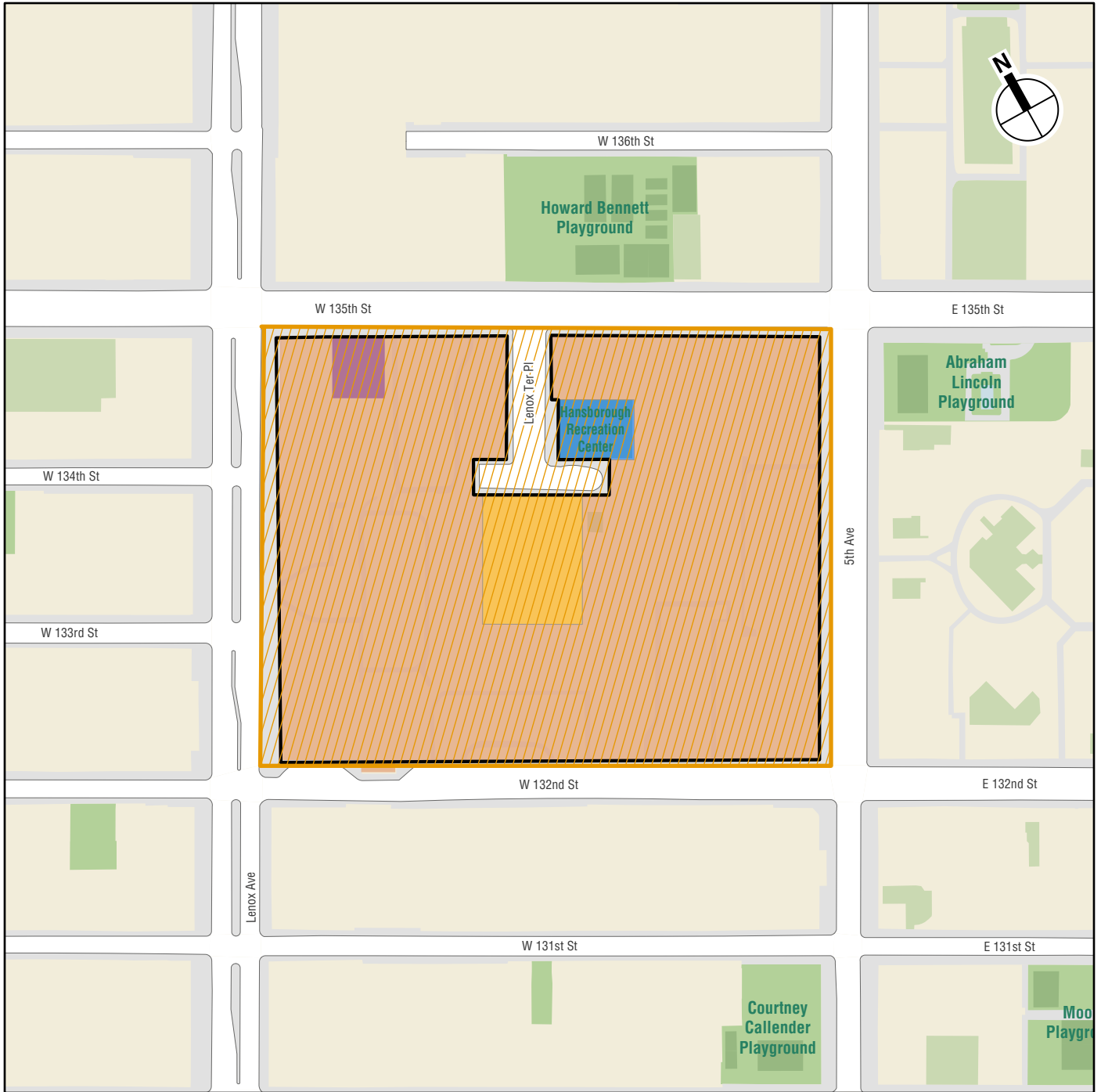
- MIH Option 3 (also referred to as the “Deep Affordability Option” in the Zoning Resolution): 20 percent of the residential floor area would be set aside for households making an average of 40 percent of AMI, with subsidies allowed only where they are necessary to support more affordable housing; and
- MIH Option 4 (also referred to as the “Workforce Option” in the Zoning Resolution): 30 percent of the total residential floor area would be set aside for households making an average of 115 percent of AMI, with 5 percent of that number set aside for households at 70 percent of AMI and another 5 percent of that number set aside for households at 90 percent of AMI. None of the affordable DUs can go to households with incomes above 135 percent of AMI, and no direct subsidies can be used for these affordable DUs.

For purposes of environmental review, each technical area of analysis in the DEIS will assume the more conservative MIH option specific to that analysis (i.e., the option that generates the greatest potential for significant adverse environmental impacts). For those analysis categories which specify level of affordability (e.g., child care), the analysis will assume 20 percent of the residential units would be set aside for households with incomes at or below 80 percent of the AMI.

RESTRICTIVE DECLARATION

The applicant is expected to enter into a Restrictive Declaration to reflect the approvals described above. The Restrictive Declaration would require that the proposed project is developed in substantial accordance with the approved special permit, which would restrict the uses within buildings on the proposed development site to what is shown on the site plan associated with ~~(the large-scale drawings permit)~~; establish the envelope within which the buildings must be constructed, including limitations on height, bulk, and floor area; and establish the required setbacks and distance between buildings. The plans are subject to change as the applicant proceeds through pre-certification review, but it is currently anticipated that the maximum floor area would be 3,076,087~~28,314~~ square feet (including the existing buildings); the maximum floor area for the

Given that the proposed project would provide a total of between ~~420-525~~ and 660 parking spaces, the applicant is requesting a waiver for a minimum of 187 spaces and a maximum of ~~459-354~~ spaces.



-  Rezoning Area
-  Proposed Development Site
-  Projected Future Development Site
-  Potential Development Site
-  City-Owned Site
-  Mandatory Inclusionary Housing Applicable Area

This figure has been revised for the Final Scope of Work

proposed residential, retail, and community facility uses would be as detailed in **Table 3** below; and the maximum building height would be 284 feet. The Restrictive Declaration also will establish any environmental mitigation conditions as necessary, as identified through the environmental review for the project. The Restrictive Declaration would also restrict the project's FAR ~~to at~~ 5.61. Although proposed as-of-right conditions would allow for a maximum FAR of 7.2 for residential use under the proposed zoning, the special permit would control the project's bulk and consequentially, would cap the maximum allowable FAR at 5.61. Furthermore, in the event the special permit expires or is ceded, the presence of existing buildings and other site constraints and zoning regulations would preclude the full 7.2 FAR from being developed for residential use. Specifically, the existing six residential buildings could not be demolished or significantly altered due to rent regulations that apply to the majority of apartments. As such, the approximately 2.3 million square feet of additional residential development theoretically available for development pursuant to the rezoning would need to be massed on the remainder of the site with no height and setback relief. In addition, more than 1,000 parking spaces would need to be provided for existing and new residential units. While zoning regulations would permit the development of some buildings as-of-right under the rezoning, sufficient lot area does not exist to mass a 7.2 FAR development (which would contain approximately 2.3 million square feet of new development) along with the requisite 1,000+ parking spaces that would be needed.

Given the above considerations, the reasonable worst-case development scenario used for environmental review will assume a maximum FAR of 5.61. Furthermore, a minimum of approximately 300,000 sf amount of open space (as defined in the Zoning Resolution) would be required- pursuant to the special permit. The as part of the Restrictive Declaration, however, the specific design of the open space is not expected to be required will be at the discretion of the applicant, provided it meets the zoning definition of open space.

The Restrictive Declaration would not extend to the lot on the project block that is owned by the New York City Department of Parks and Recreation (NYC Parks) (Lot 55), the lots owned by Catholic Charities of the Archdiocese of New York (Lots 16 and 19), or to the lots on the project block that will be analyzed as projected future development sites (Lots ~~46, 49, and 65,~~ see discussion below).

DESCRIPTION OF THE REZONING AREA

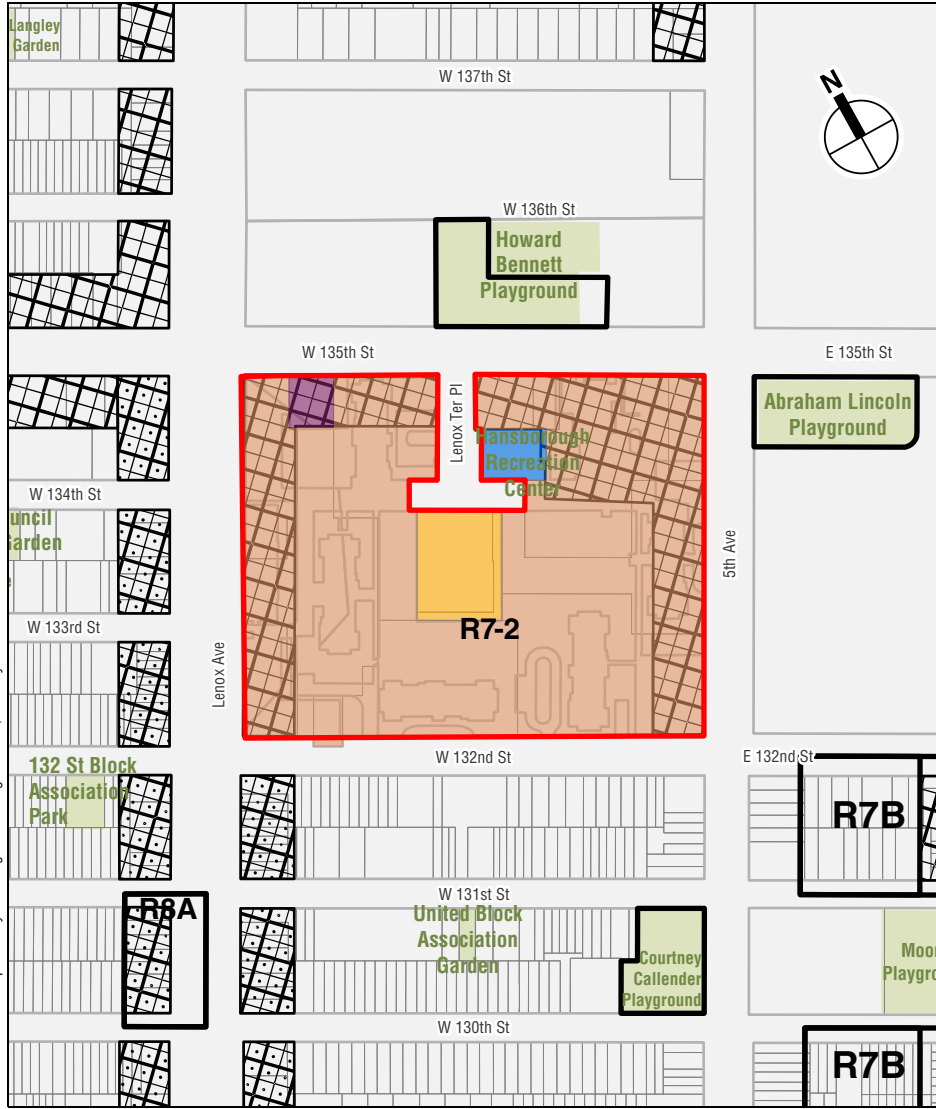
PROPOSED DEVELOPMENT SITE

As shown in **Figure 1**, the proposed development site is located on the superblock bounded by West 132nd and 135th Streets and Lenox and Fifth Avenues in the Central Harlem neighborhood of Manhattan (Block 1730, Lots 1, 7, 9, 25, 33, 36, 40, 45, 50, 52, 64, 68, and 75). The proposed development site has frontages on West 132nd Street, West 135th Street, Lenox Avenue, and Fifth Avenue. The proposed development site is located in Manhattan Community District (CD) 10 and is located within an R7-2 zoning district, with C1-4 overlays along Lenox and Fifth Avenues and West 135th Street (see **Figure 6**).

The proposed development site currently contains Lenox Terrace, a superblock development comprising six, 16-story (144-foot-tall) residential towers with 1,716 dwelling units (approximately 1,495,274 ~~47,500~~ gross square feet [gsf]); five 1-story buildings with approximately 95,655 gsf of local retail use, of which approximately 17,820 gsf is currently vacant; and approximately 457 at-grade accessory parking spaces (see **Figures 7, 10, and 11**). Approximately 80 percent of the existing dwelling units (1,370) are currently subject to rent stabilization. The retail uses along Lenox

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Data source: NYC Dept. of City Planning GIS Zoning Features, January 2018

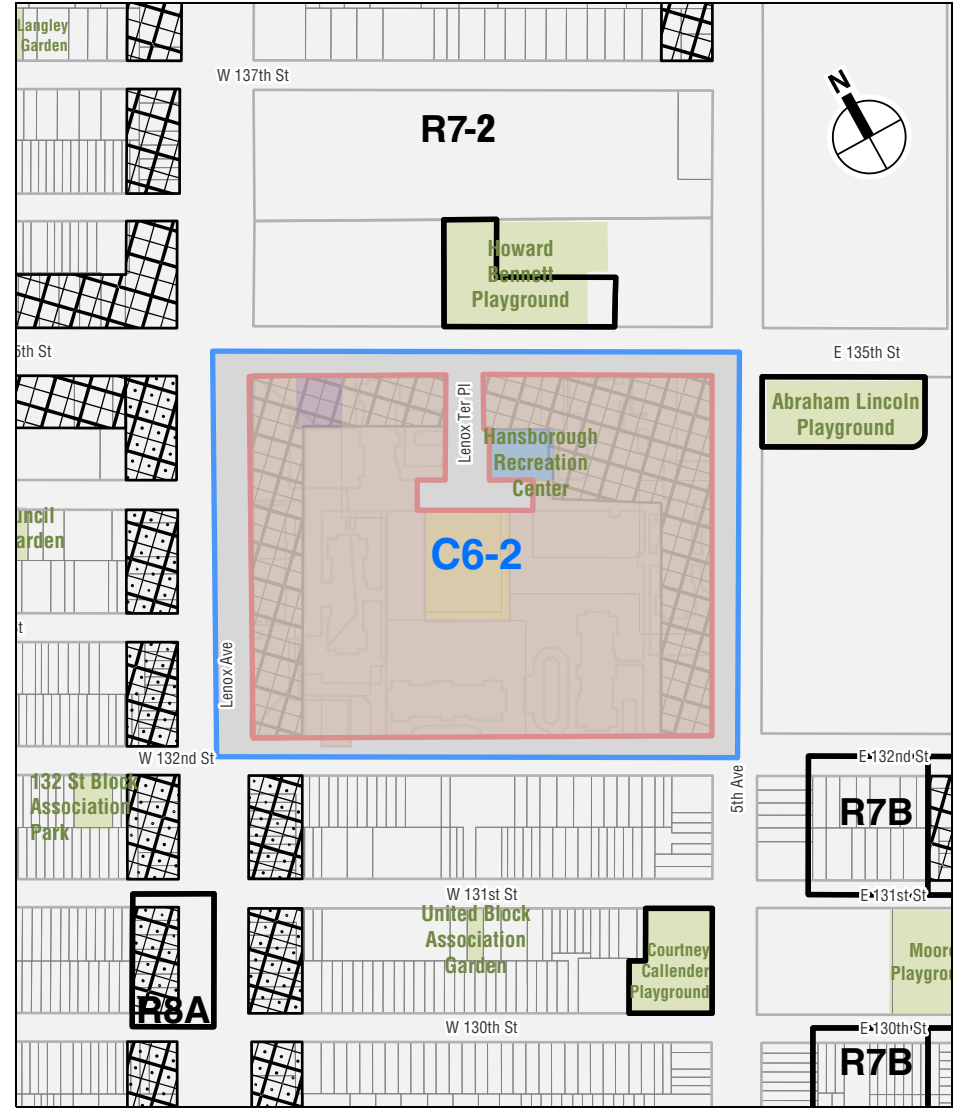


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Existing Zoning

- | | |
|--|--|
| Rezoning Area | Projected Future Development Site |
| Zoning District Boundaries | Potential Development Site |
| Proposed Development Site | City-Owned Site |

LENOX TERRACE



Proposed Zoning

- | |
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| Proposed Zoning |
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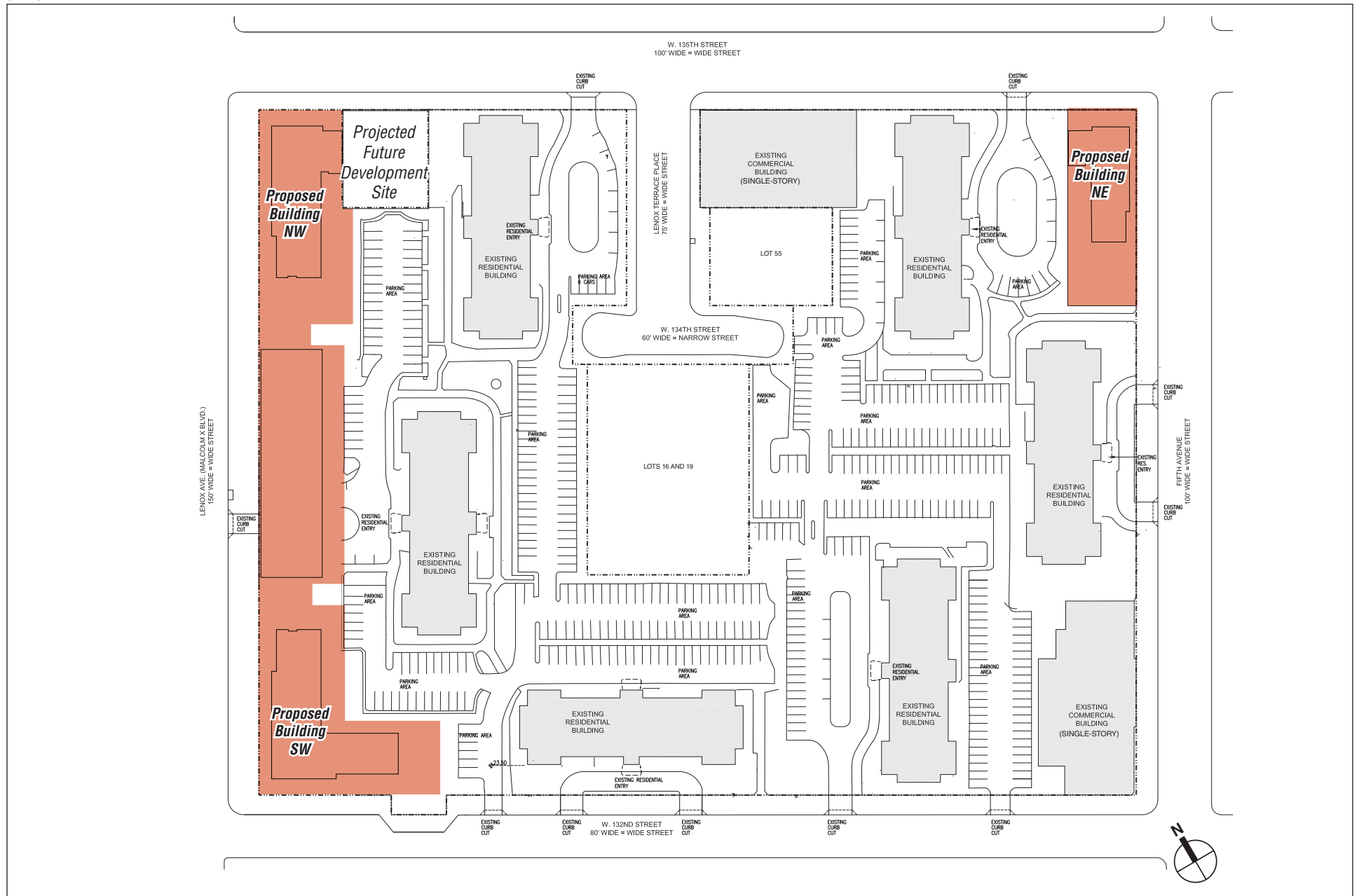
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Existing and Proposed Zoning
Figure 6



Community Facility: 15,055

Proposed/Projected Site Plan (2026)
Figure 8



Buildings to be Constructed in Phase 1

LENOX TERRACE

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Proposed Site Plan (2023)
Figure 9



North side of proposed development site, view west from Lenox Avenue 1



North side of proposed development site, view east from near Fifth Avenue 2



East side of proposed development site, view south from West 135th Street 3



East side of proposed development site, view north from West 132nd Street 4



South side of proposed development site, view west from Fifth Avenue 5



South side of proposed development site, view east near Lenox Avenue 6



West side of proposed development site, view south near West 135th Street 7



West side of proposed development site, view north from West 132nd Street 8

Avenue include a supermarket, a pharmacy, dry cleaners, and a few restaurants, among other uses. The retail uses along West 135th Street are a supermarket and a pharmacy, while the retail uses along Fifth Avenue are a bank, a deli/grocery, and a thrift store. One of the five 1-story buildings, at the southeast corner of the proposed development site, is currently vacant. There are two parcels of land, at the northwest and southwest corners of the proposed development site that are currently not developed and surrounded with chain link fencing. The parcel at the southwest corner of the proposed development site, just east of Lenox Avenue, was formerly operated as an electrical substation. The substation was decommissioned in 1959, and was vacant from that time until its removal circa 2009. The substation site extended to the south along West 132nd Street; the sidewalk surrounding the substation site also extends to the south, creating a bump-out into the streetbed at this location.

The proposed development site is approximately 539,885541,040 sf. The existing built FAR of the proposed development site is approximately 3.04. Lenox Terrace Place provides access to the interior of the superblock off West 135th Street. Each of the residential buildings has a vehicular drop-off at the main entrance. The buildings closest to West 135th Street are accessed via two curb cuts on West 135th Street. The building fronting on Fifth Avenue is accessed via two curb cuts on the avenue. The buildings closest to West 132nd Street are accessed via three curb cuts on that street. The building fronting on Lenox Avenue is accessed via one curb cut on that avenue. The surface parking on the interior of the site is accessed via these curb cuts, as well as two additional curb cuts on West 132nd Street, and there is one curb cut for a loading area on West 132nd Street, for a total of 110 curb cuts at the proposed development site. The majority of the parking spaces (387) on the proposed development site are allocated to the existing residential development, per current certificates of occupancy; the remainder (70) are additional accessory spaces, for use only by the residential tenants of the development site; ~~They are not for public parking.~~ Loading areas for the retail uses on the site are currently accessed from the street in front of each 1-story building.

PROJECTED FUTURE DEVELOPMENT SITES

Also within the rezoning area, but outside of the proposed development site, ~~are is the Joseph P. Kennedy Memorial Community Center (Lots 16 and 19) and the Metropolitan African Methodist Episcopal (AME) Church (Lot 65) (see Figure 12).~~ As described below, although the uses on Lots 16, 19, and 65 ~~are is a~~ long-standing community facility uses, for the purposes of a conservative analysis, the EIS will consider the potential for the proposed rezoning to result in redevelopment on ~~these sites~~ this site over the longer term and will consider ~~these it a~~ projected future development sites.

POTENTIAL DEVELOPMENT SITE

Lots 16 and 19 are occupied by the Joseph P. Kennedy Memorial Community Center, which has operated in that facility since 1954. Prior to 1954, the building was also in community facility use, as the Harlem Boys Club. While these lots would be rezoned under the proposed actions, the owner of the Kennedy Center—Catholic Charities of the Archdiocese of New York—has indicated that it has no intention of developing the Kennedy Center site, or altering its long established functions. Therefore, development of this site under the rezoning is unlikely in the foreseeable future. In order to provide a conservative analysis, however, the EIS will consider this property as a potential development site consistent with the guidance of the CEQR Technical Manual.

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Metropolitan African Methodist Episcopal (AME) Church (Lot 65)

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Joseph P. Kennedy Memorial Community Center (Lots 16 and 19), **10**
view from West 135th Street

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Hansborough Center (Lot 55), view from Lenox Terrace Place 11

CITY-OWNED SITE

Lot 55 (the Hansborough Recreation Center) is owned by the New York City Department of Parks and Recreation (NYC Parks) and is not considered a projected or potential future development site, given that it has been operated as a public recreational facility for over 80 years, redevelopment of this site would require several discretionary actions (including possible State legislative action), and per conversations with NYC Parks, there are no plans to relocate this facility.

DESCRIPTION OF THE SURROUNDING AREA

Like the ~~R~~rezoning ~~A~~area, the land uses of the surrounding area are generally residential, but also include many commercial and community facility uses. The block to the north of the ~~R~~rezoning ~~A~~area contains two large community facility uses: the Harlem Hospital Center and the P.S. 197 John B Russwurm PK-5 School. The Howard Bennett Playground is also located on the block north of the ~~R~~rezoning ~~A~~area. The blocks to the northeast of the ~~R~~rezoning ~~A~~area contain the seven elevator apartment towers of the Riverton Square development. The block to the west of the ~~R~~rezoning ~~A~~area across ~~5th-Fifth~~ Avenue consists of the fourteen elevator apartment ~~towers~~ buildings of the New York City Housing Authority's (NYCHA) Lincoln Houses. The block to the south of the ~~R~~rezoning ~~A~~area consists ~~almost entirely primarily~~ of 3½-story row houses and 5- and 6-story walk-up apartment row-homes ~~buildings~~, several of which fronting Lenox and ~~5th-Fifth~~ Avenues contain ground floor retail uses. This block also includes ~~three-two~~ vacant buildings, three parking facilities, and three community facility uses: the Bethel AME Church; the St John's Pentecostal Church; and the Greater Central Baptist Church. The five blocks to the west of the ~~R~~rezoning ~~A~~area from West 131st Street to West 136th Street are also generally residential in nature, consisting of low-scale row houses and apartment buildings as well as a taller 17-story apartment building ~~walk-up apartment row-homes~~. Many of these residential buildings fronting Lenox Avenue contain ground floor retail ~~on the ground floor~~, and there are also several commercial and community facility uses on these blocks west of Lenox Avenue. The 17-story Clayton Apartments elevator apartment tower fronting Lenox Avenue between West 134th and West 135th Streets is an exception to the walk-up nature of these blocks. Community facility uses include a transition housing shelter for homeless families, ~~a food corporation~~, the P.S. 175 Henry H Garnet ~~PK-5~~ School, the Schomburg Center for Research in Black Culture, New York City Fire Department (FDNY) Engine 59 and Ladder 30, the Redeemed Christian Church of God House of Prayer, the Grace Gospel Chapel and the Countee Cullen Library.

ZONING

The ~~R~~rezoning ~~A~~area and surrounding area is currently zoned as an R7-2. R7 districts are medium-density residential zoning districts. Developments may choose between standard Height Factor bulk regulations or the optional Quality Housing bulk regulations. Height Factor buildings are often set back from the street and surrounded by open space and parking. FAR range from 0.87 to 3.44, defendant on the Open Space Ratio, and building heights are governed by a sky exposure plane. R7-2 districts require parking for 50 percent of dwelling units. Quality Housing buildings produce lower buildings with high lot coverage set near the street line. FAR are 3.44 on a narrow street and 4.0 on a wide street. Quality Housing bulk regulations include height limits which consist of a minimum base height of 40 feet, a maximum base height of 60 feet and maximum building height of 75 feet on narrow street, and a maximum base height of 65 feet and maximum building height of 80 feet on a wide street. Buildings may cover up to 80 percent of a corner lot or 65 percent of an interior/through lot. Parking is required for 50 percent of dwelling units.

There are two types of commercial overlays zoned within the ~~Rezoning Area~~ and the surrounding area: C1-4 commercial overlay districts and C2-4 commercial overlay districts. Commercial overlays are mapped within residential districts that serve local retail need, and allow uses such as grocery stores, restaurants, beauty parlors. C2 commercial overlays allow a slightly wider range of uses than C-1 commercial overlays. In mixed-use buildings commercial uses are limited to one or two floors and must always be located below the residential uses. Both the C1-4 and C2-4 overlays have a commercial FAR of 2.0 when mapped within R7 residential districts.

EAST HARLEM REZONING

In November 2017, the New York City Council adopted the ~~DCP~~ recently undertook an initiative to rezone an area of East Harlem Rezoning Proposal, which was undertaken as a result of the recommendations of the East Harlem Neighborhood Plan (EHNP). The EHNP was a comprehensive, community-focused study aimed at identifying opportunities for new mixed-use housing, the preservation of existing affordable housing, and other initiatives to address key infrastructure, economic development, workforce, and community wellness issues in East Harlem. The project area for the ~~CPC~~ approved East Harlem Rezoning extends northwards from East 104th Street to the southeast corner of ~~Fifth~~ 5th Avenue and West 132nd ~~S~~street, across the intersection from the Lenox Terrace ~~Rezoning Area~~. The rezoning will up-zone several corridors in the East Harlem neighborhood to higher densities, resulting in thousands of new dwelling units (including large numbers of affordable units) and thousands of square feet of new commercial, community facility, and manufacturing space. The plan is intended to provide new mixed-income housing consistent with Mayor de Blasio's housing plan (*Housing New York: A Five-Borough, Ten-Year Plan*) and to build upon land use and zoning recommendations provided by the EHNP. The DEIS will account for the development projected to occur from this rezoning by the 2023 and 2026 analysis years.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant's proposed project would result in additional development to expand the Lenox Terrace complex. The project would develop five new mixed-use buildings and a connecting podium on Lenox Avenue on the proposed development site, replacing existing single-story retail structures. The new buildings would include approximately 1,430,258 gsf of new residential use (approximately 1,642² new units, of which between 411 and 493 units are assumed to be designated as permanently affordable pursuant to the MIH program); approximately 135,500 gsf of commercial space (an increase of approximately 39,845 gsf over No Action conditions); and approximately 15,055 gsf of community facility space. The buildings would each be 28 stories tall (approximately 284 feet, including mechanical bulkhead), which is the same height as the mechanical bulkhead at Harlem Hospital on the north side of West 135th Street. The two new buildings at the northwest and southwest corners of the proposed development site would be connected by a 6-story (approximately 68-foot-tall) base, which would be approximately the same height as the 4- to 6-story residential buildings on the west side of Lenox Avenue.

Either 25 or 30 percent of the new DUs at the proposed development site would be designated as affordable, in compliance with the recently enacted MIH. Per ZR Section 23-952, an MIH development in an R8-equivalent district may be developed under either the alternate height and setback regulations applicable to Quality Housing Buildings or the basic height and setback

² Average unit size of 850 sf is assumed.

regulations applicable within R8 districts. In this case, the buildings would be developed under the basic height and setback regulations applicable within R8 districts, with requested special permit modifications to sky exposure planes

There would be between ~~386-491~~ and 626 accessory parking spaces within parking garages below the new buildings, as well as approximately 34 accessory parking spaces at-grade. Therefore, with the proposed project, there would be a total of between 525 and 660 accessory parking spaces on the development site. The proposed commercial space would include a variety of uses, including local and destination retail. Overall, the development on the site would increase from a built FAR of approximately 3.04 (existing conditions) to a built FAR of approximately 5.61 (future with the proposed actions). The maximum allowable FAR under the proposed zoning is 7.2 for residential use, 6.5 for community facility use, and 6.0 for commercial use; in comparison, under the site's existing zoning, the maximum allowable FAR is 3.44 for a height factor residential development, or 6.5 for community facility use.

As noted above, in conjunction with the proposed development the Zoning Resolution requires a minimum amount of approximately 300,000 sf of open space. As defined in the Zoning Resolution, "open space" must be open and unobstructed from its lowest level to the sky, and accessible to and useable by all residents. In addition to parking areas and driveways (as are permitted in open space), would be required as part of the Restrictive Declaration. This open space is likely anticipated to serve primarily as a private green space, a flexible use space for residents that is also anticipated to provide active recreation space, but is not expected to be consistently open to the general public (see Figure 8). The applicant's intention is to landscape the areas in-between surface parking areas are expected to be landscaped with new trees interlaced with existing mature specimen trees. New pedestrian pathways are envisioned between low walls, creating safe paths between buildings. The remaining open areas are expected to be enhanced with a variety functions, both recreational and passive for quiet relaxation.

BUILD YEAR

The applicant plans to construct the proposed development in two phases, with completion anticipated in ~~2027~~2026. A future build year of ~~2027-2026~~ will be examined to assess the potential impacts of the proposed actions. An interim build year of ~~2022-2023~~ will be examined to assess the potential impacts of the first phase of development, which is assumed to include the southwest and northwest towers facing Lenox Avenue (Proposed Buildings NW4 and SW2) and their connecting base, as well as the northeast tower facing Fifth Avenue (Proposed Building NE). For this first phase of development, the existing single-story buildings along Lenox Avenue and 2196 Fifth Avenue would be demolished with construction immediately following, ~~moving from north to south~~. In the second phase of development, the buildings at 24 West 135th Street and 2160 Fifth Avenue would be demolished and Proposed Buildings N and SE would be constructed. ~~fronting on West 135th Street (Proposed Building 3) would be constructed first, to be followed by the same demolition and construction sequence on Fifth Avenue, from West 132nd Street north to West 135th Street.~~ Surface parking upgrades would be anticipated to be phased in intervals during the construction timeline. The open space improvements envisioned by the applicant would be developed concurrently with the proposed buildings. While there are no approved development proposals for the ~~p~~Projected future development sites, it is reasonable to assume that ~~they~~it would be developed pursuant to the proposed rezoning by the ~~2027-2026~~ build year.

C. PURPOSE AND NEED OF THE PROPOSED ACTIONS

The actions being sought would facilitate the renovation and enlargement of the Lenox Terrace housing complex while preserving the original development's interplay between high-rise structures and accessible open space. The proposed actions would allow for the provision of additional housing units (including additional affordable housing units); facilitate the development of new community facility and retail uses that would improve the quality of ground-floor streetfront retail spaces and create a more defined streetwall along Lenox Avenue; improve site circulation and access; and increase open space available to tenants. The proposed development also would provide revenues necessary for the applicant to create more than an acre of outdoor recreation space for tenants and upgrade existing building lobbies and amenities. The applicant believes the proposed project would be consistent with the City's Housing New York plan, which sets a goal of building or preserving 200,000 units of high-quality affordable housing in all five boroughs by ~~2024~~2026. In addition to the increase in residential density, the proposed C6-2 zoning would allow for the provision of a variety of retail uses, including local and destination retail, on the proposed development site. The large-scale special permit would allow for relief from height, setback, and other bulk regulations while capping overall development at 5.61 FAR and restricting commercial development beyond the limited retail development discussed here.

The applicant believes that the proposed actions would allow for the new buildings to be created on the proposed development site to be designed in such a way as to provide as much light, air, and distance as possible relative to the existing Lenox Terrace residential buildings. Specifically, the proposed actions would allow for the new buildings to be situated as far away as possible from the existing residential buildings. In addition, by situating the new construction at the corners of the site, it is the applicant's intention that the proposed project would maintain the majority of existing views across both older and newer residential units.

The applicant believes the proposed modification to reduce parking regulations would be appropriate to reflect usage patterns in this transit-rich area and would be consistent with the City's Zoning for Quality and Affordability initiative, which exempts affordable housing units from parking requirements.

D. ~~PROJECTED FUTURE DEVELOPMENT SITES~~ REZONING AREA

As described above and detailed below in **Table 1**, Block 1730 includes four lots in addition to the proposed development site: Lots 16, 19, 55, and 65. The proposed development will only occur on the proposed development site. Lots 16, 19, 55, and 65 are currently occupied by long-standing community facility and institutional uses.

Table 1
Lots within Rezoning Area

Block	Lot	Existing Use
Proposed Development Site		
1730	1	444 Lenox Avenue (commercial)
1730	7	Vacant
1730	9	45 West 132nd Street (residential), surface parking
1730	25	25 West 132nd Street (residential), surface parking
1730	33	2160 Fifth Avenue (vacant single-story commercial)
1730	36	2186 Fifth Avenue (residential), surface parking
1730	40	2196 Fifth Avenue (commercial)
1730	45	10 West 135th Street (residential), surface parking
1730	50	20 West 135th Street (single-story commercial)
1730	52	24 West 135th Street (single-story commercial)
1730	64	40 West 135th Street (residential), surface parking
1730	68	480 Lenox Avenue (vacant, single-story commercial), vacant
1730	75	470 Lenox Avenue (residential), surface parking
Projected Future Development Sites		
Projected Future Development Site 1		
1730	46	Community Facility (Joseph P. Kennedy Memorial Community Center)
1730	49	Community Facility (Joseph P. Kennedy Memorial Community Center)
Projected Future Development Site 2		
1730	65	Institutional (Metropolitan AME Church)
Potential Development Site		
1730	16	Community Facility (Joseph P. Kennedy Memorial Community Center)
1730	19	Community Facility (Joseph P. Kennedy Memorial Community Center)
Other Affected Site: NYC Parks-Owned Lot		
1730	55	Community Facility (NYC Parks Hansborough Recreation Center)

As described above, Lots 16 and 19—referred to here as Projected Development Site 1—are occupied by the Joseph P. Kennedy Memorial Community Center, which has operated in that facility since 1954. Prior to 1954, the building was also in community facility use, as the Harlem Boys Club. Lot 55 is owned by NYC Parks and occupied by the Hansborough Recreation Center. The Hansborough Recreation Center opened in 1925 as the 134th Street Bathhouse and has been operated by NYC Parks as a recreation center since 1934. Lot 65—referred to here as the pProjected future Ddevelopment Ssite 2—has been occupied since the 1960s by the Metropolitan AME Church, in the former Lincoln Theater, which was constructed circa 1915. Thus, these lots are occupied by long-standing community facility and institutional uses that are not owned or controlled by the applicant. To date, the owners of these lots have not expressed any interest in the sale of their property to the applicant, and no development by the applicant is anticipated to occur on these four lots. It was recently reported that the site of the Metropolitan AME Church might be redeveloped with a 30,000 sf residential building, with new space for the church on the ground floor and cellar of the new building.³ However, since the proposed zoning would result in more allowable floor area on these sites than under existing zoning, and future redevelopment of Lots 16, 19, and 65 under the proposed zoning cannot be ruled out, these lots isare being included as a Pprojected future Ddevelopment Ssites in the reasonable worst-case development scenario. As noted below, the development program assumed for the Pprojected future Ddevelopment Ssite 2—would be larger than what has been

³ “Billionaire cuts \$10M deal to build new residential building on Harlem church site.” *The Real Deal*, May 15, 2017.

reported, in order to maximize the development potential under the proposed actions, in order to ensure a conservative environmental review.

The owner of the Kennedy Center—Catholic Charities of the Archdiocese of New York—has expressed that it has no intention of redeveloping or disposing of the Kennedy Center in the foreseeable future. Therefore, development of this site under the rezoning is unlikely in the foreseeable future, and it will not be included in the density-based impact assessments. In order to provide a conservative analysis, however, consistent with the guidance of the *CEQR Technical Manual* the property will be considered as a potential development site and a review of site-specific effects will be conducted.

Given that the Hansborough Recreation Center (Lot 55) is owned by NYC Parks and has been operated as a public recreational facility for over 80 years, redevelopment of this site would require several discretionary actions, including possible State legislative action. Additionally, per conversations with NYC Parks, there are no plans to relocate this facility. Thus, redevelopment of this lot is not anticipated to occur as a result of the proposed actions, and will not be analyzed as a projected or potential future development site.

The proposed rezoning would increase the maximum allowable FAR on the project block (including Lots 16, 19, 55, and 65), from a maximum existing FAR of 3.44 for residential use (for a height factor development) to a maximum proposed FAR of 7.2, and from a maximum FAR of 2.0 (within the current C1-4 overlay area) for commercial use to a maximum FAR of 6.0. The maximum allowable FAR for community facility use would remain unchanged at 6.5. Although the uses on Lots 16, 19, and 65 are long-standing community facility uses, for the purposes of a conservative analysis, the EIS will consider the potential for the proposed rezoning to result in redevelopment within the foreseeable future.

E. ANALYSIS FRAMEWORK

The *CEQR Technical Manual* will serve as a general guide on the methodologies and impact criteria for evaluating the proposed actions' potential effects on the various environmental areas of analysis. In disclosing impacts, the EIS will consider the proposed actions' potential adverse impacts on its environmental setting. A future build year of ~~2027~~2026, with an interim build year of ~~2022~~2023 for the first phase of development, will be examined to assess the potential impacts of the proposed actions. Consequently, the environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives include descriptions of existing conditions, conditions in the future without the proposed actions (the No Action scenario), and conditions in the future with the proposed actions (the With Action scenario). The incremental difference between the No Action and With Action conditions is analyzed to determine the potential environmental effects of the proposed actions.

NO ACTION SCENARIO

For the purposes of a conservative analysis, it is assumed that the rezoning area would continue in its current condition in the No Action scenario (both ~~2027~~2026 and ~~2022~~2023), with the exception that currently vacant retail space on the proposed development site would likely be re-tenanted depending upon market conditions. As detailed above, while it has been reported that the Metropolitan AME Church could be redeveloped independent of the proposed actions, the No Action scenario will assume that the Pprojected Ffuture Ddevelopment Ssite 2 would continue in its current condition.

WITH ACTION SCENARIO

PROPOSED DEVELOPMENT SITE

In the With Action scenario, five mixed-use buildings comprising approximately 1,580,813 gsf of new development would be constructed on the proposed development site, replacing the existing 1-story retail structures. See **Table 2** below for the program for the proposed development site, and **Table 3** for a comparison of the No Action and With Action scenarios. As described above, the development on the site would increase from a built floor area ratio (FAR) of approximately 3.04 (existing conditions) to a built FAR of approximately 5.61 (out of a total allowable FAR of 6.5 for community facility use, 7.2 for residential use, and 6.0 for commercial use). The new buildings would include approximately 1,430,258 gsf of residential use (approximately 1,642 units,⁴ of which between approximately 411 and 493 would be designated as affordable), approximately 135,500 gsf of commercial space (an increase of 39,845 gsf over No Action conditions), and approximately 15,055 gsf of community facility space.⁵ The proposed commercial use is anticipated to include a mix of local and destination retail tenants. Tenants for the proposed community facility space have not yet been identified; however, given the adjacency of Harlem Hospital across West 135th Street, and the anticipated needs of the new (as well as existing) residential population on the proposed development site, the With Action scenario will assume that half of the community facility space could be utilized as medical office space, and the other half could be utilized as a community center. The With Action scenario will assume that either 25 or 30 percent of the new residential units would be designated as affordable, in compliance with the recently enacted MIH. Per ZR Section 23-952, an MIH development in an R8-equivalent district may be developed under either the alternate height and setback regulations applicable to Quality Housing Buildings or the basic height and setback regulations applicable within R8 districts. In this case, the buildings would be developed under the basic height and setback regulations applicable within R8 districts, with requested special permit modifications to sky exposure planes (see **Figures 3 and 4** above).

Two of the proposed new buildings (Proposed Buildings NW4 and SW2) would front onto Lenox Avenue; one would front onto West 135th Street (Proposed Building N3); and two would front onto Fifth Avenue (Proposed Buildings NE4 and SE5) (see **Figure 8**). The buildings would all be 28 stories tall (approximately 284 feet, including mechanical bulkhead); the two new buildings at the northwest and southwest corners of the proposed development site (Proposed Buildings NW4 and SW2) would be connected by a 6-story (approximately 68-foot-tall) base (see **Figures 8, 9, and 13**).

⁴ Average unit size of 850 sf. 850 sf per unit was assumed as it is deemed a reasonable assumption based on real estate trends for this location and is comparable with other environmental studies in upper Manhattan.

⁵ The proposed units could result in an additional residential population of approximately 3,842,794, based on the average household size of renter-occupied units of 2.34 for the half mile study area, 1.7 for Census Tract 212, Manhattan (Source: American Community Survey, 2011-2015 U.S. Census, 2012-2016 ACS 5-Year Estimates).



Table 2
Program for Proposed Development Site

	Residential GSF / (Amenity)	Residential Units (Affordable)	Retail GSF	Community Facility GSF	Parking
Phase I (2023)					
Proposed Building NW	277,239 (4,504)	326 (82–98)	24,593	0	
Proposed Midrise Connecting Base	65,640 (14,059)	77 (19–23)	25,211	0	
Proposed Building SW	348,846 (4,385)	410 (103–123)	25,728	0	
Proposed Building NE	238,231 (5,029)	280 (70–84)	19,779	4,966	
Total, Phase I	929,956 (27,977)	1,094 (274–328)³	95,311	4,966	455-480¹
Phase 2 (2026)					
Proposed Building N	207,853 (2,622)	245 (61–74)	16,877	4,236	
Proposed Building SE	257,890 (3,960)	303 (76–91)	23,312	5,853	
Total, Phase 2	465,743 (6,582)	548 (137–164)	40,189	10,089	36-146
Full Build	1,430,258	1,642 (411–493)³	135,500	15,055	491–626²
Notes: This table has been revised for the Final Scope of Work.					
¹ The proposed project would include between 455 and 480 new garage spaces in Phase 1, and would retain approximately 337 existing surface spaces for a total of between 792 and 817 spaces in Phase 1.					
² The proposed project would include between 491 and 626 garage spaces in the Full Build condition, and would retain approximately 34 existing surface spaces for a total of between 525 and 660 spaces at Full Build.					
³ Totals may not sum due to rounding.					

There are currently 457 at-grade parking spaces on the proposed development site, 387 of which are allocated to serve the existing residential development, and 70 of which are additional accessory spaces. The required parking spaces would remain in the future with the proposed actions. Per ZR 25-251, the required number of parking spaces for the new residential units would be between approximately 460 and 492, based on the percentage of units to be designated as affordable.⁶ Therefore, the total number of required spaces on the development site would be between approximately 847 and 879. With the proposed project, a portion of the former surface parking area would be redeveloped, reducing at-grade parking to 34 spaces. The proposed project would include between ~~386-491~~ and 626 accessory parking spaces within parking garages below the new buildings. Therefore, with the proposed project, there would be a total of between ~~420-525~~ and 660 accessory parking spaces on the development site, less than the number of required spaces. The proposed modification of accessory parking requirements is necessary to reduce the number of required spaces. The total number of required parking spaces on the proposed development site would be between 847 and 879 (387 spaces for existing units, and between 460 and 492 spaces for proposed units); therefore, the applicant is requesting a waiver for a minimum of 187 spaces and a maximum of ~~459-354~~ spaces.

⁶ Under ZR 25-251, affordable units are exempted from parking requirements. Assuming the creation of approximately 1,642 new residential units at the proposed development site, of which between 411 and 493 units are assumed to be affordable, there would be between approximately 1,149 and 1,231 units subject to underlying zoning requirements for parking. The applicable parking requirement is 0.40 spaces per unit. Therefore, for the 1,149 to 1,231 units subject to this parking requirement, between approximately 460 and 492 new parking spaces would be required.

Table 3

Comparison of No Action and With Action Scenarios

Use (GSF)	Existing Condition	No Action Scenario (2023/2026)	With Action Scenario (Phase 1—2023)	With Action Scenario (Full Build—2026)	No Action-With Action Increment (Phase 1 2023)	No Action-With Action Increment (Full Build 2026)
Proposed Development Site						
Use Group 2 (Residential)	1,495,274 gsf	1,495,274 gsf	2,453,207 gsf	2,925,532 gsf	±957,933 gsf	±1,430,258 gsf
Residential Units	1,716	1,716	2,810	3,358	±1,094 ¹	±1,642 ²
Affordable Unit Count	1,370 ³	1,370 ³	1,644-1,698 ³	1,781-1,863 ³	±274-328	±411-493
Use Group 6 (Retail)	77,835 gsf ⁴	95,655 gsf ⁵	95,311 gsf new 33,700 gsf existing 129,011 gsf total	135,500 gsf new 0 gsf existing 135,500 gsf total	±33,356 gsf	±39,845 gsf
Community Facility	0 ⁶	0	4,966 gsf	15,055 gsf	±4,966 gsf	±15,055 gsf
Accessory Parking	0 new 457 ⁷ existing 457 total	0 new 457 ⁷ existing 457 total	455-480 ⁸ new 337 ⁷ interim 792-817 total	491-626 ⁸ new 34 ⁷ existing 525-660 total	335-360	±68-203
Total GSF (Proposed Development Site only)	1,573,109 gsf	1,590,929 gsf	2,587,184 gsf	3,076,087 gsf	±996,255 gsf	±1,485,158 gsf
Projected Future Development Site (Lot 65)⁹						
Use Group 2 (Residential)	0	0	0	±58,500 gsf	0	±58,500 gsf
Residential Units	0	0	0	±69	0	±69
Affordable Unit Count	0	0	0	±21	0	±21
Community Facility	6,968 gsf	6,968 gsf	6,968 gsf	6,968 gsf ¹⁰	0	0
Accessory Parking	0	0	0	19	0	±19
Total Square Footage				65,468 gsf		58,500 gsf
Approx. Bldg. Height				145'		

Table 3 (cont'd)
Comparison of No Action and With Action Scenarios

Use (GSF)	Existing Condition	No Action Scenario (2023/2026)	With Action Scenario (Phase 1—2023)	With Action Scenario (Full Build—2026)	No Action-With Action Increment (Phase 1 2023)	No Action-With Action Increment (Full Build 2026)
Projected Future Development Site (Lot 65)⁹						
Use Group 2 (Residential)	0	0	0	±58,500 gsf	0	±58,500 gsf
Residential Units	0	0	0	±69	0	±69
Affordable Unit Count	0	0	0	±21	0	±21
Community Facility	6,968 gsf	6,968 gsf	6,968 gsf	6,968 gsf ¹⁰	0	0
Accessory Parking	0	0	0	19	0	±19
Total Square Footage				65,468 gsf		58,500 gsf
Approx. Bldg. Height				145'		
Potential Development Site (Lots 16 and 19)						
Community Facility	34,616 gsf	34,616 gsf	34,616 gsf	34,616 gsf	0	0
Accessory Parking	21	21	21	21	0	0
Approx. Bldg. Height				215'		
NYC Parks-Owned Lot (Lot 55)						
Community Facility	31,475 gsf	31,475 gsf	31,475 gsf	31,475 gsf	0	0
Totals for Rezoning Area						
Use Group 2 (Residential)	1,495,274 gsf	1,495,274 gsf	2,453,207 gsf	2,984,032 gsf	±957,933 gsf	±1,488,758 gsf
Residential Units	1,716	1,716	2,810	3,427	±1,094	±1,711
Affordable Unit Count	1,370 ³	1,370 ³	1,644-1,698	1,665-1,719	±295-349	±431-514
Use Group 6 (Retail)	77,835 gsf ⁴	95,655 gsf ⁵	95,311 gsf new 33,700 gsf existing 129,011 gsf total	135,500 gsf new 0 gsf existing 135,500 gsf total	±33,356 gsf	±39,845 gsf
Community Facility	73,059 gsf	73,059 gsf	78,025 gsf	15,055 gsf new 73,059 gsf existing 88,114 total	±4,966 gsf	±15,055 gsf
Accessory Parking	0 new 478 ⁷ existing 478 total	0 new 478 ⁷ existing 478 total	455-480 ⁸ new 337 ⁷ interim 21 ⁷ existing 813-838 total	510-645 ⁸ new 55 ⁷ existing 565-700 total	335-360	±87-222
Total GSF (Rezoning Area)	1,646,168	1,633,988	2,660,243	3,207,646	996,255	1,543,658
Notes: This table has been revised for the Final Scope of Work. Totals may not sum due to rounding. ¹ For the purposes of determining the number of Phase 1 units to be analyzed, 27,977 gsf of amenity space was subtracted from this total. ² For the purposes of determining the number of total proposed units to be analyzed, 34,559 gsf of amenity space was subtracted from this total. ³ Rent-stabilized units. ⁴ Existing Use Group 6 (retail) estimate does not include approximately 17,820 gsf of vacant storefront space, or below-grade retail storage space. ⁵ Assumes that all currently vacant retail space would be re-tenanted in No Action condition. ⁶ Per existing CofOs. Current tenancy includes some medical offices. ⁷ At-grade ⁸ Below-grade ⁹ Assumes 4 percent mechanical space addition over zsf for gsf total. ¹⁰ Assumes replacement facility for existing community facility use as part of new development.						

The proposed garages would have access/egress points on West 132nd and West 135th Streets, and would require a new curb cut on West 135th Street. The project also would require two other new curb cuts on West 135th Street, two new curb cuts on Lenox Avenue, two new curb cuts on the west side of Lenox Terrace Place, one new curb cut on the east side of Lenox Terrace Place, and two new curb cuts on West 132nd Street to service loading docks and surface parking areas. Two existing curb cuts on Lenox Avenue and West 135th Street would be removed. No changes to the curb cuts on Fifth Avenue, or to the street geometry, are proposed.

As described above, ~~two-three~~ of the five buildings (Proposed Buildings NW and SW1 and 2) and their ~~proposed~~ 6-story connecting base, and Proposed Building NE) would be constructed by ~~2022~~2023 (see **Figure 9**). These proposed buildings (~~including their connecting base~~) comprise approximately ~~1,053,244~~790,205 gsf of new development, including approximately ~~1,094~~762 residential units. The ~~two~~ existing commercial structures at 444 and 480 Lenox Avenue and 2196 Fifth Avenue would be demolished by ~~2022~~2023 to allow for this new development.

The proposed project would not utilize the full amount of additional floor area that would be made available under the proposed zoning. As described above, with the proposed project the proposed development site would have a built FAR of approximately 5.61 compared to a maximum allowable residential FAR of 7.2. However, the applicant intends to enter into a Restrictive Declaration to establish building envelope, floor area, and other large-scale controls for the project, so the analysis will assume the details of the proposed program and design as the reasonable worst-case development scenario.

PROJECTED FUTURE DEVELOPMENT SITES

As described above, for the purposes of a conservative analysis, the EIS will consider the potential future development of Lots ~~16, 19, and 65~~ with a mixed-use buildings (maintenance of existing community facility use with residential above), fully utilizing the maximum FAR allowable under the proposed rezoning. In total, ~~these~~ lots could be developed with approximately ~~340~~69 new dwelling units and ~~41,584~~6,968 gsf replacement community facility use.⁷ It is assumed that up to 30 percent of the residential units (~~403~~21 units) could be designated as affordable. It is assumed that any development on the projected future development sites would not occur until the latter build year (~~2027~~2026).

POTENTIAL DEVELOPMENT SITE

Development of this site under the rezoning is unlikely in the foreseeable future, and thus this site will not be included in density-related impact assessments. Site-specific impacts—such as potential noise impacts from development, and the possible presence of hazardous materials—relate to individual site conditions and are not dependent on the density of projected development. Therefore, a review of potential site-specific impacts will be conducted in order to provide a conservative analysis. For potential site-specific impacts, the analysis will assume that the potential future development site could be developed with an approximately 215-foot-tall building that fully occupies its site.

CITY-OWNED SITE

The existing use on Lot 55—the Hansborough Recreational Center—is assumed to remain in the future with the proposed actions, given that it has been operated as a public recreational facility for over 80 years, redevelopment of this site would require several discretionary actions (including possible State legislative action), and per conversations with NYC Parks, there are no plans to relocate this facility.

⁷ The potential new units could result in a residential population of approximately ~~579~~162, based on the average household size of renter-occupied units of 2.34 for the half mile study area 1.7 for Census Tract 212, Manhattan (Source: ~~American Community Survey, 2011–2015~~U.S. Census, 2012–2016 ACS 5-Year Estimates).

In total, the incremental development that is projected to occur within the rezoning area in the future with the proposed actions by 2027/2026 is as follows: 1,719,598/488,758 gsf of residential use, or approximately 1,982-711 units (514-431 to 596-514 of which are assumed to be affordable); 39,845 gsf of retail use; 15,055 gsf of community facility space; and ~~between approximately 2 and up to 242-222~~ accessory parking spaces.

F. CITY ENVIRONMENTAL QUALITY REVIEW

CEQR OVERVIEW

New York City has formulated an environmental review process, CEQR, pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations (Part 617 of 6 New York Codes, Rules, and Regulations). The City's CEQR rules are found in Executive Order 91 of 1977 and subsequent rules and procedures adopted in 1991 (62 Rules of the City of New York, Chapter 5). CEQR's mandate is to assure that governmental agencies undertaking actions within their discretion take a "hard look" at the environmental consequences of each of those actions so that all potential significant environmental impacts of each action are fully disclosed, alternatives that reduce or eliminate such impacts are considered, and appropriate, practicable measures to reduce or eliminate such impacts are adopted.

The CEQR process begins with selection of a "lead agency" for the review. The lead agency is generally the governmental agency which is most responsible for the decisions to be made on a proposed action and which is also capable of conducting the environmental review. For the proposed Lenox Terrace Infill project, the Department of City Planning (DCP), acting on behalf of CPC, is the CEQR lead agency.

DCP, after reviewing the Environmental Assessment Statement (EAS), has determined that the proposed actions have the potential for significant adverse environmental impacts and that an EIS must be prepared. A public scoping of the content and technical analysis of the EIS is the first step in its preparation, as described below. Following completion of scoping, the lead agency oversees preparation of a draft EIS (DEIS) for public review.

DCP and CPC will hold a public hearing during the Commission's period for consideration of the application. That hearing record is held open for 10 days following the open public session, at which time the public review of the DEIS ends. The lead agency then oversees preparation of a final EIS (FEIS), which incorporates all relevant comments made during public review of the DEIS. The FEIS is the document that forms the basis of CEQR Findings, which the lead agency and each involved agency (if applicable) must make before taking any action within its discretion on the proposed actions.

SCOPING

The CEQR scoping process is intended to focus the EIS on those issues that are most pertinent to the proposed actions. The process at the same time allows other agencies and the public a voice in framing the scope of the EIS. During the period for scoping, those interested in reviewing the draft EIS scope may do so and give their comments in writing to the lead agency or at the public scoping meeting. The Draft Scope of Work was issued on December 29, 2017. The public, interested agencies, Manhattan Community Board 10, and elected officials were invited to comment on the Draft Scope, either in writing or orally, at a public scoping meeting held on February 8, 2018 at Spector Hall, 22 Reade Street, New York, New York 10007. Comments received during the Draft

~~Scope's public meeting and written comments received up to The period for comments on the Draft Scope of Work will remain open for 10 days following the meeting (through February 20, 2018), were considered and incorporated as appropriate into the Final Scope of Work, at which point the scope review process will be closed. The lead agency will then oversee~~oversaw the preparation of a Final Scope of Work, which incorporates all relevant comments made on the scope and revises the extent or methodologies of the studies, as appropriate, in response to comments made during scoping. **Appendix A** includes responses to comments made on the Draft Scope of Work. The written comments received are included in **Appendix B**. The DEIS will be prepared in accordance with the Final Scope of Work.

G. PROPOSED SCOPE OF THE ENVIRONMENTAL IMPACT STATEMENT

The scope of the EIS will conform to all applicable laws and regulations and will follow the guidance of the *CEQR Technical Manual*.

The EIS will contain:

- A description of the proposed actions and the environmental setting;
- A statement of the environmental impacts of the proposed actions, including its short- and long-term effects, and typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided if the proposed actions are implemented;
- A discussion of reasonable alternatives to the proposed actions;
- An identification of any irreversible and irretrievable commitments of resources that would be involved if the proposed project is built; and
- A description of mitigation measures proposed to minimize or fully mitigate any significant adverse environmental impacts.

The analyses for the proposed actions will be performed for the expected year of completion of construction of the proposed project, which is ~~2027~~2026, with an interim build year of ~~2022~~2023 for the first phase of development. The No Action future baseline condition to be analyzed in all technical chapters will assume that absent the proposed actions, the rezoning area would continue in its current conditions.

Below is a description of the environmental categories in the *CEQR Technical Manual* that will be analyzed in the EIS and a description of the tasks to be undertaken.

PROJECT DESCRIPTION

This chapter introduces the reader to the proposed actions and sets the context in which to assess impacts. The chapter gives the public and decision-makers a baseline to compare the With Action scenario, the No Action scenario, and any alternative options, as appropriate.

The chapter will contain a project identification (brief description and location of the proposed development site and rezoning area); the background and/or history of the proposed development site and proposed project; a statement of purpose and need for the proposed actions; a detailed description of the proposed project, as well as the program and design assumptions for the projected future development sites; and a discussion of the approvals required, procedures to be

followed, and the role of the EIS in the process. The chapter will also describe the analytic framework for the EIS.

The project description will include a discussion of key project elements, such as site plans and elevations, access and circulation, and other project features. The section on required approvals will describe all public actions required to develop the project. The role, if any, of any other public agency in the approval process will also be described. The role of the EIS as a full disclosure document to aid in decision-making will be identified and its relationship to any other approval procedures will be described.

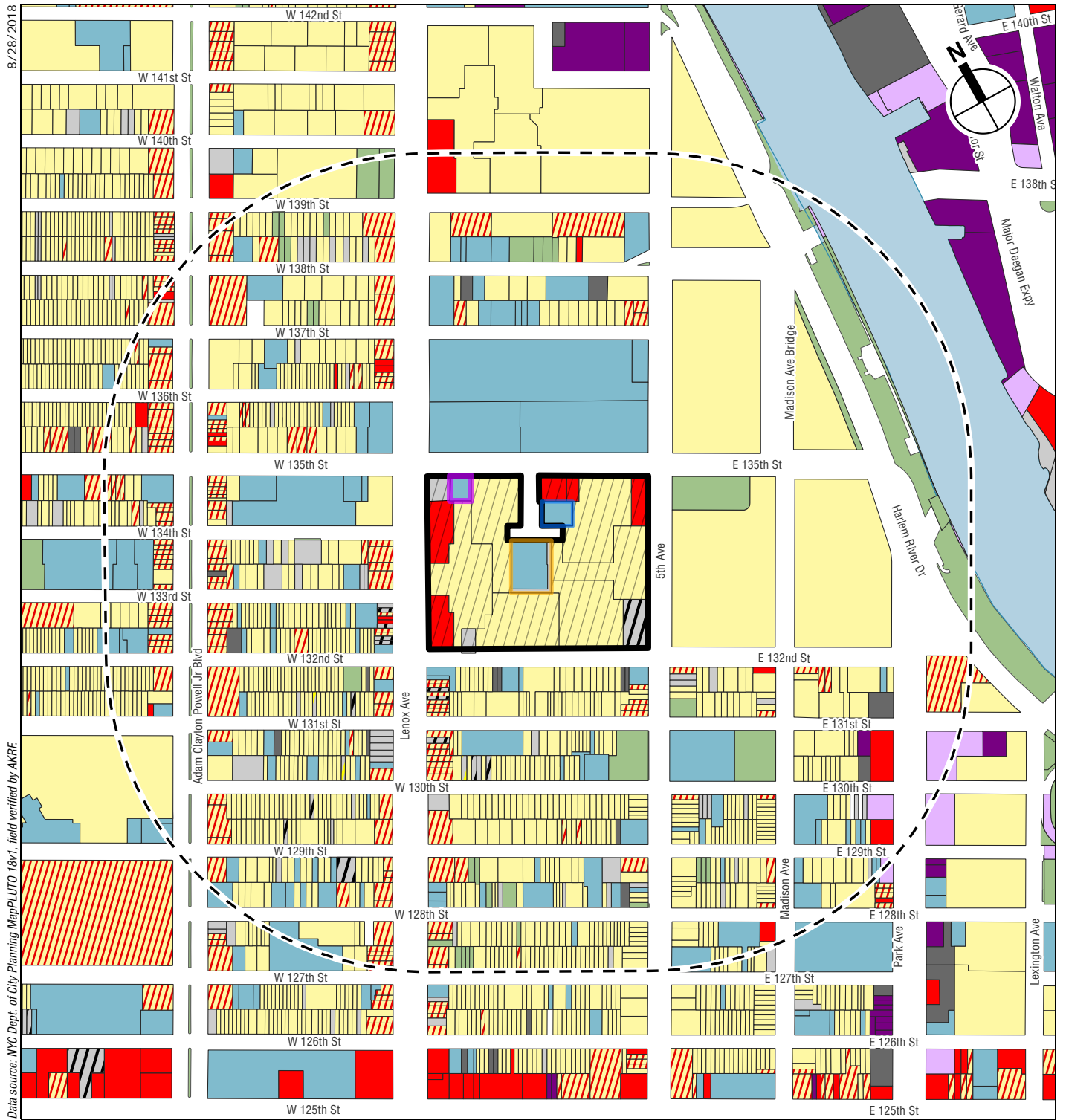
LAND USE, ZONING, AND PUBLIC POLICY

A land use analysis characterizes the uses and development trends in the area that may be affected by a proposed project. The analysis also considers the project's compliance with and effect on the area's zoning and other applicable public policies. That assessment, which provides a baseline for other analyses, will consist of the following tasks:

- Provide a brief development history of the rezoning area and study area.
- Describe conditions on the proposed development site and the remainder of the rezoning area, including existing uses and the current zoning.
- Describe predominant land use patterns in the study area, including recent development trends. The study area will include land uses within approximately ¼-mile of the rezoning area (see **Figure 14**).
- Provide a clear zoning map and discuss existing zoning and recent zoning actions in the study area.
- Summarize other public policies that may apply to the rezoning area and study area, including any formal neighborhood or community plans. Describe any public policy goals for the area that would potentially be affected by the proposed actions.
- Prepare a list of other projects expected to be built in the study area that would be completed before or concurrent with the proposed project (No Action projects). Describe the effects of these projects on land use patterns and development trends. Also, describe any pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area, including plans for public improvements. A description of the CPC-approved East Harlem rezoning will be included.
- Describe the proposed actions and provide an assessment of the impacts of the proposed actions on land use and land use trends, zoning, and public policy. Consider the effects related to issues of compatibility with surrounding land use, consistency with zoning and other public policy initiatives, and the effect of the project on development trends and conditions in the area.

SOCIOECONOMIC CONDITIONS

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the



Rezoning Area

Proposed Development Site

Projected Future Development Site

Potential Development Site

City-Owned Site

1/4-mile boundary

Commercial and Office Buildings

Industrial and Manufacturing

Open Space and Outdoor Recreation

Parking Facilities

Public Facilities and Institutions

Residential

Residential with Commercial Below

Transportation and Utility

Vacant Land

Vacant Building

Under Construction

This figure has been revised for the Final Scope of Work

Land Use Study Area

Figure 14

LENOX TERRACE

area. This chapter will assess the proposed actions' potential effects on the socioeconomic character of the surrounding area.

The socioeconomic study area boundary is expected to be similar to that of the land use study area (i.e., ¼-mile radius), and will be dependent on the size of the area's population in the future without the proposed actions, and the characteristics of the proposed and potential development within the rezoning area, pursuant to Section 310 of Chapter 5 of the *CEQR Technical Manual*. A socioeconomic assessment seeks to assess the potential to change socioeconomic character relative to the study area population. The proposed actions are expected to generate a net increase of 1,642 dwelling units on the proposed development site, and up to ~~327-69~~ additional dwelling units on the projected future development sites (1,711,969 units total for the rezoning area). For projects or actions that result in an increase in population, the scale of the relative change is typically represented as a percent increase in population (i.e., a project that would result in a relatively large increase in population may be expected to affect a larger study area). Therefore, the socioeconomic study area would be expanded to a ½-mile radius if the development associated with the proposed actions would increase the population by at least 5 percent compared to the expected No Action population in a ¼-mile study area, consistent with the *CEQR Technical Manual*.

The five principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement; and (5) adverse effects on a specific industry. The following describes whether and how each of these issues will be addressed in the EIS.

DIRECT RESIDENTIAL DISPLACEMENT

Direct residential displacement is the involuntary displacement of residents from a site directly affected by an action. The proposed actions would not result in the direct displacement of any residents. Therefore, an assessment of direct residential displacement is not warranted.

DIRECT BUSINESS DISPLACEMENT

Direct business displacement is the involuntary displacement of businesses from a site directly affected by an action. For direct business displacement, the type and extent of businesses and workers that would be directly displaced is disclosed. If a project would directly displace more than 100 employees, a preliminary assessment of direct business displacement is appropriate. By the ~~2022~~2023 analysis year, the proposed actions would directly displace approximately ~~3844,000~~ gsf of retail space currently located on the proposed development site. By the ~~2027~~2026 analysis year, the proposed actions would directly displace a total of approximately 78,000 gsf of retail space currently located on the proposed development site (including the ~~3844,000~~ gsf displaced by ~~2022~~2023), and could temporarily displace community facility uses and associated employees located on the ~~P~~rojected ~~F~~uture ~~D~~evelopment ~~S~~ites. While the proposed actions would result in a net increase in employment within the rezoning area, the numbers of directly displaced workers in both the ~~2022~~2023 and ~~2027~~2026 analysis years has the potential to exceed the 100-employee threshold warranting analysis, and therefore, a preliminary assessment will be provided in the EIS.

The analysis of direct business displacement will estimate the number of employees and the number and types of businesses that would be displaced by the proposed actions, and characterize the economic profile of the study area using current employment and business data from the New York State Department of Labor or U.S. Census Bureau. This information will be used in

addressing the following CEQR criteria for determining the potential for significant adverse impacts: (1) whether the businesses to be displaced provide products or services essential to the local economy that would no longer be available in its “trade area” to local residents or businesses due to the difficulty of either relocating the businesses or establishing new, comparable businesses; and (2) whether a category of businesses to be displaced is the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it.

INDIRECT RESIDENTIAL DISPLACEMENT

Indirect residential displacement is the involuntary displacement of residents that results from a change in socioeconomic conditions created by a proposed action. Indirect residential displacement can occur if a project either introduces a trend or accelerates a trend of changing socioeconomic conditions that leads to increased residential rents, which in turn may displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change. To assess this potential impact, the analysis will address a series of threshold questions in terms of whether the project substantially alters the demographic character of an area through population change or the introduction of more costly housing.

The indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance’s Real Property Assessment Data (RPAD), as well as current real estate market data to present demographic and residential market trends and conditions for the study area. The presentation of study area characteristics will include population estimates, ~~housing tenure and vacancy status~~average and median gross rents, current market rate rents, and average and median household incomes. The preliminary assessment will carry out the following step-by-step evaluation:

- **Step 1:** Determine if the proposed actions would add substantial new population with different income as compared with the income of the study area population. If the expected average incomes of the new population would be similar to the average incomes of the study area populations, no further analysis is necessary. If the expected average incomes of the new population would exceed the average incomes of the study area populations, then Step 2 of the analysis will be conducted.
- **Step 2:** Determine if the proposed actions’ population is large enough to affect real estate market conditions in the study area. If the population increase may potentially affect real estate market conditions, then Step 3 will be conducted.
- **Step 3:** Determine whether the study area has already experienced a readily observable trend toward increasing rents and the likely effect of the proposed action’s on such trends. This evaluation will consider the following:
 - If the vast majority of the study area has already experienced a readily observable trend toward increasing rents and new market development, further analysis is not necessary. However, if such trends could be considered inconsistent and not sustained, a detailed analysis may be warranted.
 - If no such trend exists either within or near the study area, the actions could be expected to have a stabilizing effect on the housing market within the study area by allowing limited new housing opportunities and investment. In this circumstance no further analysis is necessary.

- If those trends do exist near to or within smaller portions of the study area, the action could have the potential to accelerate an existing trend. In this circumstance, a detailed analysis will be conducted.

A detailed analysis, if warranted, would utilize more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk of displacement, assess current and future socioeconomic trends that may affect these populations, and examine the effects of the proposed actions on prevailing socioeconomic trends and, thus, impacts on the identified populations at risk. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

INDIRECT BUSINESS DISPLACEMENT

The indirect business displacement analysis determines whether the proposed actions may introduce trends that make it difficult for those businesses that provide products and services essential to the local economy, or those subject to regulations or publicly adopted plans to preserve, enhance, or otherwise protect them, to remain in the area. The purpose of this analysis is to determine whether a proposed action has potential to introduce such a trend. The preliminary assessment will entail the following tasks:

- Identify and characterize conditions and trends in employment and businesses within the study area. This analysis will be based on field surveys, and employment data from the New York State Department of Labor and/or Census.
- Determine whether the proposed actions would introduce enough of a new economic activity to alter existing economic patterns.
- Determine whether the proposed actions would add to the concentration of a particular sector of the local economy enough to alter or accelerate an ongoing trend to alter existing economic patterns.
- Determine whether the proposed actions would directly displace uses of any type that directly support businesses in the area or bring people to the area that form a customer base for local businesses.
- Determine whether the proposed actions could directly or indirectly displace residents, workers, or visitors who form the customer base of existing businesses in the area.

If the preliminary assessment determines that the proposed actions could introduce trends that make it difficult for businesses that are essential to the local economy to remain in the area, a detailed analysis will be conducted. Following *CEQR Technical Manual* guidelines, the detailed analysis would determine whether the proposed actions would increase property values and thus increase rents for a potentially vulnerable category of business and whether relocation opportunities exist for those businesses. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

An assessment of potential business displacement due to retail market saturation (i.e., competition) is not warranted. The proposed actions are not expected to add to, or create, a retail concentration that may draw a substantial amount of sales from existing businesses within the study area to the extent that certain categories of business close and vacancies in the area increase, thus resulting in potential for disinvestment on local retail streets. According to the guidelines established in the *CEQR Technical Manual*, resulting in less than 200,000 gsf of retail on a single development site would not typically result in socioeconomic impacts warranting assessment. The proposed actions

would introduce a net increment of approximately ~~33,3567,377~~ gsf of retail uses by ~~2022~~2023, and a net increment of approximately 39,845 gsf of retail by ~~2027~~2026. As the proposed actions would not exceed the CEQR thresholds, no further analysis is warranted related to retail market saturation.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

Based on the findings of the direct and indirect displacement assessments described above, a preliminary assessment of potential effects on specific industries will examine the following:

- Whether the proposed actions would significantly affect business conditions in any industry or category of businesses within or outside the study area; and
- Whether the proposed actions would indirectly substantially reduce employment or impair the economic viability in a specific industry or category of businesses.

The industries or categories of businesses that will be considered in this assessment are those specified in the North American Industry Classification System (NAICS) as promulgated by the U.S. Census Bureau.

COMMUNITY FACILITIES AND SERVICES

As defined for CEQR analysis, community facilities are public or publicly funded schools, libraries, child care centers, health care facilities and fire and police protection. A project can affect community facility services directly, when it physically displaces or alters a community facility; or indirectly, when it causes a change in population that may affect the services delivered by a community facility. This chapter of the EIS will evaluate the effects on community services due to the proposed actions.

The proposed actions would not have a direct effect on community facilities, as there would not be a physical displacement or alteration of any community facilities. According to the *CEQR Technical Manual* and additional recent guidance from DCP regarding public school analysis methodology, preliminary thresholds indicating the need for detailed analyses of indirect effects on community facilities are as follows:

- Public Schools: More than 50 new elementary/middle school or 150 high school students. For Community School District 5 in Manhattan, an increase of ~~more than approximately 2253120~~ units exceeds the threshold for elementary and middle schools, ~~834 units for /middle school,~~ and more than ~~7,5002,492~~ units for high school.
- Libraries: A greater than 5 percent increase in the ratio of residential units to libraries in the borough. For Manhattan, this is equivalent to residential population increase of 901 residential units.
- Health Care Facilities: The ability of health care facilities to provide services for a new project usually does not warrant a detailed assessment under CEQR. Generally, a detailed assessment of health care facilities is included only if a proposed project would directly affect the physical operations of, or access to and from, a hospital or public health clinic, or if a proposed action would create a sizeable new neighborhood where none existed before.
- Child Care Facilities (publicly funded): More than 20 eligible children based on the number of new low/moderate-income residential units by borough. For Manhattan, an increase of 170 low/moderate-income residential units exceeds this threshold.

- Fire Protection: The ability of the fire department to provide fire protection services for a new project usually does not warrant a detailed assessment under CEQR. Generally, a detailed assessment of fire protection services is included only if a proposed action would directly affect the physical operations of, or access to and from, a fire station house, or if a proposed action would create a sizeable new neighborhood where none existed before.
- Police Protection: The ability of the police department to provide public safety for a new project usually does not warrant a detailed assessment under CEQR. Generally, a detailed assessment of police protective services is included only if a proposed action would directly affect the physical operations of, or access to and from, a precinct house, or if a proposed action would create a sizeable new neighborhood where none existed before.

Based on these thresholds, the proposed actions are not expected to trigger detailed analyses of public high schools, outpatient health care facilities or police and fire protection serving the rezoning area. However, the community facilities assessment will provide, for informational purposes, a description of existing health care facilities (including hospitals and outpatient care facilities) serving the area. ~~Based~~ Based on a projected incremental increase of 1,711~~1969~~ residential units for the rezoning area, the proposed actions will require analyses for public elementary and intermediate schools, publicly funded day care, and libraries. This chapter will therefore include analyses of public elementary and intermediate schools, publicly funded day care, and libraries, following the guidance of the *CEQR Technical Manual*. These analyses would include the tasks described below.

PUBLIC ELEMENTARY AND MIDDLE SCHOOLS

The analysis of public elementary and middle schools will include the following tasks:

- The primary study area for the analysis of elementary and intermediate schools should be the school districts' "sub-district" in which a project is located. When appropriate, as when students may attend a school in any district school and are not limited to a subdistrict, an additional study area comprising the entire school district will be established. Identify schools serving the rezoning area and discuss the most current information on enrollment, capacity, and utilization from the Department of Education.
- Based on the data provided from the Department of Education, the School Construction Authority, and DCP, future conditions in the area without the proposed actions will be determined.
- Based on methodology presented in the *CEQR Technical Manual* and additional recent guidance from DCP regarding public school analysis methodology, the potential impact of students generated by the proposed actions on public elementary and middle schools will be assessed.
- If any significant adverse impacts are identified, potential mitigation strategies will be identified and assessed in consultation with the lead and expert agencies.

PUBLICLY FUNDED CHILD CARE

The analysis of child care will include the following tasks:

- Identify existing publicly funded group child care and Head Start facilities within approximately 1.5 miles of the rezoning area.

- Describe each facility in terms of its location, number of slots (capacity), and existing enrollment. Information will be based on publicly available information and/or consultation with the Administration for Children's Services' Division of Child Care and Head Start (CCHS).
- Any expected increases in the population of children under age 6 within the eligibility income limitations, based on CEQR methodology, will be discussed as potential additional demand, and the potential effect of any population increases on demand for publicly funded group child care and Head Start services in the study area will be assessed. The potential effects of the additional eligible children resulting from the proposed actions will be assessed by comparing the estimated net demand over capacity to the net demand over capacity estimated in the No Action condition.
- If any significant adverse impacts are identified, potential mitigation strategies will be identified and assessed in consultation with the lead and expert agencies.

LIBRARIES

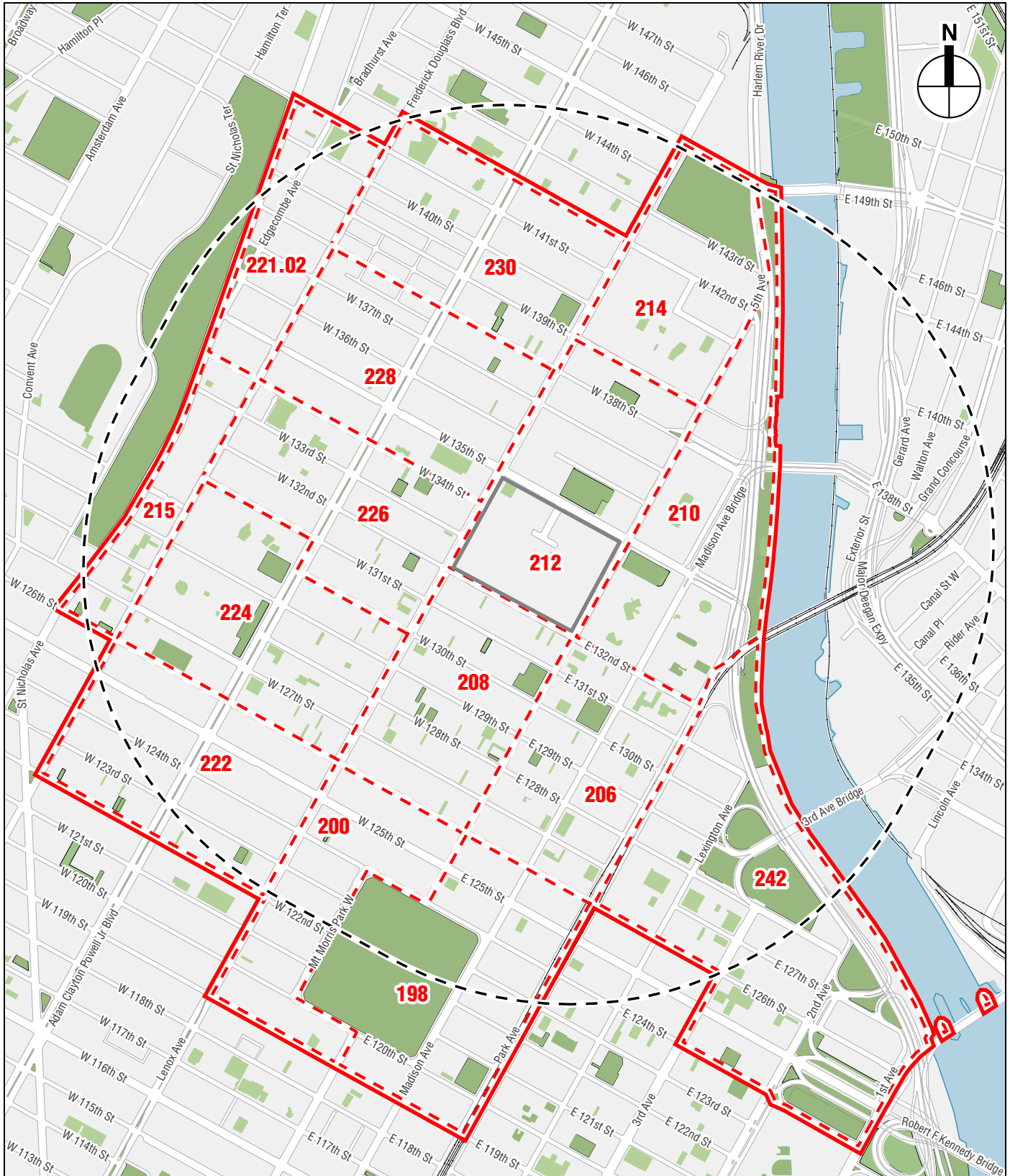
The analysis of libraries will include the following tasks:

- Service areas for neighborhood branch libraries are based on the distance that residents would travel to use library services, typically not more than ¾-mile (the library's "catchment area"). Describe and map the local libraries and catchment areas in the vicinity of the rezoning area.
- Identify the existing user population, branch holdings and circulation. Based on this information, estimate the holdings per resident.
- Determine conditions in the future without the proposed actions based on planned developments and known changes to the library system.
- Based on the population to be added by the proposed actions, estimate the holdings per resident and compare conditions in the future with the proposed actions to conditions in the future without the proposed actions.
- If any significant adverse impacts are identified, potential mitigation strategies will be identified and assessed in consultation with the lead and expert agencies.

OPEN SPACE

The *CEQR Technical Manual* recommends performing an open space assessment if a project would have a direct effect on an area open space (e.g., displacement of an existing open space resource) or an indirect effect through increased population size (for the proposed development site, an assessment would be required if the proposed project's population is greater than 200 residents or 500 employees).

Compared to conditions in the future No Action condition, the proposed actions are expected to result in an incremental increase of approximately 200 employees, which is less than the 500-employee threshold for an assessment of the potential for indirect effects on open space due to an increased worker population. However, the increase in the residential population resulting from the proposed actions—estimated to be approximately ~~4,004~~3,500 residents—would exceed the 200-resident CEQR threshold requiring a residential open space analysis. The methodology set forth in the *CEQR Technical Manual* consists of establishing a study area for analysis, calculating the total population in the study area, and creating an inventory of publicly accessible open spaces within a 1/2-mile of the rezoning area (see **Figure 15**); this inventory will include examining these spaces for their facilities (active vs. passive use), condition, and use (crowded or not). The chapter



- Rezoning Area
- Half-mile boundary
- Open Space Study Area
- 10 Census Tracts

This figure has been revised for the Final Scope of Work

will project conditions in the No Action scenario, and assess impacts of the proposed actions based on quantified ratios and qualitative factors. The new open space to be created on the proposed development site will be private, and thus will be not considered quantitatively in the analysis. The analysis will begin with a preliminary assessment to determine the need for further analysis. If warranted, a detailed assessment will be prepared, following the guidelines of the *CEQR Technical Manual*. A detailed open space analysis typically breaks down study area population by age group and details the amount and quality of various types of open space to assess the availability of particular types of open space for particular age groups. In conducting this assessment, the analysis focuses on where shortfalls in open space exist now (or in the future), to identify whether the shortfalls are a result of the project. If any significant adverse impacts are identified, potential mitigation strategies will be identified and assessed in consultation with the lead and expert agencies.

SHADOWS

The *CEQR Technical Manual* requires a shadows assessment for proposed actions that would result in new structures greater than 50 feet in incremental height, or of any height if the project site is adjacent to, or across the street from, a sunlight-sensitive resource. Sunlight-sensitive resources include publicly accessible open spaces, sunlight-sensitive features of historic resources, and natural features.

The proposed actions would result in five new 28-story buildings. The two new buildings at the northwest and southwest corners of the proposed development site would be connected by a 6-story (approximately 68-foot-tall) base. ~~a several new 28-story buildings.~~ In addition, there are public playgrounds located across the street from the rezoning area to the north and east, ~~and the proposed project would create new green space on the proposed development site.~~ Therefore a shadows analysis will be conducted following the methodology described in the *CEQR Technical Manual* to determine whether and to what extent new shadows would reach these playgrounds and other nearby sunlight-sensitive resources. Tasks will include:

- Develop a base map illustrating the rezoning area in relationship to publicly accessible open spaces, historic resources with sunlight-dependent features, and natural features in the area.
- Determine the longest possible shadow that could result from the proposed actions to determine whether it could reach any sunlight-sensitive resources at any time of year.
- Develop a three-dimensional computer model of the elements of the base map developed in the preliminary assessment.
- Develop a three-dimensional representation of the proposed actions.
- Using three-dimensional computer modeling software, determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the proposed actions on four representative days of the year.
- Document the analysis with graphics comparing shadows resulting from the No Action scenario with shadows in the With Action scenario, with incremental shadow highlighted in a contrasting color. Include a summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource.
- Assess the significance of any shadow impacts on sunlight-sensitive resources. If any significant adverse shadow impacts are identified, identify and assess potential mitigation strategies.

HISTORIC AND CULTURAL RESOURCES

The *CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. Historic resources include designated New York City Landmarks (NYCLs) and Historic Districts (NYCHDs); properties calendared for consideration as NYCLs by the Landmarks Preservation Commission (LPC) or determined eligible for NYCL designation; properties listed on the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing, or properties contained within a S/NR listed or eligible district; properties recommended by the New York State Board for listing on the S/NR; and National Historic Landmarks (NHLs).

According to the *CEQR Technical Manual*, a historic and cultural resources assessment is required if a project would have the potential to affect either archaeological or architectural resources. In its review of the EAS and the Draft Scope of Work, LPC determined that the Lenox Terrace complex appears to be National Register eligible. Additionally, LPC concluded that there are no archaeological concerns for the affected area. The proposed development site and the projected future development sites are within 400 feet of several known architectural resources, including the Schomburg Collection for Research in Black Culture, which is a National Historic Landmark, New York City Landmark, and listed on the State and National Registers of Historic Places. Therefore, consistent with the *CEQR Technical Manual*, the historic and cultural resources analysis will include the following tasks:

- Consult with LPC regarding the potential archaeological sensitivity of the proposed development site and the projected future development sites. As detailed above, LPC concluded that there are no archaeological concerns for the affected area; therefore, the analysis will focus on standing structures only. ~~A Phase 1A Archaeological Study will be prepared if requested by LPC and summarized in the EIS.~~
- Identify any known architectural resources on or within a 400-foot study area surrounding the rezoning area. Conduct a field survey to identify any potential architectural resources that could be affected by the proposed actions. Potential architectural resources comprise properties that appear to meet the eligibility criteria for NYCL designation and/or S/NR listing. Determinations of eligibility from LPC will be requested for any potential architectural resources. Map and briefly describe any identified architectural resources.
- Evaluate the potential for the proposed actions to result in direct, physical effects on any identified architectural ~~and archaeological~~ resources pursuant to CEQR. Assess the potential for the proposed actions to result in any visual and contextual impacts on architectural resources. Potential effects will be evaluated through a comparison of the future No Action condition and the future With Action condition.
- If necessary, mitigation measures to avoid or reduce potential significant adverse impacts on historic or cultural resources will be identified, in consultation with LPC.

URBAN DESIGN AND VISUAL RESOURCES

According to the methodologies of the *CEQR Technical Manual*, if a project requires actions that would result in physical changes to a project site beyond those allowable by existing zoning and which could be observed by a pedestrian from street level, a preliminary assessment of urban design and visual resources should be prepared.

The proposed actions include a rezoning that would allow for additional FAR to be developed within the rezoning area; therefore, a preliminary assessment of urban design and visual resources

will be prepared as part of the EIS. The preliminary assessment will determine whether the proposed actions, in comparison to the No Action condition, would create a change to the pedestrian experience that is significant enough to require greater explanation and further study. The study area for the preliminary assessment of urban design and visual resources will be consistent with that of the study area for the analysis of land use, zoning, and public policy (¼-mile, see **Figure 14**). The preliminary assessment will include a concise narrative of the existing area, the No Action condition, and the future with the proposed actions. The analysis will draw on information from field visits to the study area and will present photographs, zoning and floor area calculations, building heights, project drawings and site plans, and view corridor assessments.

A detailed analysis will be prepared if warranted based on the preliminary assessment. As described in the *CEQR Technical Manual*, examples of projects that may require a detailed analysis are those that would make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings, potentially obstruct view corridors, or compete with icons in the skyline. The detailed analysis would describe the urban design and visual resources of the project area and the surrounding area. The analysis would describe the potential changes that could occur to urban design and visual resources in the future with the proposed actions, in comparison to the No Action condition, focusing on the changes that could potentially adversely affect a pedestrian's experience of the area. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

HAZARDOUS MATERIALS

The *CEQR Technical Manual* identifies examples of projects where a hazardous materials assessment is warranted including rezonings (or other discretionary approvals) allowing commercial or residential uses in an area in or within close proximity to current or previous uses, including manufacturing and facilities listed in the Hazardous Materials Appendix of the Manual, which include dry cleaners, gas stations, etc. Sites with historical/urban fill also require assessment as do sites where underground and/or aboveground storage tanks (USTs or ASTs) are (or were) located on or near the site.

Since the proposed project meets these criteria—it is a proposed rezoning allowing commercial and residential uses in an area in or within close proximity to current or previous uses—this chapter of the EIS will consist of an assessment that will summarize a Phase I Environmental Site Assessment (ESA) prepared for the proposed development site. A Phase I ESA uses historical maps, regulatory databases and a site inspection to determine potential sources of contamination. For the projected future development sites, a preliminary screening assessment will also be conducted to determine which sites warrant a hazardous materials (E) designation. The chapter will summarize the significant conclusions of the Phase I ESA and the past environmental studies and will include, for the proposed development site, any requirements for subsurface (Phase II) testing or other activities, such as preparation and implementation of a Remedial Action Plan and Health and Safety Plan, needed either prior to or during construction of the proposed project to avoid the potential for significant adverse impacts. For ~~each of the projected future development site~~ and the potential development sites, a preliminary screening assessment will be conducted to determine whether an institutional control, such as an (E) designation, should be placed on the Zoning Map to ensure that additional evaluation of these sites occurs prior to their redevelopment, to eliminate the potential for a significant adverse hazardous materials impact.

WATER AND SEWER INFRASTRUCTURE

According to the *CEQR Technical Manual*, a water and sewer infrastructure assessment analyzes whether a proposed project may adversely affect New York City's water distribution or sewer system and, if so, assess the effects of such projects to determine whether their impact is significant, and present potential mitigation strategies and alternatives. The proposed actions would not result in an incremental demand for water in excess of 1 million gallons per day (gpd) and therefore, an assessment of water supply is not warranted. However, because the proposed actions would introduce an incremental increase above the No Action scenario of more than 1,000 residential units and is located in a combined sewer area within Manhattan, an analysis of water and sewer infrastructure is warranted. This analysis will consist of the following:

- A description of the existing stormwater drainage system and surfaces (pervious or impervious) on the rezoning area and of the existing sewer system that serves the rezoning area, based on records obtained from the New York City Department of Environmental Protection (DEP).
- A description of any changes to the stormwater drainage system and surface area of the rezoning area, as well as the area's sewer system, that are expected in the No Action scenario.
- An analysis of potential impacts that will consist of the identification and assessment of the effects of the incremental With Action sanitary and stormwater flows on the capacity of the sewer infrastructure. The DEP volume calculation worksheet will be prepared. Any best management practices to be included as part of the proposed project will be described.

SOLID WASTE AND SANITATION

A solid waste assessment determines whether an action has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan or with State policy related to the City's integrated solid waste management system. The proposed actions would induce new development that would require sanitation services. If a project's generation of solid waste in the With Action condition would not exceed 50 tons per week, it may be assumed that there would be sufficient public or private carting and transfer station capacity in the metropolitan area to absorb the increment, and further analysis generally would not be required. As the proposed project is expected to result in a net increase of more than 50 tons per week, compared to the No Action condition, an assessment of solid waste and sanitation services is warranted. This chapter will provide an estimate of the additional solid waste expected to be generated by the proposed project and assesses its effects on the City's solid waste and sanitation services. This assessment will:

- Describe existing and future New York City solid waste disposal practices;
- Estimate solid waste generation by the proposed project for existing, No Action, and With Action conditions; and
- Assess the impacts of the proposed project's solid waste generation on the City's collection needs and disposal capacity. The proposed project's consistency with the City's Solid Waste Management Plan will also be assessed.

ENERGY

An EIS is to include a discussion of the effects of a proposed action on the use and conservation of energy, if applicable and significant, in accordance with CEQR. A detailed energy assessment is limited to actions that may significantly affect the transmission or generation of energy. For other actions, in lieu of a detailed assessment, the estimated amount of energy that would be consumed annually as a result of the day-to-day operation of the buildings and uses resulting from an action is disclosed, as recommended in the *CEQR Technical Manual*.

While the proposed actions do not meet the threshold for a detailed energy assessment, to support the Greenhouse Gas Emissions analysis, the EIS will disclose the projected amount of energy consumption during long-term operation resulting from the proposed actions. The projected amount of energy consumption during long-term operation will be estimated based on the average and annual whole-building energy use rates for New York City.

TRANSPORTATION

In accordance with guidance prescribed in the *CEQR Technical Manual*, the evaluation of potential transportation-related impacts associated with a proposed development begins with screening assessments, which encompass the preparation of travel demand estimates (Level-1 screening analysis) and/or trip assignments (Level-2 screening analysis), to determine if detailed analyses would be warranted to address the potential impacts project-generated trips may have on the transportation system. If the Level-1 screening analysis results show that a proposed actions would result in 50 or more peak hour vehicle trips, 200 or more peak hour transit trips (200 or more peak hour transit riders at any given subway station or 50 or more peak hour bus trips on a particular route in one direction), and/or 200 or more peak hour pedestrian trips, a Level-2 screening analysis would be undertaken. If the results of the Level-2 screening analysis show that the proposed actions would generate 50 or more peak hour vehicle trips through an intersection, 50 or more peak hour bus riders on a bus route in a single direction, 200 or more peak hour subway passengers at any given station, or 200 or more peak hour pedestrian trips per pedestrian element, further quantified analyses may be warranted to evaluate the potential for significant transportation impacts. For the proposed actions, these screening assessments are expected to show that detailed analyses of traffic, transit, pedestrians, vehicle/pedestrian safety, and parking for weekday and weekend peak periods would be required. The transportation scope of services is outlined below.

TRAVEL DEMAND PROJECTIONS AND SCREENING ASSESSMENTS

The transportation analysis for the EIS will compare the future with the proposed actions to the No Action scenario, to determine the trip-making increments that could occur as a result of the proposed actions. Travel demand estimates and trip assignments will be prepared for the proposed actions. The screening assessments entail evaluating the results of these trip estimates to identify the appropriate study areas for detailed analyses and summarize the findings in a Travel Demand Factors (TDF) memorandum for review and concurrence by the lead agency, the New York City Department of Transportation (DOT), and/or New York City Transit (NYCT). For technical areas determined to require further detailed analyses (i.e., traffic, parking, transit, and/or pedestrians), those analyses will be prepared in accordance with *CEQR Technical Manual* procedures.

TRAFFIC

Given the scale of the proposed project as well as the proposed mix of uses, a detailed analysis of traffic operations will be required for the weekday AM, midday, and PM, as well as the Saturday

midday/afternoon peak periods. Based on the ~~preliminary~~ travel demand assessment and review conducted with DOT, ~~116~~ intersections will be included ~~have been recommended~~ for detailed analysis. This would include intersections within the area bounded by 129th Street and 134th Streets, Madison Fifth Avenue, and Adam Clayton Powell Jr. Frederick Douglass Boulevard.

Data Collection and Baseline Traffic Volumes

Data collection efforts will be undertaken pursuant to *CEQR Technical Manual* guidelines. The traffic data collection program will include 9-day automatic traffic recorder (ATR) counts, intersection turning movement and vehicle classification counts, conflicting bike/pedestrian volumes, and an inventory of existing roadway geometry (including street widths, travel directions, lane markings, curbside regulations, bus stop locations, etc.) and traffic control. This program will also document existing driveway activities on the project block and consider data needs for the mobile source air quality analysis described in the next section. Official signal timing data will be obtained from DOT for incorporation into the capacity analysis described below. Using the collected traffic data, balanced traffic volume networks will be developed for the weekday AM, midday, and PM, and Saturday afternoon peak hours.

Existing Conditions Capacity Analysis

The traffic analysis will be performed in accordance with 2000 *Highway Capacity Manual* (HCM) procedures, using software approved by the lead agency and DOT. Analysis results for the weekday AM, midday, and PM, and Saturday peak hours will be tabulated to show intersection, approach, and lane group volume-to-capacity (v/c) ratio, average vehicle delay, and level-of-service (LOS). Congested vehicle movements will be described.

No Action Condition Analysis

The future No Action traffic volumes will incorporate *CEQR Technical Manual* recommended background growth plus trips expected to be generated by any nearby development projects. The same intersections selected for analysis under existing conditions will be assessed to identify changes in v/c ratio, average vehicle delay, and LOS. Notable deteriorations in service levels will be described.

With Action Condition Analysis

Incremental vehicle trips associated with the proposed actions will be overlaid onto the No Action peak hour traffic networks, accounting for also changes in site access and circulation, for analysis of potential impacts. Vehicle movements found to incur delays exceeding the CEQR impact thresholds will be described. For these locations, traffic engineering improvement measures will be explored to mitigate the identified significant adverse traffic impacts to the extent practicable.

TRANSIT

Due to comparatively higher transit ridership on weekday commuter hours than other weekday and weekend time periods, the analysis of potential transit impacts typically focuses on the weekday AM and PM peak periods. For the proposed actions, based on the ~~preliminary~~ travel demand estimates, a detailed analysis of control areas and pedestrian circulation elements would be warranted for the Lenox Avenue/135th Street (Nos. 2 and 3 lines) subway station. In addition, line-haul analyses will be conducted for these two subway lines. For the nearby bus routes (i.e., M1, ~~M2, M7, and M102, and Bx33~~), ~~based on the preliminary travel demand estimates, a detailed bus line-haul analysis- has been determined to be unwarranted~~ would be warranted for the M1 bus

~~route~~. If significant adverse impacts are identified, improvement measures will be recommended to mitigate the impacts to the extent practicable. If mitigation measures are needed for station improvements, they will be developed in consultation with NYCT.

PEDESTRIANS

Detailed pedestrian analyses will be conducted for the weekday AM, midday, and PM, as well as the Saturday midday/afternoon peak periods. Based on the ~~preliminary~~ travel demand estimates, a pedestrian study area that is an equivalent of up to two intersections (i.e., up to 8 corner reservoirs and 8 crosswalks) and their adjoining sidewalks (i.e., up to 16 sidewalks) would be warranted for analysis for the weekday AM, midday, and PM, as well as the Saturday midday/afternoon peak periods. The detailed pedestrian analysis will be conducted for the existing, No Action, and With Action conditions per CEQR guidelines, similar to the procedures described above for the traffic analyses. If significant adverse impacts are identified, improvement measures will be recommended to mitigate the impacts to the extent practicable.

VEHICLE/PEDESTRIAN SAFETY

The most recent three years of crash data will be obtained from the New York State Department of Transportation (NYSDOT) for the study area intersections to determine if any would be classified as high-accident locations, which according to the *CEQR Technical Manual*, are those that had 48 or more crashes or 5 or more bike/pedestrian-related crashes over a 12-month period. Where necessary, improvement measures will be identified to ameliorate unsafe conditions and to prevent the potential for significant adverse safety impacts.

PARKING

There are currently on-site parking spaces to accommodate the demand from the site's existing uses. Data will be provided to determine the existing on-site supply and utilization. In addition, an off-site assessment of off-street public parking supply and utilization and an inventory of on-street parking regulations for a ¼-mile surrounding the rezoning area will be conducted. For the proposed actions, a parking demand projection will be prepared to determine how the future demand could be accommodated on-site (accounting for the modified parking supply on the proposed development site) or at surrounding parking resources and to identify potential parking shortfall, if any.

AIR QUALITY

The vehicle trips generated by the proposed actions would potentially exceed the *CEQR Technical Manual's* carbon monoxide (CO) screening threshold of 170 vehicles in a peak hour at one or more intersections and/or the particulate matter (PM) emission screening threshold discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. Therefore, a screening analysis for mobile sources will be performed. If any screening thresholds are exceeded, a detailed mobile source analysis would be required. The proposed project's parking facilities will be analyzed to determine their effect on air quality. Potential impacts on surrounding uses from the heating and hot water systems that would serve the proposed buildings will also be assessed. The effect of heating and hot water systems associated with large or major emission sources in existing buildings on the proposed development site will be analyzed.

MOBILE SOURCE ANALYSIS

- A screening analysis for CO and PM will be prepared based on the traffic analysis and the above mentioned CEQR criteria. If screening levels are exceeded, a dispersion analysis would be required.
- Calculate emission factors for the parking facility analysis. Select emission calculation methodology. Compute vehicular cruise and idle emission factors for the proposed parking facilities associated with the traffic analysis performed for the reasonable worst-case development scenario, using the MOVES 2014a or latest mobile source emission model and applicable assumptions based on guidance by EPA, DEC, and the *CEQR Technical Manual*.
- Select appropriate background levels. Appropriate CO and PM background levels will be selected for the study area.
- Perform an analysis of CO and PM emissions from the proposed parking facilities. The analysis will use the procedures outlined in the *CEQR Technical Manual* for assessing potential impacts from the proposed below-grade and surface parking facilities. Cumulative impacts from on-street sources and emissions from the parking facility will be calculated, where appropriate.
- Compare with benchmarks and evaluate impacts. Evaluate potential impacts by comparing predicted future CO and PM levels with standards, and *de minimis* criteria. If significant adverse impacts are predicted, recommend design measure to minimize impacts.

STATIONARY SOURCE ANALYSIS

- A detailed stationary source analysis will be performed using the EPA AERMOD dispersion model to estimate the potential impacts from the heating and hot water systems for the proposed project, including the potential effects on adjacent Lenox Terrace buildings. Five years of recent meteorological data, consisting of surface data from the LaGuardia Airport National Weather Service Station, and concurrent upper data from Brookhaven, New York, will be used for the simulation modeling. Concentrations of nitrogen dioxide (NO₂), sulfur dioxide (SO₂) (if assuming fuel oil), and particulate matter (PM₁₀ and PM_{2.5}) will be determined at sensitive receptor locations on the rezoning area, as well as at off-site locations to assess the cumulative effects of the stationary sources associated with the proposed actions. Predicted values will be compared with and national ambient air quality standards (NAAQS) and *de minimis* criteria for PM_{2.5}.
- An analysis of existing large and major sources of emissions (such as sources having federal and state permits) identified within 1,000 feet of the proposed rezoning area will be performed to assess their potential effects on the proposed project. Predicted criteria pollutant concentrations will be predicted using the AERMOD model compared with NAAQS for NO₂, SO₂ (if fuel is used), and PM₁₀, and *de minimis* criteria for PM_{2.5}.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

In accordance with the *CEQR Technical Manual*, greenhouse gas (GHG) emissions generated by the proposed project will be quantified, and an assessment of consistency with the City's established GHG reduction goal will be prepared. Emissions will be estimated for the analysis year and reported as carbon dioxide equivalent (CO₂e) metric tons per year. GHG emissions other than carbon dioxide (CO₂) will be included if they would account for a substantial portion of overall emissions, adjusted to account for the global warming potential.

Relevant measures to reduce energy consumption and GHG emissions that could be incorporated into the proposed project will be discussed, and the potential for those measures to reduce GHG emissions from the proposed project will be assessed to the extent practicable. Per CEQR guidance, the quantified analysis will include only the proposed development, and a qualitative discussion will address all sites including any sites that may be potentially developed as a result of rezoning (the projected future development site and the potential development sites).

- *Direct Emissions:* GHG emissions from proposed project on-site boilers used for heat and hot water, natural gas used for cooking, and fuel used for on-site electricity generation, if any, will be quantified. Emissions will be based on available project-specific information regarding the project's expected fuel use or carbon intensity factors specified in the *CEQR Technical Manual*.
- *Indirect Emissions:* GHG emissions from purchased electricity and/or steam generated off-site and consumed on-site during the proposed project's operation will be estimated.
- *Indirect Mobile Source Emissions:* GHG emissions from vehicle trips to and from the proposed development site will be quantified using trip distances and vehicle emission factors provided in the *CEQR Technical Manual*.
- *Construction:* Emissions from proposed project construction and emissions associated with the extraction or production of construction materials will be qualitatively discussed. Opportunities for reducing GHG emissions associated with construction will be considered.
- *Potential Measures to Reduce GHG Emissions:* Design features and operational measures to reduce the proposed project's energy use and GHG emissions will be discussed and quantified to the extent that information is available.
- *Consistency with the City's GHG Reduction Goal:* Consistency of the proposed project and the proposed actions overall will be assessed. While the City's overall goal is to reduce GHG emissions by 30 percent below 2005 level by 2025, individual project consistency is evaluated based on building energy efficiency, proximity to transit, on-site renewable power and distributed generation, efforts to reduce on-road vehicle trips and/or to reduce the carbon fuel intensity or improve vehicle efficiency for project-generated vehicle trips, and other efforts to reduce the project's carbon footprint.

NOISE

The noise analysis will examine impacts of ambient noise sources (e.g., vehicular traffic from adjacent roadways and surrounding playgrounds) on the proposed residential uses and the impacts of project-generated traffic on noise-sensitive land uses nearby. This will include noise monitoring to determine existing ambient noise levels. For CEQR purposes, it is assumed that a detailed analysis of the proposed development's mechanical equipment will not be required, because any HVAC equipment would be designed to meet applicable regulations. Consequently, the noise analysis will examine existing noise levels in the project area and the window/wall attenuation that would be required to provide acceptable interior noise levels at project buildings. The subtasks are as follows:

- Select appropriate noise descriptors. Based upon CEQR criteria, the noise analysis would examine the 1-hour equivalent (L_{eq1}) and ~~the~~ L_{10} noise levels.
- Perform a screening analysis to determine whether there are any locations where there is the potential for the proposed actions to result in significant noise impacts (e.g., doubling of traffic volume) due to project-generated traffic. If the results of the traffic study indicate that a doubling of traffic would occur, a mobile source noise analysis would be performed.

- Select receptor locations. Receptor sites analyzed will include locations where high existing ambient noise levels could adversely affect new residential and other sensitive uses associated with the project.
- Determine existing noise levels. At each of the receptor sites identified above, 20-minute measurements would be performed during typical weekday AM, midday, and PM peak periods. Hourly L_{eq} , L_1 , L_{10} , L_{50} , and L_{90} values will be recorded.
- ~~Determine future noise levels without the proposed actions. At each of the impact analysis receptor locations identified above, determine noise levels without the proposed actions using existing noise levels, acoustical fundamentals, and mathematical models.~~
- ~~Determine future noise levels with the proposed actions. At all of the receptor locations identified above, determine noise levels with the proposed actions using existing noise levels, acoustical fundamentals, and mathematical models.~~
- Determine amount of building attenuation required. The level of building attenuation necessary to satisfy CEQR requirements is a function of the exterior noise levels, and will be determined. Projected future Measured noise levels will be compared to appropriate standards and guideline levels. As necessary, general noise attenuation measures needed for project buildings to achieve compliance with standards and guideline levels will be recommended.

PUBLIC HEALTH

According to the *CEQR Technical Manual*, public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and if so, to identify measures to mitigate such effects.

According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified in any one of these technical areas and DCP determines that a public health assessment is warranted, an analysis will be provided for that specific technical area.

NEIGHBORHOOD CHARACTER

Neighborhood character is established by a number of factors, such as land use, zoning, and public policy; socioeconomic conditions; open space; urban design and visual resources; shadows; transportation; and noise. According to the guidelines of the *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in one of the technical areas presented above, or when a project may have moderate effects on several of the elements that define a neighborhood's character.

Methodologies outlined in the *CEQR Technical Manual* will be used to provide an assessment of neighborhood character. Work items for this task are as follows:

- Based on other EIS sections, describe the predominant factors that contribute to defining the character of the neighborhood surrounding the rezoning area.

- Based on planned development projects, public policy initiatives, and planned public improvements, summarize changes that can be expected in the character of the area in the future without the proposed actions.
- Assess and summarize the proposed actions' effects on neighborhood character using the analysis of impacts as presented in other pertinent EIS sections (particularly socioeconomic conditions, open space, urban design and visual resources, shadows, traffic, and noise).

CONSTRUCTION

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. The construction assessment will focus on areas where construction activities may pose specific environmental problems. As the proposed project will require substantial construction near the existing Lenox Terrace buildings for an extended period of time and that project buildings would be completed and occupied during the later stages of project construction, construction impacts of the infill development will be a sensitive issue requiring detailed assessment. According to the *CEQR Technical Manual*, a large-scale development project with an overall construction period lasting longer than two years and that is near to sensitive receptors (i.e., residences, open spaces, etc.) should undergo a construction impact assessment. The construction impact assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors and will be based on a conceptual construction schedule for the proposed actions.

Technical areas to be assessed include the following:

- *Transportation Systems.* This assessment will consider losses in lanes, sidewalks, off-street parking on the proposed development site and the projected future development sites, and effects on other transportation services (i.e., transit and pedestrian circulation) during the construction periods, and identify the increase in vehicle trips from construction workers and equipment. Issues concerning construction worker parking and truck delivery staging will also be addressed. Based on the trip projections of activities associated with peak construction for the proposed project and those from project components that would have been completed and operational during peak construction, a detailed assessment of potential transportation impacts during construction ~~and how they are compared to the trip projections under the operational condition will be provided. If this effort identifies the need for a separate detailed analysis, such analysis will be prepared.~~
- *Air Quality.* A detailed dispersion analysis of construction sources will be performed to determine the potential for air quality impacts on sensitive receptor locations. Air pollutant sources would include combustion exhaust associated with non-road construction engines (e.g., cranes, excavators) and trucks operating on-site, construction-generated traffic on local roadways, as well as onsite activities that generate fugitive dust (e.g., excavation, demolition). The pollutants of concern include carbon monoxide (CO), particulate matter (PM), and nitrogen dioxide (NO₂). The potential for significant impacts will be determined by a comparison of model predicted total concentrations to the National Ambient Air Quality Standards (NAAQS), or by comparison of the predicted increase in concentrations to applicable interim guidance thresholds. The air quality analysis will also include a discussion of the strategies to reduce project related air pollutant emissions associated with construction activities.
- *Noise and Vibration.* A quantitative construction noise analysis will be prepared to examine potential noise impacts due to construction-related stationary and mobile sources. In the detailed construction noise analysis, existing noise levels will be determined by noise

measurements performed at at-grade receptor locations. During the most representative worst-case time periods, noise levels due to construction of the proposed project will be predicted for each sensitive receptor. Based on the results of the construction noise analysis, if necessary, the feasibility, practicability, and effectiveness of implementing measures to mitigate significant construction noise impacts will be examined.

Construction activities have the potential to result in vibration levels that may result in structural or architectural damage, and/or annoyance or interference with vibration-sensitive activities. A construction vibration assessment will be performed. This assessment will determine critical distances at which various pieces of equipment may cause damage or annoyance to nearby buildings based on the type of equipment, the building construction, and applicable vibration level criteria. Should it be necessary for certain construction equipment to be located closer to a building than its critical distance, vibration mitigation options will be proposed.

- *Other Technical Areas.* As appropriate, discuss other areas of environmental assessment for potential construction-related impacts, including but not limited to historic and cultural resources, hazardous materials, open space, socioeconomic conditions, community facilities, and land use and neighborhood character.

ALTERNATIVES

The purpose of an alternatives analysis is to examine reasonable and practicable options that avoid or reduce project-related significant adverse impacts while achieving the goals and objectives of the proposed actions. The alternatives are usually defined when the full extent of a proposed project's impacts is identified, but at this time, it is anticipated that they will include the following:

- A No Action Alternative, which describes the conditions that would exist if the proposed actions were not implemented;
- A No Unmitigated Adverse Impacts Alternative, if unavoidable adverse impacts are identified in the EIS; and
- A discussion of other possible alternatives that may be developed in consultation with the lead agency during the EIS preparation process, such as alternatives that may reduce but not eliminate identified unavoidable adverse impacts, or that may be posed by the public during the scoping of the EIS.

For technical areas where impacts have been identified, the alternatives analysis will determine whether these impacts would still occur under each alternative. The analysis of each alternative will be qualitative, except where impacts from the proposed actions have been identified.

MITIGATION

Where significant adverse impacts have been identified in the EIS, this chapter will describe the measures to mitigate those impacts. These measures will be developed and coordinated with the responsible city and state agencies, as necessary. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

SUMMARY CHAPTERS

Several summary chapters will be prepared, focusing on various aspects of the EIS, as set forth in the regulations and the *CEQR Technical Manual*. They are as follows:

EXECUTIVE SUMMARY

Once the EIS technical sections have been prepared, a concise executive summary will be drafted. The executive summary will use relevant material from the body of the EIS to describe the proposed actions, environmental impacts, measures to mitigate those impacts, and alternatives to the proposed actions.

UNAVOIDABLE ADVERSE IMPACTS

Those impacts, if any, which could not be avoided and could not be practicably mitigated, will be described in this chapter.

GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

This chapter will focus on whether the proposed actions would have the potential to induce new development within the surrounding area.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

This chapter focuses on those resources, such as energy and construction materials, that would be irretrievably committed should the proposed project be built. *

Appendix A:

Response to Comments on the Draft Scope of Work

A. INTRODUCTION

This appendix to the Final Scope of Work (FSOW) summarizes and responds to substantive comments received during the public comment period for the Draft Scope of Work (DSOW) for the Environmental Impact Statement (EIS) for the proposed Lenox Terrace project. The public hearing on the DSOW was held on February 8, 2018, at Spector Hall, 22 Reade Street, New York, at 6:00 PM. The comment period remained open through February 20, 2018.

Section B lists the organizations and individuals that provided comments relevant to the DSOW. Section C contains a summary of these relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the DSOW. Where more than one commenter expressed similar views, those comments have been grouped and addressed together. All written comments are included in Appendix B, “Written Comments Received on the Draft Scope of Work.”

B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DSOW¹

ELECTED OFFICIALS

1. Representative of Brian Benjamin, Senator, New York State, oral comments delivered February 8, 2018 (Benjamin_049)

ORGANIZATIONS

2. Delsenia Glover, President, Lenox Terrace Association of Concerned Tenants, oral comments delivered February 8, 2018 (Glover_LTACT_025)
3. Valerie Jo Bradley, President, Save Harlem Now, oral comments delivered February 8, 2018 (Bradley_SHN_044)
4. Mohan Matabeek, Representative, Service Employees International Union 32BJ, oral comments delivered February 8, 2018 (Matabeek_SEIU_023)

GENERAL PUBLIC

5. Michael Henry Adams, oral comments delivered February 8, 2018 (Adams_034)
6. Anonymous, letter dated February 8, 2018 (Anonymous_005)
7. Denise Borden-Miller, letter dated February 19, 2018 (Borden-Miller_021)
8. Patrick Bradford, letters dated February 16, 2018 (Bradford_059 and Bradford_060) and February 21, 2018 (Bradford_067)

¹ Citations in parentheses refer to internal comment tracking annotations.

9. Marilyn Brewer, oral comments delivered February 8, 2018 (Brewer_051)
10. Terri Brooks, oral comments delivered February 8, 2018 (Brooks_040)
11. George Buckner, email dated February 20, 2018 (Buckner_008)
12. Mary Candelore, oral comments delivered February 8, 2018 (Candelore_053)
13. Kaloma Cardwell, email dated February 19, 2018 (Cardwell_013) and oral comments delivered February 8, 2018 (Cardwell_035)
14. Cordelle Cleare, oral comments delivered February 8, 2018 (Cleare_045)
15. Audrey Collins, letter dated February 15, 2018 (Collins_061)
16. Brenda Cox, email dated February 20, 2018 (Cox_007)
17. Misa Dayson, oral comments delivered February 8, 2018 (Dayson_038)
18. Nan Faessler, letter dated February 12, 2018 (Faessler_016) and February 27, 2018 (Faessler_065), oral comments delivered February 8, 2018 (Faessler_029)
19. Perry Gaffney, oral comments delivered February 8, 2018 (Gaffney_022)
20. Veronica Glasgow, oral comments delivered February 8, 2018 (Glasgow_042)
21. Denise Glaude, letter dated February 17, 2018 (Glaude_002)
22. Eric Glaude, letter dated February 17, 2018 (Glaude_E_004)
23. Yvette Green, letter dated February 19, 2018 (Green_019) and oral comments delivered February 8, 2018 (Green_057)
24. Robin Hill, oral comments delivered February 8, 2018 (Hill_056)
25. Thomasine Holloway, oral comments delivered February 8, 2018 (Holloway_047)
26. Marsha Hudson, email dated February 20, 2018 (Hudson_014)
27. Winifred Jackson, letter dated February 19, 2018 (Jackson_018)
28. Blanche Johnson, oral comments delivered February 8, 2018 (Johnson_037)
29. R. Jon, email dated February 19, 2018 (Jon_020)
30. Willie Jones, email dated February 18, 2018 (Jones_001) and letter dated February 26, 2018 (Jones_064)
31. Lisa [last name not provided], email dated February 12, 2018 (Lisa_009)
32. Stephanie Llanes, oral comments delivered February 8, 2018 (Llanes_036)
33. Charles and Yvonne Mitchell, letters dated February 16, 2018 (Mitchell_062) and February 21, 2018 (Mitchell_066)
34. Nancy Morisseau, oral comments delivered February 8, 2018 (Morisseau_043)
35. Wendalyn Nichols, email dated February 20, 2018 (Nichols_006) and oral comments delivered February 8, 2018 (Nichols_030)
36. Geoffrey Payton, oral comments delivered February 8, 2018 (Payton_041)
37. Cora Percival, oral comments delivered February 8, 2018 (Percival_027)
38. Tracey Plaskett, email dated February 20, 2018 (Plaskett_011)
39. Laurel Richardson, email dated February 20, 2018 (Richardson_017)
40. Carol Roberts, email dated February 14, 2018 (Roberts_012)
41. Gina Rodriguez, email dated February 19, 2018 (Rodriguez_015)
42. Martha Rodriguez, oral comments delivered February 8, 2018 (Rodriguez_028)
43. Katlyn Rogan, oral comments delivered February 8, 2018 (Rogan_046)
44. Gary Sales, oral comments delivered February 8, 2018 (Sales_039)
45. Risa Schneider, oral comments delivered February 8, 2018 (Schneider_026)
46. Lenn Shebar, oral comments delivered February 8, 2018 (Shebar_052)
47. Peg Skarrow, email dated February 16, 2018 (Skarrow_010)
48. Sharon Stacey, oral comments delivered February 8, 2018 (Stacey_050)
49. John Tarnok, oral comments delivered February 8, 2018 (Tarnok_054) and email dated February 20, 2018 (Tarnok_058)

- 50. Louise Taylor, letter dated February 15, 2018 (Taylor_063)
- 51. Zytiin Thornton, oral comments delivered February 8, 2018 (Thornton_033)
- 52. Leizel Vergara-Spagnola, oral comments delivered February 8, 2018 (Vergara-Spagnola_032)
- 53. Shaina Wiel, oral comments delivered February 8, 2018 (Wiel_031)
- 54. Elaine Williams, letter dated February 18, 2018 (Williams_003) and oral comments delivered February 8, 2018 (Williams_024)
- 55. Terri Wisdom, oral comments delivered February 8, 2018 (Wisdom_055)
- 56. Marta Yakubanis, oral comments delivered February 8, 2018 (Yakubanis_048)

C. COMMENTS AND RESPONSES

PROJECT DESCRIPTION

Comment 1: The Lenox Terrace project violates its original plan—an urban renewal project with high-rise buildings with lots of open space and open air. This was the appeal and it was an idyllic plan at the time that it was built. (Bradley_SHN_044)

Response: The project description chapter of the EIS will address the planning rationale for the proposed project; the proposed project’s potential effects on land use, zoning and public policy, open space, and urban design will be analyzed in the relevant chapters of the EIS.

Comment 2: How many of the proposed dwelling units (DUs) would be affordable or accessible to the Central Harlem residents who live below the federal poverty level (FPL)? And if the income thresholds cannot go much lower for more residents, wouldn’t approving the proposal effectively reward the landlord for not renting and facilitating the sale of goods to low-income residents? (Cardwell_013)

Response: The project description chapter of the EIS will provide information on the number of affordable DUs and the levels of affordability expected for those DUs. The proposed actions including mapping of a Mandatory Inclusionary Housing Area, which would require a portion of new housing to be permanently affordable.

Comment 3: Are Options 1 and 2 outlined in the DSOW the only possible affordable housing set-aside percentages for a proposal of this type? What is the maximum number of affordable DUs (at the lowest possible Area Median Income [AMI] percentage thresholds) that could be set-aside for the proposed project? (Cardwell_013)

Response: As described in the DSOW, under the Mandatory Inclusionary Housing (MIH) zoning regulations, when new housing capacity is approved through land use actions, CPC and the New York City Council can choose to apply either or both Option 1 and/or Option 2 regarding affordable housing set-asides. Option 1 requires 25 percent of residential use to be affordable at an average of 60 percent AMI; Option 2 requires 30 percent at an average of 80 percent AMI, with restrictions on income bands. Also pursuant to MIH zoning regulations, CPC and the New York City Council may also add one or both of two other options: Deep Affordability requires a 20 percent affordable housing set aside for which rents

must be affordable to households earning an average of 40 percent of AMI; and the Workforce option with a 30 percent affordable housing set aside for which rents must be affordable to households earning an average of 115 percent of AMI, with at least 5 of the 30 percent affordable to households earning 70 percent of AMI, and another 5 of the 30 percent affordable to households earning 90 percent of AMI.

Comment 4: Every time it rained, especially heavily rained, the basement would flood 4 or 5 inches and one couldn't go in it. Therefore, how can there be an underground garage? We're right by the Harlem River; it makes no sense. (Rodriguez_028)

An underground parking lot so near the river? (Nichols_006)

Response: The proposed buildings would be required to comply with all New York City Department of Buildings (DOB) requirements with respect to drainage and flooding. An analysis of potential impacts to Water and Sewer Infrastructure will be undertaken in the EIS.

Comment 5: We don't want to be a Park West Village. We don't want to be a commercial designation. (Williams_024)

Response: Comment noted. The proposed zoning designation will be identified and assessed in the Land Use, Zoning, and Public Policy analysis of the EIS. It should be noted that, commercial districts such as the proposed C6-2 zoning district permit a wide range of uses, including residences and community facility uses. The proposed C6-2 zoning district has a commercial floor area ratio (FAR) of 6.0, a residential FAR of up to 7.2, and a community facility FAR of 6.5, and a mix of these uses can contribute to the maximum FAR for a site. Pursuant to the Project Description, approximately 96 percent of the square footage proposed to be added to the Lenox Terrace Complex will be residential square footage and approximately four percent would be non-residential square footage. Furthermore, the development plan described in the project description will be subject to a Restrictive Declaration that will be recorded against the property.

Comment 6: The Olnick Organization should retain the same zoning, and go unrewarded without special height permits. Especially after the way they apparently treated their residents poorly on services. DCP should avoid creating bad incentives for the community! (Tarnok_054, Tarnok_058)

Response: Comment noted. The EIS will assess a condition in which the rezoning area does not have a zoning change (the future without the proposed project or "No Action" scenario).

Comment 7: The DSOW statement on proposed as-of-right conditions and that the special permit would cap the maximum allowable FAR at 5.61 suggests there is an inherent restriction built into the special permit. Is it possible for such restrictions to be altered or essentially weakened at some point in the future by any parties (e.g., existing landlord of Lenox Terrace, new landlord, other future

Appendix A: Response to Comments on the Draft Scope of Work

- owners/parties in the rezoned area, legislative or administrative acts)? (Cardwell_013)
- Response:** Any modifications to conditions to the special permit would be subject to review by, at a minimum, the CPC and CB, and could potentially also be subject to a full ULURP review with BP and City Council review if deemed to be a Major Modification to the original approvals.
- Comment 8:** Is it possible to simply cap the maximum allowable FAR at 5.61? (Cardwell_013)
- Response:** As described in the DSOW, the applicant is expected to enter into a Restrictive Declaration which would establish the envelope within which the buildings must be constructed, including limitations on height, bulk, and floor area; and establish the required setbacks and distance between buildings.
- Comment 9:** The value of the DSOW's statement that the proposed development would provide revenues to create more than 1 acre of outdoor recreation space for tenants depends on actual legal obligations, including the degree of legal and practical enforceability that will exist after the rezoning takes place. (Cardwell_013)
- Response:** The Project Description chapter of the EIS will discuss the obligations to provide the open space for the Project and the mechanisms that will be put in place to ensure the project is developed as approved.
- Comment 10:** What financial documentation has the applicant provided to confirm whether additional revenues are needed in order to create more "outdoor recreation space for tenants and upgrade existing building lobbies and amenities"? Was the documentation audited by an independent and qualified third party? (Cardwell_013)
- Response:** The financial model for the project, which is privately-owned, is beyond the scope of the EIS.
- Comment 11:** Prior to any possible rezoning, what legal obligations can and will be created to ensure tenants and Central Harlem residents aren't being asked to approve a set of arrangements that largely are not legally or practically enforceable by tenants or community members? Will DCP specify or otherwise indicate which proposed or likely changes and projections could or will likely be tied to legally binding obligations (in addition to an estimate as to when and how such obligations would become effective)? (Cardwell_013)
- Response:** The project description chapter of the EIS will describe the Restrictive Declaration that would be recorded in conjunction with approval of the proposed actions. As a legally binding document, any changes to the Restrictive Declaration would undergo a public review process including environmental review.

Lenox Terrace

Comment 12: If the tenants for the proposed community facility space have not yet been identified, then it is highly speculative and shifts a number of potential risks and burdens to tenants and Harlem residents. (Cardwell_001)

Response: Any community facility uses would comply with zoning. Specific tenant information is not available at this time and is not necessary in order to study the potential environmental effects of the proposed project under CEQR.

Comment 13: The benefits of the proposed actions to the existing tenants of Lenox Terrace as stated in the DSOW grossly overstates benefits that have not been defined, cannot be guaranteed, and have yet to be proven will actually flow to existing tenants or those who currently live in Central Harlem. (Cardwell_013)

Response: The project description chapter of the EIS will provide greater definition of the proposed project's purpose and need and the associated improvements for existing tenants. The technical analyses in the EIS will consider the potential for the proposed project to result in significant adverse environmental impacts. Furthermore, the development plan described in the project description will be subject to a Restrictive Declaration that will be recorded against the property.

Comment 14: Residents are in favor of the proposed park that would exist within the Lenox Terrace complex, and underground parking. These are welcomed features that would certainly enhance the property and provide tenants with a greater sense of community within the Lenox Terrace complex. (Mitchell_062, Mitchell_066)

Response: Comment noted.

Comment 15: The scale of the Lenox Terrace project is too large to "insert" into a complex where so many residents are senior citizens or families with young children or people with disabilities—respiratory challenges, mobility issues, and numerous other challenges. (Skarrow_010)

Response: Comment noted. The EIS will consider the potential environmental effects of the project in all relevant areas of analysis.

Comment 16: A significant part of this proposal is that there will be some mandatory outstanding inclusion funding and it would be both negligent and a liability if an independent J1 audit is not pursued to be sure that the current owners do not repeat what they've already done in terms of indiscretion, oversights, and impropriety planning and action, to make sure that both taxpayers, as well as citizens of this town are not defrauded again. (Payton_041)

Response: Applicant audits are not the subject of this environmental review process.

LAND USE, ZONING, AND PUBLIC POLICY

Comment 17: Environmental review should include anticipated faraway Bronx redevelopments and include the impact on Riverbend Housing residents and other complexes that are in the ½-mile radius or more. (Tarnok_058)

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Response: Following *CEQR Technical Manual* guidance, the EIS will incorporate into analyses development projects within the ½-mile study area that would be complete by the 2023 and 2026 analysis years. The analyses will consider potential effects on populations within relevant study areas. According to the *CEQR Technical Manual*, a ¼- to ½-mile study area radius is appropriate for large-scale, high-density development.

Comment 18: How many privately owned buildings have a C6-2 zoning within a ¼-mile of the rezoning area? (Cardwell_013)

Response: As described in the DSOW, the land use, zoning, and public policy analysis in the EIS will identify existing zoning within the ¼-mile radius of the rezoning area.

Comment 19: Does DCP believe a zoning change of this scale (i.e., from C1-4 to C6-2) inherently establishes that the character and feel of a neighborhood is being altered? If not, what is DCP's (or CPC's) rationale? (Cardwell_013)

Response: The Lenox Terrace proposal is an application by a private entity. The land use, zoning, and public policy and neighborhood character analyses in the EIS will address the context of the proposed rezoning relative to existing zoning in the neighborhood, as well as the proposed project's effects on neighborhood character. The project description chapter of the EIS will address the applicant's purpose and need for the proposed project. The CPC will consider the conclusions of the EIS in its decision-making process.

Comment 20: What is the estimated number of residents living within the ¼-mile boundary of the rezoning area as shown on Figure 14 of the DSOW? (Cardwell_013)

Response: The number of residents living within the rezoning area will be provided in the EIS.

SOCIOECONOMIC CONDITIONS

Comment 21: What is the estimated number of NYCHA residents who live within the ¼-mile boundary of the rezoning area as shown on Figure 14 of the DSOW? (Cardwell_013)

Response: The socioeconomic conditions analysis in the EIS will present information on the number of NYCHA units and estimated number of residents within nearby NYCHA developments, including those within a ¼-mile radius of the rezoning area.

Comment 22: Asking current residents of Lenox Terrace to endure 9 to 10 years of construction and rising rents in a neighborhood that is already disproportionately underprivileged lacks compassion. (Plaskett_011)

Response: Comment noted. The EIS will consider the construction and socioeconomic effects of the proposed project.

Lenox Terrace

Comment 23: An increase in neighborhood unaffordability for housing and goods and services, and the resulting loss of current residents due to unaffordability can easily be predicted from the proposal. (Bradford_059, Bradford_060, Bradford_067)

Response: As detailed in the DSOW, the socioeconomic conditions analysis in the EIS will assess the proposed project's potential influence on residential and commercial market conditions and rents. If significant adverse impacts related to socioeconomic conditions are identified, mitigation measures will be proposed in the EIS.

Comment 24: I have seen a dramatic transformation of Central Harlem and Lenox Terrace, which has resulted in the ongoing displacement of our friends and neighbors. This displacement has disproportionately impacted people of color, seniors living on fixed incomes, low-income working families, and small business owners. This redevelopment plan will be "the icing on the cake." (Borden-Miller_021)

Response: As detailed in the DSOW, the socioeconomic conditions analysis in the EIS will assess the proposed project's potential to result in indirect residential and business displacement due to increased rents.

Comment 25: The EIS must carefully examine the likelihood that the Lenox Terrace project will utterly transform the economic and ethnic makeup of Lenox Terrace, a historic, anchor complex in Harlem, and, therefore, transform the neighborhood from majority Black to majority white. (Bradford_059, Bradford_060, Bradford_067)

Response: As detailed in the DSOW and pursuant to the standards set forth in the *CEQR Technical Manual*, the socioeconomic conditions analysis in the EIS will assess the proposed project's potential to result in socioeconomic changes to the neighborhood that could lead to "indirect residential displacement" due to increased rents. Race and ethnicity are not considered under CEQR for the purpose of identifying significant adverse environmental impacts.

Comment 26: Assessments related to socioeconomic conditions should meaningfully analyze how certain racial groups specifically Black and Brown tenants and residents will be impacted in the near- and long-term. (Cardwell_013, Cardwell_035)

When analyzing the five principal issues of concern with respect to socioeconomic conditions, will DCP specify whether it made any (and how it made any) race-related assessments, assumptions, and conclusions? (Cardwell_013)

Response: Race and ethnicity are not considered under CEQR for the purpose of identifying significant adverse environmental impacts. Please see the response to Comment 25.

Comment 27: The DSOW grossly overstates the benefits of new community facility and retail uses that have not been defined, cannot be guaranteed, and have yet to be proven will actually flow to existing tenants of those who currently live in Central Harlem. How does DCP define "quality" and how long does it estimate it will take before tenants and community residents experience projected benefits of

these changes? How will “quality” be defined and how long does DCP estimate it will take before tenants and community residents experience projected benefits of these changes? (Cardwell_013)

Response: The commenter is citing language from the DSOW Section C, “Purpose and Need of the Proposed Actions,” which articulates the applicant’s intent. The EIS will detail the expected timing of the development of each component of the proposed project, and will analyze the potential for the proposed project to result in significant adverse impacts. In general, the CEQR process is intended to identify and quantify significant adverse impacts, and does not explicitly seek to quantify benefits of a proposed project.

Comment 28: I am concerned because Harlem is a rapidly gentrifying community and rent may no longer be affordable. What is being proposed does not appear to be affordable to the people that reside in Harlem. (Cleare_045)

Most of the apartments designated affordable will not be affordable. If the proposed project is approved everything around the Lenox Terrace project will become unaffordable for existing residents. Food, health care, transportation, and a whole host of other things. (Llanes_036)

Approximately 80 percent of the existing Lenox Terrace DUs (1,370) are currently subject to rent stabilization. Manhattan CD 10 is the second-poorest neighborhood in Manhattan with 29 percent of its residents living below the FPL. It seems obvious that Options 1 and 2 outlined in the DSOW are grossly unaffordable (i.e., would create “rent-burdened” households) for most Central Harlem residents. (Cardwell_013)

Response: The socioeconomic conditions analysis of the EIS will describe the amounts and levels of affordability for the range of proposed residential DUs that could be expected based on mandatory inclusionary housing (MIH) provisions. As detailed in the DSOW, the socioeconomic conditions analysis in the EIS also will assess the proposed project’s effects on area residential rents and the potential to result in indirect residential displacement due to increased rents. See also the response to Comment 2.

Comment 29: I am on a fixed income and would like to continue to be able to live in in Lenox Terrace. (Holloway_047)

Response: Comment noted. The proposed project does not anticipate any direct displacement of existing Lenox Terrace residents. As detailed in the DSOW, the socioeconomic conditions analysis in the EIS will assess the proposed project’s potential to result in indirect residential displacement due to increased rents.

Comment 30: The “affordable housing” is much higher than the median income for the neighborhood. (Candelore_053)

The proposal states that 400 of the approximately 1,600 new DUs will be affordable. The EIS should examine whether current residents who are paying reduced rent could afford to take one of the new, allegedly “affordable”

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apartments. If the new apartments are not affordable to current tenants, then they are not truly affordable for Lenox Terrace. (Bradford_059, Bradford_060, Bradford_067)

Response: Comment noted. Please see the responses to Comments 2 and 3.

Comment 31: We live in Harlem because there is hardly anywhere we can afford to live anymore and you're only making 40,000–50,000 rent-regulated apartments. Why not make 75,000? These apartments that are going to be built will be \$4,000 for a one bedroom. (Yakubanis_048)

Response: Comment noted. Please see the responses to Comments 2 and 3.

Comment 32: I am opposed to the Lenox Terrace project because many existing rent-stabilized apartments have been made market-rate apartments. (Anonymous_005)

Rent-stabilized apartments are disappearing at an alarming rate. Approximately 172,000 New York City apartments have been deregulated in the last few years. Some of these apartments are in the existing Lenox Terrace complex where dozens perhaps hundreds of rent-stabilized apartments have been converted to market-rate rents. The De Blasio administration is under pressure to increase affordable housing. However, Lenox Terrace apartments are being removed from rent control and rent stabilization and converted to market value. (Brooks_040)

The EIS should analyze the potential displacement effects at rent-stabilized and non-rent-stabilized apartments in the study area and the existing trend towards gentrification should not be used to negate a finding that the proposed actions will have a significant adverse effect. (Glover_LTACT_025)

Response: As detailed in the DSOW, the socioeconomic conditions analysis in the EIS will assess the proposed project's potential to result in indirect residential displacement due to increased rents. Following *CEQR Technical Manual* guidance, the analysis will consider whether the proposed project may either introduce a trend or accelerate a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change.

Comment 33: What goods and services are typically sold along this stretch of Lenox Avenue and what are the demographic profiles of the customers and tenants who typically interact with such businesses and street vendors? (Cardwell_013)

Response: The socioeconomic conditions analysis in the EIS will describe the goods and services currently offered by businesses along Lenox Avenue as well as the demographic profiles of area residents.

Comment 34: Does the proposal guarantee that the same level of affordability would be provided by businesses to serve an equal or greater number of residents in the rezoning area (both during and after the proposed rezoning), including supermarkets, a pharmacy, a dry cleaner, a bank, a deli/grocery, a thrift store? (Cardwell_013)

Response: Specific tenants for the proposed retail spaces are not known at this time, and this information is not necessary to evaluate the potential for significant adverse environmental impacts. The socioeconomic conditions analysis in the EIS will assess whether existing commercial businesses, which have the potential to be displaced as a result of the project, provide products or services essential to the local economy that would no longer be available in its “trade area” to local residents or businesses due to the difficulty of either relocating the businesses or establishing new, comparable businesses. Please also see the response to Comment 35.

Comment 35: Closing all the existing shops, especially the mom-and-pop shops that have been in the community for decades, is not considering the community. Even though the proposal is that these businesses come back, how can these shops stay in business while they’re gone? (Gaffney_022)

Has DCP thought about the people who own businesses in Lenox Terrace and the Harlem community? (Cox_007)

The Lenox Terrace project will directly displace more than 100 employees. The pharmacy and grocery store, which provides vital resources, will be displaced forcing residents, especially elderly residents, to travel further for their medications and food. (Richardson_017)

The Lenox Terrace project will close the stores in my community/areas making it inconvenient for my neighbors who are unable to get around outside the community/areas. (Collins_061)

The Lenox Terrace project will inconvenience a lot of tenants in the neighborhood from doing all the things they are used to doing in the community/areas, such as, grocery shopping; use of the cleaner; banking; use of the little deli store on Fifth Avenue and Lenox Avenue; Fish Market; the school; hospital, etc. (Collins_061)

Closing the stores in the surrounding areas will take away the convenience of grocery shopping, eateries, and the pharmacy where my prescription is filled. I would have to travel outside my community. (Taylor_063)

The businesses along Lenox Avenue, West 135th Street, and Fifth Avenue serve Harlem’s Black and Latino residents and Harlem’s low-income and moderate-income residents. Both Lenox Terrace and the surrounding area are full of older residents who use walkers, canes, wheelchairs, and a variety of tools to help them move around the neighborhood. These businesses serve critical day-to-day needs. If the bank is (temporarily or permanently) closed, community members in and around Lenox Terrace (including NYCHA residents) would have to walk an additional 15–30 minutes to have access to a bank. This outcome would have a harmful effect on the community and would increase community members’ reliance on predatory banking and credit institutions. Similarly, the “thrift store” is a very large Goodwill Store, and it appears to be the only one within 1 mile of the corner of West 135th Street and Fifth Avenue. How many comparable Goodwill Stores (relative to the one on Fifth Avenue) exist within a ¼-mile radius of the rezoning area and what is a reasonable range of time that it would take a person to walk to the closest and second closest comparable Goodwill Store? If

the bank on Fifth Avenue is (temporarily or permanently) closed, what potential financial and social impacts will Black, Latino, low-income, and moderate-income residents in and immediately around the rezoning area experience? (Cardwell_013)

The Olnick Organization does not care that the local mom-and-pop shops that will be displaced by the reconstruction won't be able to afford to rent commercial space in the new buildings, or that the existing tenants will have even fewer local options for shopping, including groceries and drugstores, while the construction is underway. (Nichols_006)

Response: For the purposes of a conservative analysis, the socioeconomic conditions analysis in the EIS will assume all existing streetfront commercial establishments on the site would be displaced and would not relocate within the new retail space in the proposed project. Based on this conservative assumption, the analysis will identify the number and types of businesses that would be directly displaced as a result of the proposed actions, and will assess whether such displacement constitutes a significant adverse impact based on *CEQR Technical Manual* guidelines. However, it should be noted that the applicant intends to attract locally owned businesses and some existing businesses could re-tenant new retail spaces in the proposed project.

Comment 36: Harlem has great name recognition and great history. Don't destroy is by turning it into a gentrified neighborhood with 30-story building that cut the light, ruin the air and crowd the subway platforms. It makes no sense to displace everybody via gentrification. (Sales_039)

You are gentrifying. You need to enrich. Don't gentrify, enrich this neighborhood. (Sales_039)

The gentrification issue in Harlem is real. (Wisdom_055)

The Lenox Terrace project will potentially (and, in the opinion of many, will definitely) speed up or maintain existing trends related to the displacement and gentrification of certain groups who live and work in both Lenox Terrace and Central Harlem. (Cardwell_013)

Response: As detailed in the DSOW, the socioeconomic conditions analysis in the EIS will assess the proposed actions' potential effects on residential and commercial market conditions in the area, and the potential for indirect residential and business displacement.

Comment 37: The proposed luxury buildings will drive the cost of living up and raise housing and rental costs for the existing residents. This will force out low-income residents due to rising rents. (Richardson_017)

With new, higher-end stores, and neighborhood amenities, the proposed buildings, with much higher market-rate rents, will likely force many current residents out of Lenox Terrace. One woman who spoke on February 8, 2018 noted that she is paying market-rate rent currently, and that any additional increases will

make her apartment unaffordable. She is probably like many other current renters. (Bradford_059, Bradford_060, Bradford_067)

Response: As detailed in the DSOW, the socioeconomic conditions analysis in the EIS will assess the proposed actions' potential effects on residential market conditions and rents in the area.

Comment 38: What happens when displacement pressures in a poor to working class to middle-income community, when you add a new commercial strip and housing that is two-thirds for wealthy persons and the other third to affordable, which is above the median income level of the neighborhood. What happens to the population of people of color? (Glover_LTACT_025)

Response: As detailed in the DSOW, the socioeconomic conditions analysis in the EIS will assess the proposed actions' potential effects on residential market conditions and rents in the area, and the potential for indirect residential displacement due to increased rents. However, race and ethnicity are not considered under CEQR for the purpose of identifying significant adverse environmental impacts; please also see the response to Comment 25.

Comment 39: I have just started a restaurant and a place next door called Little Shop of Harlem and it's mainly vendors who had stores and once the store rent gets raised and tripled, it can't have stores anymore. (Wisdom_055)

Response: Comment noted. As detailed in the DSOW, socioeconomic conditions analysis in the EIS will assess the potential for indirect business displacement due to increased rents.

Comment 40: Based on the most recently available and accurate estimates, what is the median income for Central Harlem residents and what percentage are rent burdened? Of these, what percentage of Central Harlem residents would be able to live in the Lenox Terrace proposed buildings without being rent burdened? (Cardwell_013)

Response: The socioeconomic conditions analysis in the EIS will report the estimated average and median income of residents within an approximately ½-mile area surrounding the rezoning area. See also the response to Comment 2.

COMMUNITY FACILITIES AND SERVICES

Comment 41: The construction of five new towers on the proposed development site as planned will result in an unsupportable strain to the infrastructure of the community, including its local public schools and the hospital. Currently neighborhood community services are already overtaxed and heavily congested now. (Jones_001, Jones_064)

Asking current residents of Lenox Terrace to endure more hospital and school overcrowding lacks compassion. (Plaskett_011)

My major issues are the impact additional buildings would have on the community's health and education services. (Glaude_002)

The Lenox Terrace project will affect the environment and the hospital. (Jon_020)

Response: Consistent with the DSOW, the EIS will provide an analysis of potential impacts on community facilities, including detailed analysis of potential effects on public elementary and intermediate schools. However, the proposed project does not meet the CEQR threshold for a detailed analysis of impacts to health care facilities. Generally, a detailed assessment of health care facilities is included only if a proposed project would directly affect the physical operations of, or access to and from, a hospital or public health clinic, or if a proposed action would create a sizeable new neighborhood where none existed before. The proposed project would not meet that threshold for analysis. The community facilities assessment will provide, for informational purposes, a description of existing health care facilities (including hospitals and outpatient care facilities) serving the area.

Comment 42: A detailed assessment of fire protection service delivery is conducted only if a proposed project would affect the physical operations of, or access to and from, a station house. Nonetheless, I believe an evaluation of the Lenox Terrace project is critical due to the ill-preparedness staff have shown at Lenox Terrace. (Rodriguez_015)

Response: As noted by the commenter, a detailed assessment of fire protection service delivery is included in a CEQR analysis only if a proposed project would directly affect the physical operations of, or access to and from, a station house, or if a proposed action would create a sizeable new neighborhood where none existed before. The proposed project would not meet that threshold for analysis. The proposed site plan will be subject to review and approval by FDNY.

Comment 43: The Lenox Terrace project would do irreparable damage to schools. (Hudson_014)

The proposed rezoning will cause overcrowding of schools. (Cox_007)

The proposed rezoning does not address severely overcrowded public schools. (Jones_001, Jones_064)

The community's two public schools are currently overcrowded. (Mitchell_062, Mitchell_066)

The schools are not equipped to handle an influx of families. (Nichols_006)

One of the speakers at the February 8, 2018 scoping meeting mentioned that public schools in the Lenox Terrace area are already overcrowded with students. Adding over 1,600 new families will certainly further strain the public schools. The EIS should review the issue of school overcrowding that may result from the new residents. (Bradford_059, Bradford_060, Bradford_067)

School overcrowding can be predicted from the proposal. (Bradford_059, Bradford_060, Bradford_067)

Response: As detailed in the DSOW, the community facilities and services analysis in the EIS will include an analysis of the proposed project's potential effects on public elementary and middle school enrollment and capacity. The analysis will provide

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information on capacity and enrollment for existing conditions as well as the future without and with the proposed actions.

Comment 44: As a school teacher, I'm concerned for the school and the children and the impacts the proposed project will have on School District 5. It abuts School District 3, which is the most overcrowded school district in Manhattan. But even School District 5 would have needed 79 seats to eliminate overcrowding in the 2013–2014 school year. Zero new seats are planned for 2024. Therefore, if the proposed project adds new families to this school district, where will these families have their seat? (Schneider_026)

Response: School capacity and utilization will be assessed in detail, consistent with the DSOW. School zones are determined by the New York City Department of Education.

Comment 45: The Lenox Terrace project would do irreparable damage to daycare centers. (Hudson_014)

Response: The effect of the proposed project population on day care centers will be assessed in the EIS consistent with the DSOW. If significant adverse impacts related to publicly-funded child care centers are identified, mitigation measures will be proposed in the EIS.

Comment 46: The Lenox Terrace project would do irreparable damage to churches. (Hudson_014)

Response: Potential project effects on churches as a community facility are not a subject for analysis under CEQR. The potential temporary displacement of the church on the projected future development site (the Metropolitan African Methodist Episcopal Church) during the construction period would be detailed in the EIS, and the potential for construction-period effects would be assessed.

OPEN SPACE

Comment 47: The proposed rezoning does not address severely overcrowded parks. (Jones_001, Jones_064)

Response: The effect of the project population on open spaces in the rezoning area will be assessed in the EIS consistent with the DSOW. If significant adverse impacts related to open space are identified, mitigation measures will be proposed in the EIS.

Comment 48: Children who use or would use the playgrounds located on 135th Street will have a qualitatively different experience if multiple [high-rise] towers are surrounding and overshadowing their outdoors areas. These outdoor spaces serve thousands of community members daily. (Cardwell_013)

Response: As described in the DSOW, the EIS will consider the proposed project's impact on public open spaces, including the potential for shadows on sunlight-sensitive resources.

SHADOWS

Comment 49: Asking current Lenox Terrace residents to endure shadows from scaffolding and large towers lacks compassion. (Plaskett_011)

No amount of artificial lighting is a substitute for the current natural sunlight that illuminates the Lenox Terrace buildings. Construction of five new 28-story towers just 60 feet away from the existing Lenox Terrace buildings will cast giant moving shadows. (Jones_001, Jones_064)

My building 10 West 135th Street will be permanently in shadow if a 28-story building is erected on the corner of Fifth Avenue and 135th Street. I will lose my sunrises. I have vitamin D deficiency and I will lose my sunlight. In considering the effect of shadows, please take into consideration the usability of our terraces. I try to grow a few herbs and flowers in pots on mine: the shadow will drastically affect the ability of those who have terraces—and are paying rent for them—to enjoy them. (Nichols_006, Nichols_030)

Tall high-rise buildings have no place in this community. This takes away from available open space. Tall buildings create shadows in areas where natural sunlight is currently shining. (Richardson_017)

If these new buildings are erected, I will be staring into a building higher than my own at 10 West 135th Street, eliminating the natural sunlight that comes into my apartment. (Richardson_017)

The major issue I have is the proposed buildings are going to take away my sunlight. When the sun is coming to the side of the building, I will no longer know about it because the proposed buildings will block it. (Thornton_033)

The Lenox Terrace project would take away our sunlight with the 28-story towers. (Lisa_009)

The proposed buildings are going to block out the views and there will be not sunlight. (Johnson_037)

Response: The EIS will provide a detailed analysis of shadows consistent with the DSOW. Shadow effects of the proposed buildings on open spaces, vegetation and other sun-sensitive features will be analyzed. Consistent with *CEQR Technical Manual*, shadows on private buildings are not subject to analysis with respect to significant impacts.

Comment 50: The Lenox Terrace project will definitely impact the sunlight and air ventilation. (Taylor_063)

The disruption caused by the long-term development will seriously impact the quality of light. (Hudson_014)

Five new luxury towers would block the light and air from current apartment buildings. (Borden-Miller_021)

Air space is very important. We have a certain number of units and residents and we need a certain amount of space, light, and fresh air and the views are going to be impacted. Those views need to be preserved. (Cleare_045)

Response: The EIS will consider the proposed project's impact on shadows and air quality. Consistent with the *CEQR Technical Manual*, shadows on private buildings are not subject to analysis with respect to significant impacts. It should be noted that the proposed project would comply with all zoning regulations for minimum distance between existing and proposed buildings. See also responses under "Urban Design and Visual Resources" below.

HISTORIC AND CULTURAL RESOURCES

Comment 51: The Lenox Terrace project would destroy the character of the Harlem community and its historical contribution to this City would be lost forever. All around the world the name Harlem is associated with New York City. Tourist buses come to Harlem to visit our churches, restaurants like Sylvia's, The Schomburg Center, and the Apollo Theater—not to look at tall cold apartment buildings. (Williams_003)

Response: The EIS will consider the proposed project's impact on historic and cultural resources, consistent with the DSOW.

Comment 52: Harlem Hospital Center, The Schomburg Center, The African Methodist Episcopal (AME) Church, P.S. 197, and Democracy Prep Charter Middle School will all be encumbered and crowded by construction and overpopulation of the area. They will also be subjected to the dust arising from construction. These cultural resources are crucial to this community. (Richardson_017)

Response: The EIS will consider the proposed project's potential impact on historic and cultural resources, including the potential for direct, physical impacts during construction as well as contextual impacts.

Comment 53: The existing Lenox Terrace complex has a history. It has a building, architectural, and resident history. It has great name recognition and a great history. Don't destroy it by turning it into a gentrified neighborhood with 28-story buildings that cut the light, ruining the air, and crowd the subway platforms. (Sales_039)

Lenox Terrace was the home to famous painter Romare Bearden; Percy Sutton; former justice of the Appellate Division of the Supreme Court of New York State Harold Stevens; Brooklyn Dodgers phenomenon Roy Campanella; noted jazz musicians Miles Davis and Charles Mingus; comedians Jackie Moms Mabley and Nipsy Russell; current political luminaries as Charles Rangel and former governor David Patterson; Latin jazz band leader Bobby Sanabria; and Tony Award-winning singer Lillias White. (Bradley_SHN_044)

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Response: The EIS will consider the proposed project's impact on historic and cultural resources, consistent with the DSOW. The New York City Landmarks Preservation Commission has determined that the Lenox Terrace complex appears to be eligible for listing on the National Registers of Historic Places, for its cultural associations with prominent African Americans in the Harlem community.

Comment 54: The existing Lenox Terrace complex should be landmarked. This complex of buildings are not unlike the City suburban houses. The City's suburban houses downtown were created as affordable and decent housing for working class people and this complex was initiated by Dr. Godfrey Nurse to provide quality housing for middle class people at a time when most middle class people were deserting the City. When this building went before the New York City Landmark Preservation Commission (LPC), they failed to act, but they can act now because only 3.6 percent of the buildings in Harlem are protected by landmarking. The existing Lenox Terrace complex needs to be landmarked and then what kinds of development might take place in the context of a Harlem landmark can be discussed. (Adams_034)

We want to keep Lenox Terrace and Harlem should be a landmark. (Johnson_037)

Lenox Terrace deserves to be landmarked. Save Harlem Now has made a recommendation to the LPC that the exterior of Lenox Terrace be considered a landmark and that LPC move on that as quickly as possible. (Bradley_SHN_044)

Make Lenox Terrace a landmark. It should be a landmark. (Stacey_050)

Response: The EIS will consider the proposed project's impact on both known and potential historic and cultural resources, consistent with the DSOW. The New York City Landmarks Preservation Commission has determined that the Lenox Terrace complex appears to be eligible for listing on the National Registers of Historic Places, for its cultural associations with prominent African Americans in the Harlem community. If significant adverse impacts related to historic and cultural resources are identified, mitigation measures will be proposed in the EIS.

Comment 55: The LPC just taking a look at Lenox Terrace is not enough. Harlem should be a UNESCO World Heritage site. (Candelore_053)

Response: Comment noted.

URBAN DESIGN AND VISUAL RESOURCES

Comment 56: The new buildings are projected to be about 10 stories higher than existing buildings, and for each existing Lenox Terrace building, how will each building's view be altered? Can DCP provide a visual illustration of how each building's balcony and sidewalk's views will be blocked by new buildings? Without this illustration and description, it is disingenuous to suggest that tenants and concerned stakeholders are being giving a reasonable chance to assess whether

the “proposed project would maintain the majority of existing views across” older DUs. (Cardwell_013)

Harlem is a low-rise community and you can look out your window and see beautiful views. The community doesn’t want that to change. We don’t want to look into another apartment or look at a brick wall. We love what we have. We cherish it; it’s beautiful and we need to protect it and save Harlem now. Views need to be preserved. (Cleare_045)

Response: Comment noted. Views from private residences are not a subject for analysis under CEQR. Consistent with the DSOW, the EIS analysis will focus on the potential changes that could occur to urban design and visual resources in the future with the proposed actions, in comparison to the No Action condition, that could potentially adversely affect a pedestrian’s experience of the area.

Comment 57: Our sight lines at Riverbend Housing and along the water will be messed up. Build high along the water, not in the center—share the views. (Tarnok_054, Tarnok_058)

Response: Views from private residences are not a subject for analysis under CEQR. The urban design and visual resources analysis to be provided in the EIS will consider potential impacts to publicly accessible views in the rezoning area.

Comment 58: The proposed rezoning and the resulting huge high-rise buildings would not be in harmony with the feel and character of the community. (Hudson_014)

The size development would change the character of the neighborhood completely and make it look like Midtown Manhattan. Who wants to live in those canyons that are dark, and unappealing with no personality? (Candelore_053)

The size of the buildings, which were determined without community input, will alter the character and feel of Lenox Terrace and Central Harlem. (Cardwell_013)

Response: The potential impact of the proposed project on urban design and community character will be analyzed in the EIS, consistent with the DSOW.

Comment 59: Harlem Hospital Center and the government building heights in Central Harlem on 125th Street are tolerated because they are mutual community services. They were not meant to set a height standard, they were meant to provide necessary services in a confined area. (Tarnok_058)

Response: Comment noted. The potential impact of the proposed project on urban design will be analyzed in the EIS, consistent with the DSOW and the *CEQR Technical Manual*, which considers the totality of components that may affect a pedestrian’s experience of public space, including streets, buildings (size, shape, setback, lot coverage, and placement), visual resources, open spaces, natural features, and wind.

Comment 60: It needs to be mandated that any buildings built on these two corners 135th Street and 132nd Street are not any higher than the existing six-story buildings directly

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across Fifth Avenue so that the neighborhood retains its historical integrity. (Mitchell_062, Mitchell_066)

Response: Any height controls on the proposed new buildings would be defined in the Restrictive Declaration for the proposed project. The Restrictive Declaration would require that the proposed project is developed in substantial accordance with the approved special permit, which would establish the envelope within which the buildings must be constructed, including limitations on height, bulk, and floor area; and establish the required setbacks and distance between.

Comment 61: The five proposed buildings are not consistent with the current height of surrounding buildings, which is 16 stories, but instead will be 28 stories. That is scary for all of us living at Lenox Terrace. And, the quality of life really needs to be taken into consideration. (Shebar_052)

The proposed 28-story buildings would be built in an area that is less than one City block in distance from the existing building. The density concerns that will result must be addressed as this poses numerous health and quality of life issues that cannot be overlooked. (Mitchell_062, Mitchell_066)

Response: The potential impact of the proposed project on urban design, including the scale of the building, will be analyzed in the EIS, consistent with the DSOW and the *CEQR Technical Manual*.

HAZARDOUS MATERIALS

Comment 62: Has the developer tested the proposed development site for possible pollutants in the soil and if so, what is the result of the testing? (Jackson_018)

Is there any knowledge of what is in the soil once it is unearthed? (Green_019)

Response: A Phase I Environmental Site Assessment (ESA) of the proposed development site will be conducted. Results with respect to hazardous materials will be disclosed in the EIS, and the EIS will describe measures that will be required to avoid any potential for impacts from exposure to hazardous materials.

Comment 63: There is a Con Ed manufacturers gasoline production plant on 132nd Street right off the corner of Lenox Avenue. (Williams_024)

Response: Comment noted. This former substation will be considered in the assessment of hazardous materials. The findings of hazardous materials assessment(s) will be reported in the EIS.

WATER AND SEWER INFRASTRUCTURE

Comment 64: The construction of the Lenox Terrace project would add to the plumbing problems. (Roberts_012)

Response: The proposed project's design will conform to building department requirements, and the EIS will consider the potential effects of the proposed project on the City's water and sewer infrastructure systems.

SOLID WASTE AND SANITATION

Comment 65: The construction of five new towers on the proposed development site as planned will result in an unsupportable strain on the community's sanitation. (Jones_001, Jones_064)

The applicant should conduct a study on the impact to the New York City Department of Sanitation (DSNY) services to this area.

DSNY is already struggling to handle the trash in this area; the impact of increased trash related to increased foot traffic must be measured. (Rodriguez_015)

Asking current residents of Lenox Terrace to endure 9 to 10 years of construction that will cause more garbage lacks compassion. (Plaskett_011)

The new towers would create more garbage around the Lenox Terrace complex. More garbage would attract rodents seeking food. (Lisa_009)

Growth at 125th Street has increased the presence of trash. With the growth that Lenox Terrace is proposing, a study should be done on this area as well. (Rodriguez_015)

Response: The potential effects of the proposed project on the City's solid waste and sanitation systems will be assessed in the EIS; the FSOW reflects this task.

Comment 66: New York City is committed to Zero Waste to landfills by 2030. How can this be accomplished if landlords, such as the Olnick Organization, cannot even get a handle on recycling in Lenox Terrace. (Faessler_016, Faessler_065)

Response: The EIS will consider the potential effects of the proposed project on the City's solid waste and sanitation systems. Lenox Terrace is expected to comply with all relevant municipal regulations regarding recycling.

Comment 67: Given that the City will have to increase sanitation services, especially with the increase of upwards to an additional 4,000 people living within the Lenox Terrace superblock, how is a cash-strapped city going to accommodate this significant increase? What measures will the City demand of the Olnick Organization in contributing to the sanitation budget? (Faessler_016, Faessler_029, Faessler_065)

Response: The potential effects of the proposed project on the City's solid waste and sanitation systems will be assessed in the EIS; the FSOW reflects this task. As noted in the Mitigation task of the DSOW, if significant adverse effects related to solid waste and sanitation are identified, mitigation measures will be proposed in the EIS.

TRANSPORTATION

Comment 68: The Lenox Terrace project would do irreparable damage to transportation systems. (Hudson_014)

The Lenox Terrace project would affect transportation systems. (Jon_020)

The Lenox Terrace project will impact all the transportation in our neighborhood. (Dayson_038)

The construction of five new towers on the proposed development site as planned will result in an unsupportable strain on the community's subways, buses, traffic, and parking. Currently neighborhood community services are already overtaxed and heavily congested now. (Jones_001, Jones_064)

My major issues are the impact additional buildings would have on the community's transportation systems. (Glaude_002)

The construction of the Lenox Terrace project would add to the existing heavy traffic. (Roberts_012)

The Lenox Terrace project will make the traffic worse (heavier and backup traffic). (Collins_061)

Traffic flow is overwhelming now; the construction will make the traffic flow worst. (Taylor_063)

The traffic is bad now. I get home really late at night. (Hill_056)

Response: As noted in the DSOW, the EIS will include a detailed assessment of the proposed project's potential for impacts with respect to transportation systems, including vehicular traffic, public transportation, pedestrian circulation, and parking.

Comment 69: We have to walk to the 135th Street station, which will be further impacted from the Bronx redevelopments, which will pass through our subway lines, and bridges near us. We're going to get a lot of additional commuter traffic over the years. Too much from the Bronx. The Bronx No. 2 line should be developed locally first. (Tarnok_054, Tarnok_058)

Response: The transportation analyses in the EIS will consider background growth and other anticipated developments that may affect the area's transportation system, against which the proposed project's potential impacts will be measured

Comment 70: Transportation congestion can easily be predicted from the proposal (Bradford_059, Bradford_060, Bradford_067)

The proposed rezoning does not address severely overcrowded public transportation, traffic, and parking. (Jones_001, Jones_064)

The proposed rezoning will cause overcrowding of parking and transportation. (Cox_007)

Asking current residents of Lenox Terrace to endure public transportation overcrowding and an increase in private vehicles lacks compassion. (Plaskett_011)

Response: As described in the DSOW, potential transportation-related impacts associated with vehicular traffic, public transportation, pedestrian circulation, and parking will be analyzed in the EIS. If significant adverse transportation impacts are identified, mitigation measures will be proposed in the EIS.

Comment 71: How much street traffic does this area typically have? (Cardwell_013)

Response: The EIS will provide data on the level of peak hour street traffic experienced in the study area.

TRAFFIC

Comment 72: The applicant proposes analyzing weekday and Saturday peak hours. Sunday must also be included in this assessment due to the high volume of visitors who attend faith services in the surrounding area. (Rodriguez_015)

Response: Existing conditions traffic data for the study area will be collected for the EIS. Based on this data, it will be determined whether Saturday or Sunday traffic volumes are higher overall, and which should serve as the basis for conservatively assessing weekend traffic.

TRANSIT

Comment 73: Can DCP provide an assessment of how late the existing public transit options serving Lenox Terrace typically are now and provide an estimate as to how such operation times could be impacted during and after construction including 5 years after construction has been completed? (Cardwell_013)

Response: The EIS will study the potential effects of the proposed actions on public transit, consistent with the *CEQR Technical Manual* and the DSOW.

Comment 74: A *New York Times* study found that as of 2017, only 32 percent of No. 2 trains and 52 percent of No. 3 trains reach their destination on time, which results in foot traffic on platforms and part of the reason why there is a decrease of on-time schedule is because of the time it takes for people to exit and enter on the trains. (Dayson_038)

Response: Comment noted. The EIS will assess the project's potential for line haul impacts on the No. 2 and 3 trains, and will qualitatively discuss platform conditions at the 135th Street Station.

Comment 75: The subway is already groaning and the buses are overcrowded. (Nichols_006)
Local trains and buses are already filled to capacity and fraught with delays. (Hudson_014)

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The construction of the Lenox Terrace project would definitely add to the overcrowding of the subway and massive delays of bus service. (Roberts_012)

I cannot imagine when you have five new buildings that are moving in, what that's going to do to the train system. (Wiel_031)

The Lenox Terrace project will have a negative effect on the subway (overcrowding platforms and trains) and bus services (traffic and delays due to the heavy equipment use) and getting to mine/our destination. (Taylor_063)

The subways will be overly crowded in the area. (Richardson_017)

Subways are going to be overcrowded—there are too many people on the trains. The system experiences about 75,000 delays per month, and overcrowding is responsible for approximately one-third of them. In 1990, 1 billion people rode the subway every year. In 2015, that number had nearly doubled to 1.8 billion. (Jackson_018)

Response: The EIS will assess the proposed project's effect on local subway and bus service. If significant adverse transit impacts are identified, mitigation measures will be proposed in the EIS.

Comment 76: Even with the end-of-line bus, terminals are a relatively short distance away at 147th Street, by the time the bus reaches the 135th Street stops, they are crowded to capacity leaving standing room only. (Mitchell_062, Mitchell_066)

Response: As stated in the DSOW, a detailed bus line-haul analysis will be undertaken for the M1 bus route. As part of NYCT's review of the aforementioned travel demand estimates, if other area bus routes are determined to warrant analysis, they will be included in the EIS.

Comment 77: Current Lenox Terrace residents will face dangerous train platform conditions due to a significant increase in our neighborhood population that will significantly increase overcrowding of an already packed train station. (Dayson_038)

There is already a problem with platform space at the 135th Street station. Adding an additional 4,000 people (the number expected with the Lenox Terrace project) would overwhelm the platforms, crowding people into a narrow unsafe space. And of course, with the increased number of people riding the train at the 135th Street station, the crush of people trying to get on and off the train will slow customer service. The current emergency exit requirement is not up to code. (Faessler_016, Faessler_029, Faessler_065)

The 135th Street station is not Grand Central station. The platforms are long but narrow. The station would be so crowded that people would not be able to go through the turnstile to go to work. (Lisa_009)

The 135th Street and Lenox Avenue station platforms are inadequate at best to handle the morning rush hour as it stands. (Mitchell_062, Mitchell_066)

I take the No. 2 or No. 3 train most workday mornings from 135th Street station to Park Place station. The downtown platform is dangerously narrow, especially with the overcrowding during 8 AM to 10 AM when folks are going to work, and

later when trying to get home in the evening. I don't believe the platform can be widened, and so twice as many trains may be needed during peak hours. The proposal seeks to almost double the number of families living at Lenox Terrace. I do not understand how the current train schedule will handle twice as many passengers during peaks hours. This matter must be extensively studied in the EIS. (Bradford_059, Bradford_060, Bradford_067)

The 135th Street station platforms for the No. 2 and 3 trains are narrow, which is dangerous when exiting and entering trains in the station. I remember 10 years ago, a person could easily walk down the platform and everyone who boarded a No. 3 train at 135th Street station could find a seat. Now, when walking down the platform of 135th Street, as late as 10 AM., one has to walk cautiously due to a severely crowded platform and when boarding a No. 3 train, many people now have to stand. (Dayson_038)

I would like to understand how the overcrowding at 135th Street platform, especially during rush hour is going to be mitigated, especially since the MTA has financial issues. There's not enough money to fix the MTA. (Faessler_029)

The type of station improvements needed for 135th Street station, so that the proposed development does not negatively impact current residents and our neighbors, require fixing systematic and bureaucratic inadequacies within the MTA. Lenox Terrace cannot fix those problems within the MTA. (Dayson_038)

If the Olnick Organization were able to pursue the Lenox Terrace project, I would demand that the Olnick Organization's property tax be raised to accommodate/mitigate the problems at the 135th Street station, with no additional pass-on costs to current or future tenants. (Faessler_016, Faessler_065)

I would like to understand how the overcrowding at 135th Street platform, especially during rush hour is going to be mitigated, especially since the MTA has financial issues. There's not enough money to fix the MTA. (Faessler_029)

The type of station improvements needed for 135th Street station, so that the proposed development does not negatively impact current residents and our neighbors, require fixing systematic and bureaucratic inadequacies within the MTA. Lenox Terrace cannot fix those problems within the MTA. (Dayson_038)

Response: As stated in the DSOW, a detailed analysis of control areas and pedestrian circulation elements would be warranted for the 135th Street station. The specific station elements that would be subject to analysis in the EIS will be determined based on NYCT's review of the aforementioned travel demand estimates. In addition, line-haul analyses will be conducted for the two subway lines (Nos. 2 and 3) that serve the 135th Street station.

Comment 78: The 125th Street and 116th Street stations should also be included in the EIS because whatever is happening at the 135th Street station will impact the whole Lenox Avenue corridor. (Dayson_038)

Response: As stated in the DSOW, line-haul conditions on both the Nos. 2 and 3 subway lines, which also serve the 125th and 116th Street stations, will be studied as part of the transit impact analyses in the EIS.

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PARKING

Comment 79: Parking will be impossible. There is nowhere to park now on the street in the surrounding areas. Parking will be taken away due to the construction. (Taylor_063)

The Lenox Terrace project would affect parking. (Jon_020)

The parking is going to be ridiculous. It's already ridiculous. (Gaffney_022)

To reduce parking while increasing density seems completely lopsided. I would urge you to reconsider. (Candelore_053)

The Lenox Terrace project will affect my parking space and entering in/out of the parking lot. There is no parking space in this area. The parking spaces we have are meter parking and alternate side parking. Parking conditions are terrible! (Collins_061)

I have difficulty parking and don't want underground parking. I don't want to come from underground parking at that time of night. (Hill_056)

Response: As detailed in the DSOW, the EIS will assess existing and future conditions with respect to the proposed project's anticipated parking demand and supply as well as other parking availability in the community.

CONSTRUCTION

Comment 80: Why are five, 28-story towers being constructed at the same time? A decade of construction—that doesn't happen anywhere. (Yakubanis_048)

This is absolutely insane to construct five buildings over 9 years of construction. (Wisdom_055)

Response: Comments noted. As detailed in the DSOW, the EIS will assess the potential environmental effects of construction activities that would result from the proposed actions.

Comment 81: The EIS should specifically address any other comparable construction projects in City within the past 20 years. If there have been no similar projects—construction of over 1,000 new apartments over a 5- to 10-year period adjacent to a substantial number of current tenants—then the EIS should clearly state this because it means the anticipated harms and corresponding mitigation would be unknown. If there are comparable situations, the harms to current residents should be detailed, in connection with determining appropriate mitigation measures for the benefit of current residents. (Bradford_059, Bradford_060, Bradford_067)

Response: There are a number of recently-approved projects, such as Astoria Cove Development and Halletts Point Rezoning, which involve construction over an approximately 10-year period of over 1,000 dwelling units located near existing residences. Their environmental reviews are posted on DCP's environmental review web portal: <https://www1.nyc.gov/site/planning/applicants/eis->

documents.page. As feasible and necessary, the EIS will address mitigation for construction impacts on existing Lenox Terrace residents.

Comment 82: The effect of the Lenox Terrace project on major institutions bordering the existing Lenox Terrace complex has to be taken into consideration. For example, Harlem Hospital Center borders the complex and its patients and people receiving basic health care are frequently coming to the hospital in wheelchairs, stroller, walkers, and canes. The patients can be seen exiting the elevators at the subway stops. These patients and their families will experience the same major impacts of this construction, including increased traffic, dirt, and dust that residents will. (Skarrow_010)

The disruption caused by long-term development will seriously impact the quality of transportation and services. (Hudson_014)

Response: As stated in the DSOW, the EIS will assess the effects from construction of the proposed project. It will provide a projection of anticipated construction activities, narrative of likely construction logistics, assessment of potential environmental impacts, recommendation of feasible mitigation measures, description of preventive practices, and stipulation of construction coordination requirements.

Comment 83: The Lenox Terrace project seems outrageous due to the magnitude of construction. The current residents will certainly suffer greatly from the many ills associated with the estimated 9 years of construction. Rats, rodents, bed bugs, cockroaches, increased asthma and respiratory ills, transportation congestion, noise, school overcrowding, an increase in neighborhood unaffordability for housing and goods and services, and the resulting loss of current residents due to unaffordability, can all easily be predicted from the proposal. And perhaps this is the Olnick Organization's actual intent. By making construction so awful, current tenants will move out and their apartments can be rented to more wealthy people, while the truly affluent can reside in the newly constructed apartments. This would result in a complete, economic transformation of the population of Lenox Terrace. And this process will certainly transform Lenox Terrace's racial character, exchanging Black residents for white renters. (Bradford_059, Bradford_060, Bradford_067)

Due to the magnitude of construction, the protracted years of construction within the densely populated area will have a harmful physical on the health of the community beyond reasonable proportions. It is not only the current Lenox Terrace residents who will be affected by respiratory ills, transportation congestion, and overcrowded sidewalk detours, just to name a few, but also the surrounding community residents. (Mitchell_062, Mitchell_066)

Response: As detailed in the DSOW, the construction chapter of the EIS will present analyses of construction-related effects on transportation systems, air quality, and noise and vibration, among other technical areas.

The air quality assessment will include quantitative analysis of both on-site and on-road sources of air emissions, including dust emissions. Pollutant concentrations of nitrogen dioxide (NO₂), particulate matter (PM₁₀ and PM_{2.5}),

and carbon monoxide (CO) from construction site sources on the sidewalks and covered walkways adjacent to the construction sites as well as nearby residences will be estimated in accordance with accepted *CEQR Technical Manual* methodologies (these pollutants are of the type that would potentially trigger respiratory illnesses). In addition, the analysis will identify, if required, a wide variety of measures that exceed standard construction practices to minimize the emissions of air pollutants and reduce potential off-site air quality effects. The EIS analyses will consider all potentially affected populations, not just residents living within the project area. However, race and ethnicity are not considered under CEQR for the purpose of identifying significant adverse environmental impacts; please also see the response to Comment 25.

Comment 84: Construction would also necessitate removing trees that have been in the neighborhood for close to a century, if not more. (Mitchell_062, Mitchell_066)

Response: Any potential street tree loss associated with the proposed project will be identified and assessed in the EIS. Any required measures for street tree replacement will be identified. Changes to trees on the proposed development site would not be regulated by the proposed actions.

Comment 85: Quality of life is going to be impacted. I'm sure none of you want your children living 60 feet from the creation of a 28-story building for 10 years. (Llanes_036)

How can human beings be expected to live on a construction site for a decade? (Plaskett_011)

Asking current residents of Lenox Terrace to endure 9 to 10 years of construction noise, dirt and debris, closed windows, an increase in vermin, shadows from scaffolding and large towers, rising rents in a neighborhood that is already disproportionately underprivileged, more hospital, school, and public transportation overcrowding, an increase in private vehicles and poor air quality in an area that already has more asthma rates than other areas of the City, more garbage, and the list can go on and on, lacks compassion. (Plaskett_011)

What does a decade of construction do to the quality of daily life? (Rogan_046)

The proposed project will force our children, elderly, and disabled residents to live side by side with five separate hazardous construction sites of hoist elevators, hydraulic truck cranes, scaffolds, earthmoving equipment, backhoes and excavators, broken sidewalks and ramps, construction dust and sand blasting, and loud noise and jackhammering for 9 years or more. (Jones_001, Jones_064)

I object to the Lenox Terrace project because of the harm it will surely cause current residents like me from protracted years of construction within the densely populated area where current Lenox Terrace buildings now stand. (Bradford_059, Bradford_060, Bradford_067)

Response: Construction impacts will be assessed in the EIS consistent with the DSOW and *CEQR Technical Manual* methodologies. It should be noted that the construction period includes the construction of five different buildings in five different locations within the project site.

Appendix A: Response to Comments on the Draft Scope of Work

Comment 86: The Lenox Terrace project will affect employees because they will have to walk/travel from building to building within the Lenox Terrace complex. This will make doing their job difficult with all the construction trucks and heavy machinery in the surrounding areas. (Taylor_063)

Response: The construction analysis in the EIS will consider the effects of construction activities on pedestrian circulation, including access to storefronts, community facilities, and places of business.

Comment 87: The Olnick Organization does not care about the noise, dust, and disruption that 9 years' worth of construction will have not just on the Lenox Terrace tenants, but on everyone in the surrounding neighborhood, especially those in the Lincoln Houses projects and the homes along 132nd Street. (Nichols_006)

Construction of new buildings would be disruptive not only to the Lenox Terrace residents but all the other surrounding complexes. (Roberts_012)

Response: Comments noted. The construction analyses in the EIS will consider the potential environmental effects of construction activities on all potentially affected populations, not just Lenox Terrace tenants.

Comment 88: The Olnick Organization's record with the buildings they have is strong evidence that they cannot be trusted to keep the construction dust and noise to a minimum: every time we have asked them about construction dust and noise for the Lenox Terrace project they say they will follow all the City's rules, which is code for "we will meet the absolute minimum and no more." (Nichols_006)

Response: As detailed in DSOW, the proposed project's construction impacts will be analyzed in the EIS. Where appropriate, measures that exceed standard construction practices to avoid, minimize and/or mitigate potential significant adverse construction-related effects will also be identified and described.

Comment 89: Internal construction is already an issue. When apartments are vacant, a renovation process is started. Construction dust and debris is carried on elevators, hallways, and common areas of the building. I have often had to leave my apartment to get some peace—I cannot imagine what full-time, external construction will be like right outside my window. (Anonymous_005)

When the Olnick Organization started renovating the apartments in the building, there were problems. There were problems with dust that people with allergies and respiratory problems had. They weren't protecting the existing tenants on the floor. They were renovating two or three apartments on a floor at a time. And now you're talking about a larger construction and how are they going to deal with that? (Williams_024)

Response: The EIS will provide details on the proposed project's preliminary construction schedule and phasing of activities likely to occur during construction, the type of equipment that is likely to be used, and preliminary construction logistics (e.g., site access points and potential staging area locations). Based on this information, potential impacts on specific areas of concern, including transportation, air

quality, noise and vibration, and hazardous materials from construction activities are analyzed. The EIS will also identify measures that would avoid, minimize, and/or mitigate any identified potential significant adverse construction-related impacts.

Comment 90: It's tough enough to live in the City; the idea of the excavation and the construction for 9 years is difficult—construction is currently happening and it is a mess. (Rogan_046)

Response: As detailed in the DSOW, the construction impact assessment will evaluate the duration and severity of the disruption or inconvenience of the construction activities to nearby residences, community facilities, and publicly accessible open spaces and will be based on a preliminary construction schedule for the proposed actions. The EIS will also identify measures that would avoid, minimize, and/or mitigate any potential significant adverse construction-related impacts.

Comment 91: Both the scale and scope of the construction would impact who is able to (and most likely will be able to) access long-standing community facility uses. A similar dynamic will result if any affordability or population shifts result from the project. (Cardwell_013)

Response: Construction activities associated with the proposed project would follow all NYCDOB safety requirements and be conducted with the care mandated by the close proximity of residences and community facilities to the proposed project.

Comment 92: How could construction impact the typical level of cultural and business activity (which includes street vendors) along Lenox Avenue? (Cardwell_013)

Response: The construction analysis in the EIS will describe temporary sidewalk and street lane closures that may be necessary for safe construction, and will estimate the duration of such closures. The construction analysis will also assess potential effects on business conditions in the directly affected areas.

Comment 93: Water Pollution: the surface water runoff and the groundwater close to a construction site become polluted with various materials...VOC, paints, glues, diesel, oils, other toxic chemicals, and cement. The immediate effect is creating turbidity in the runoff water and affected surface and groundwater...once the groundwater below your home becomes contaminated, it may affect you through direct consumption and indirectly by affecting the quality of your indoor air (vapor intrusion of the volatile contaminants from water). Overall, water pollution from construction sites is underestimated and has potential to generate severe environmental problems. (Jackson_018)

Response: A Stormwater Pollution Prevention Plan (SWPPP) would be developed for the proposed project's construction activity in accordance with the requirements of NYSDEC's State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity. The SWPPP would include fully designed and engineered stormwater management practices

with all necessary maps, plans and construction drawings, providing the site-specific erosion and sediment control plan and best management practices.

Comment 94: Soil pollution: soil at and around a construction site may become contaminated due to air transport followed by deposition of construction contaminants (air pollution as well as water runoff) some may accumulate in soil and persist over longer periods of time. (Jackson_018)

Response: The hazardous materials analysis in the EIS will describe measures that will be required to avoid adverse effects to human health from exposure during construction from potential contaminated soil conditions.

AIR QUALITY

Comment 95: The construction of the Lenox Terrace project will affect the air quality on the outside and the air quality in my apartment and I will have to close my windows. (Collins_061)

The construction of the Lenox Terrace project will increase the dust in my apartment. I have to keep my windows closed at all times causing me to choke and/or cough not having the outside air ventilation. (Taylor_063, Thornton_033)

I can't even fathom not opening my window one day, let alone for 9 years. (Hill_056)

We have terrible air quality and the construction dust will interfere with this, especially on days with low wind. (Tarnok_054, Tarnok_058)

Response: The EIS will include a detailed air quality analysis to assess the potential for air quality impacts from construction sources and dust generating activities on nearby residences, community facilities, and publicly accessible open spaces. The air quality analysis will also include a discussion of the strategies to reduce air pollutant emissions associated with construction activities resulting from the proposed project.

Comment 96: The air quality at the 135th Street location is not good. The construction dust over a 10-year period will be deadly to the residents of Central Harlem. I do not know how the Lenox Terrace project can be approved. The patients of Harlem Hospital Center would be affected by the construction dust. The construction dust would go through the air vents into the hospital causing the patients to become seriously ill. (Lisa_009)

Response: The potential effects on air quality during construction of the proposed project will be analyzed in the EIS, consistent with the guidance of the *CEQR Technical Manual*.

Comment 97: The park will be off-limit to the children who suffer with asthma and upper-respiratory problems, etc. (Taylor_063)

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Response: The proposed project's potential impacts on public health will be assessed based on the results of the air quality and noise analyses, consistent with the guidance of the *CEQR Technical Manual*.

Comment 98: Will you be living in Lenox Terrace inhaling that air during construction? (Brewer_051)

Response: The construction analysis in the EIS will consider the potential air quality effects of construction-related activity.

Comment 99: The students from P.S. 175 would also be greatly affected by the construction dust. (Lisa_009)

Response: The EIS will include a detailed air quality analysis to assess the potential for air quality impacts from construction sources on nearby residences and community facilities, including the students and faculty members at P.S. 175. The air quality analysis will also identify strategies to reduce air pollutant emissions associated with construction activities resulting from the proposed project.

Comment 100: What provisions are being made to seal windows, construction dust, noise, and the disruption of the community's quality of life? (Anonymous_005)

Response: Based on the results of the construction analysis, appropriate measures will be identify to avoid, minimize, and/or mitigate any potential significant adverse construction-related impacts.

Comment 101: Construction sites: due to their proximity to homes and the materials used, and/or noise pollution...the air you breathe may be polluted due to the construction work. Apart from the noise, poor air quality is the most immediate pollution effect you may experience from a construction site.... This means that airborne contaminants, including contaminated particulate matter and volatile compounds are spreading around (mostly carried by wind)... Contaminants spreading around in air can travel large distances in a short time. (volatile organic compounds [VOCs]), asbestos, gases such as carbon monoxide, carbon dioxide, and nitrogen oxides. (Jackson_018)

Response: As described in the DSOW, the EIS will include detailed air quality and noise analyses in accordance with the *CEQR Technical Manual* guidelines to assess the potential effects from construction sources on nearby residences and community facilities. The potential for noise and air quality effects will be evaluated and compared to applicable impact criteria. If significant adverse impacts are identified, practicable mitigation measures will be identified.

NOISE

Comment 102: I'm glad I live in the back of the building because the people in the front that have to endure the motor bikes, ambulance, police, and all of that noise all the time.

Imagine when digging and more noise starts. I am retired from my job and this noise factor will make me wish I was back at a job during the day. (Thornton_033)

Response: As described in the DSOW, the EIS will include a detailed quantitative analysis of noise resulting from construction of the project, which will consider both the intensity and duration of construction noise at surrounding receptors.

Comment 103: I have challenged hearing. You're talking about years of noise, pollution, and also the debris. (Gaffney_022)

Sound mitigation must be required, including the sound proofing of apartments with folks who are unable to leave their apartments during construction periods. (Bradford_059, Bradford_060, Bradford_067)

The noise level at the 135th Street location is already unbearable between the Harlem Hospital Center ambulance and the fire and/or police sirens. If the Lenox Terrace project is approved the noise from the construction sites would be too deafening. Ten or more years of construction noise is too much for anyone to take. (Lisa_009)

Response: The detailed construction noise analysis will be based on the projected preliminary construction schedule and will consider the effects of existing noise levels at the project site as well as the duration of construction noise in identifying potential significant adverse impacts.

Comment 104: Noise pollution: "noise may adversely affect your health, including effects such as stress, sleep disturbance, high blood pressure, and even hearing loss." Too many of the residents already have these illnesses which will be compounded on by the environmental conditions resulting from the demolition and construction of these new buildings in such close proximity to their housing. (Jackson_018)

Response: As described in the DSOW, the EIS will include an assessment of public health effects if significant adverse impacts are identified related to noise associated with project construction. The public health assessment will follow the guidance of the *CEQR Technical Manual* and will consider whether significant adverse noise impacts identified would result in impacts on public health.

VERMIN

Comment 105: The construction of the Lenox Terrace project would add to the infestation of rodents. (Roberts_012)

The increased amount of rodents when they start excavation is a fact. (Hill_056)

The Lenox Terrace project will increase the rodent and pest problem. (Dayson_038)

Will you be living in Lenox Terrace when the rats and rodents are running around during construction? (Brewer_051)

The new towers would create more garbage around the Lenox Terrace complex. More garbage would attract rodents seeking food. (Lisa_009)

Rodents currently run around on the Lenox Terrace complex grounds like they own it. (Johnson_037)

Mice, bedbugs, and roaches are currently a reality at the existing Lenox Terrace complex. When the existing building is demolished where are the rats, bedbugs, and roaches going? (Jackson_018)

I worked with a real estate development company and New York City Department of Housing Preservation and Development (HPD) to relocate tenants in a nearby area while their buildings were being renovated. I witnessed firsthand the rat and roach problems that arose as construction got underway. Rats were found in apartments, and the roach infestation was problematic. (Richardson_017)

The environmental impact is also a matter of great concern. Notwithstanding the long-standing issue of existing rat, mice, and other rodent infestation that currently exist on the grounds and within the current Lenox Terrace apartments that has not been adequately addressed, the prospect of this problem manifesting in huge proportions is intolerable. As with other neighborhoods throughout the City that are also battling this problem, we cannot take on more than our fair share, which excess construction based upon greed and egotistical measures will bring. (Mitchell_062, Mitchell_066)

Lenox Terrace has a bedbug and cockroach infestation. Recent construction projects in the area are thought by many residents to be a cause of the infestation. This has been a long-standing issue. The EIS should determine if the construction of the Lenox Terrace project will exacerbate this infestation. Sound mitigation measures must be established. (Bradford_059, Bradford_060, Bradford_067)

There are rats and other rodents within current tenant apartments, buildings, and the grounds. The EIS should include a review of the rat and rodent infestation from construction near Lenox Terrace within the past several years, as well as the current rat and rodent problem. The review should include an examination of other construction projects like the Lenox Terrace project where construction is planned over a 5- to 10-year period with over 1,000 new apartments constructed in an area adjacent to existing apartments and families. Mitigation must be based on real world experience with, what seems to me, an unprecedented construction project planned so near a great number of existing families. (Bradford_059, Bradford_060, Bradford_067)

We would like to include a study on how the community will be affected by the unearthing of rodents during the projected 9-year period of construction. (Percival_027)

When the switching building for the subway was demolished, there were rats as big as puppies running around the neighborhood and you're proposing to dig this up again? (Gaffney_022)

When you begin to build, an excavation will force rats and mice above ground. The construction work on the subway line on Lenox Avenue some years ago caused an epidemic of rats running through the property, along the street, and the subway. (Percival_027)

Rats will make their way over here to Riverbend Housing. (Tarnok_058)

Response: Comment noted. The EIS will discuss potential effects of construction on rodent populations and describe the provisions of a pest control program that will be implemented during construction of the proposed project.

PUBLIC HEALTH

Comment 106: I know there is going to be an environmental health hazard. (Green_057)

Response: As detailed in the DSOW, if unmitigated significant adverse impacts are identified in technical areas such as air quality, water quality, hazardous materials, or noise, and DCP determines that a public health assessment is warranted, an analysis will be provided for that specific technical area.

Comment 107: Asking current residents of Lenox Terrace to endure 9 to 10 years of construction noise, dirt and debris, closed windows, an increase in vermin, and poor air quality in an area that already has more asthma rates than other areas of the City lacks compassion. (Plaskett_011)

Response: As detailed in the DSOW, the EIS will assess the proposed project's construction-related activities and their potential for impacts on noise and air quality. The construction air quality assessment will compare conditions against air quality standards established to be protective of human health. The EIS will also identify project-specific control measures, if warranted, to minimize the air quality effects from construction and to ensure that significant impacts on air quality do not occur.

Comment 108: If the construction goes ahead as planned we will be forced to move to protect my young daughter from the environmental effects because she has asthma. (Nichols_006, Nichols_030)

I had a friend that used to live with me that had asthma and he was affected often by things for example erecting the scaffolding and improving older buildings. That's going to be years for the children that have asthma. (Gaffney_022)

The Lenox Terrace project will increase the breathing problem for residents and their children already struggling with chronic breathing conditions such as asthma. (Dayson_038)

Response: As detailed in the DSOW, the EIS will assess the proposed project's construction-related activities and their potential for impacts on noise and air quality. The construction air quality assessment will compare conditions against air quality standards established to be protective of human health. The EIS will also identify project-specific control measures, if warranted, to minimize the air quality effects from construction and to ensure that significant impacts on air quality do not occur.

Comment 109: There are multiple hazards that construction of five new buildings will bring. The dust from construction will cause unforeseen health problems for the residents that live here. I have asthma, and living in a construction zone will only aggravate

my symptoms. Breathing in these fumes from construction will cause harm to the residence now, and could very well bring on disease in the future. The elderly residents who reside here will be under siege. Air quality and water and sewage infrastructure will be affected. Tearing up the area will cause rats, roaches, and vermin to come into our living areas. (Richardson_017)

The dust, dirt, noise, and influx of the rodent population to the area from the major construction, which would be done in phases and last about 10 years, would cause many adverse health effects for the residents of Central Harlem particularly our senior residents. (Borden-Miller_021)

The construction of the Lenox Terrace project would create health issues (asthma, emphysema). (Roberts_012)

My major issues are the impact additional buildings would have on the community's health. (Glaude_002)

My health would suffer greatly due to the anticipated dust, noise, and overcrowded conditions that would occur if the proposed project is approved. (Glaude_E_004)

Illnesses to consider people contracting from air dust: silicosis, bronchitis, and fibrosis. Also the noise pollution and finally the rats. (Green_019)

The Lenox Terrace community includes children, seniors, disabled people, and people with respiratory problems. We have the hospitals and schools in the area. All of this dust and noise is going to affect the children. It's going to affect everyone. (Johnson_037)

This community has a vulnerable population of kids in the area who have asthma and who would be affected by construction because of the nature of construction activities as defined by the government website. The rates of asthma hospitalization in New York City for children age 0 to 4 is 69.1 percent. For Central Harlem it's 107.5 percent. For asthma hospitalization in New York City for children age 5 through 14 it's 38.6 percent. About 63.6 percent for Central Harlem. Public school children with asthma is 72.8 percent for the entire City. It's 91.2 for Central Harlem. (Schneider_026)

The dust and constant construction will certainly make the sick and elderly much worse, including respiratory illnesses. (Bradford_059, Bradford_060, Bradford_067)

The disruption caused by long-term development will seriously impact the quality of life and health. (Hudson_014)

This is a really big impact. Lenox Terrace has an older population that's also very vulnerable and the children of the community are very vulnerable. (Schneider_026)

The construction of five buildings will have a devastating effect on the health and wellbeing on the existing Lenox Terrace residents because the dust the construction will create and expose to pregnant women, small children, the elderly, and pets. (Green_019)

Response: The EIS will assess the proposed project's construction-related activities and their potential for impacts on environmental categories that influence quality of life, including effects on transportation systems, noise, and air quality. In particular, the construction air quality assessment will compare conditions against air quality standards established to be protective of human health. The EIS will also identify project-specific control measures, if warranted, to minimize the air quality effects from construction and to ensure that significant impacts on air quality do not occur.

NEIGHBORHOOD CHARACTER

Comment 110: The Lenox Terrace project is not in character with the community of Harlem. (Williams_003)

The Lenox Terrace project will tear out the heart of the Harlem community. (Brooks_040)

The Lenox Terrace project will take away the quality of people and life. (Brewer_051)

The applicant is not taking into consideration people, character, and this neighborhood. (Brewer_051)

Response: Comments noted. Consistent with the DSOW and *CEQR Technical Manual* guidelines, the EIS will include an assessment of the proposed project's effects on neighborhood character.

Comment 111: Over 75 percent of the current residents oppose this plan, and rightfully so. This plan will change the mere fabric of this neighborhood's character. The proposed rezoning would be "an unsustainable burden to the community" and the increase of commercial properties would also adversely affect the character of what is now a primarily residential neighborhood. (Borden-Miller_021)

Response: Comment noted. The EIS will include assessment of the proposed project's effects on neighborhood character, and the Land Use, Zoning, and Public Policy chapter of the EIS will assess the appropriateness of the proposed land uses in the context of the surrounding area. Please also see the response to Comment 129.

Comment 112: The applicant could not get approval for the insurance to build a building until they provided documentation that it would not change the character of the community and the proposed project will definitely change the character of the community. (Williams_024)

Response: Consistent with the DSOW and *CEQR Technical Manual* guidelines, the EIS will include an assessment of the proposed project's effects on neighborhood character.

Comment 113: A feature of the Federal Housing Administration (FHA) Act under 207 mandated that site approval could only be given when a project was in character with the

Lenox Terrace

surrounding area or of such magnitude as might be calculated to change the nature of the area. (Williams_003)

Response: As detailed in the DSOW, the EIS will include assessment of the proposed project's effects on neighborhood character.

Comment 114: This area along Lenox Avenue is a critical cultural and community space for local vendors and community members. It's one of the few remaining places in Harlem where Harlem residents can consistently walk down the street and encounter cultural interactions that have come to make Harlem a desirable and loving residential community. (Cardwell_013)

Response: Comment noted.

Comment 115: The Lenox Terrace project would be detrimental to the health and prosperity of the community. The proposed project would destroy a beautiful community that has kept this neighborhood intact. (Buckner_008)

The Lenox Terrace project would destroy the character of the Harlem community and its historical contribution to this City would be lost forever. All around the world the name Harlem is associated with New York City. Buses filled with tourists from Europe, Asia, and the Middle East come to Harlem to visit our churches, restaurants like Sylvia's, The Schomburg Center, and the Apollo Theater to name a few—not to look at tall cold apartment buildings. (Williams_003)

The community will start to resemble something other than its historical roots that it is so proud of. (Richardson_017)

The existing Lenox Terrace complex has great name recognition and a great history. Don't destroy it by turning it into a gentrified neighborhood with 28-story buildings that cut the light, running the air, and crowd the subway platforms. (Sales_039)

Response: Comment noted. As detailed in the DSOW, the EIS will assess the proposed project's effects on socioeconomic conditions, historic and cultural resources, urban design, air quality, transportation systems, and neighborhood character.

Comment 116: Does DCP believe a zoning change of this scale (i.e., from C1-4 to C6-2) inherently establishes that the character and feel of a neighborhood is being altered? If not, what is the DCP's (or the CPC's) rationale? (Cardwell_013)

Zoning changes will affect the character of this historic area. We have seen the massive towers allowed on the West Side, now that that area is fully saturated, developers are turning to Harlem. (Anonymous_005)

Response: Comment noted. The EIS will describe the purpose and need for the proposed actions, and will address whether the proposed zoning would result in significant adverse impacts to land use, urban design, and neighborhood character.

Comment 117: The proposed rezoning and the resulting huge high-rise buildings would not be in harmony with the feel and character of the community. (Hudson_014)

The size of the buildings, which were determined without community input, will alter the character and feel of Lenox Terrace and Central Harlem. (Cardwell_013)

Response: Comments noted. The EIS will address the proposed rezoning's effects on urban design and neighborhood character. With respect to community input, please see the response to Comment 129.

Comment 118: The proposed rezoning is a tipping point for other developers to think about what they can do if this happens here because it will destroy the fabric of the community. (Rodriguez_028)

Response: Comment noted.

Comment 119: The size development would change the character of the neighborhood completely and make it look like Midtown Manhattan. Who wants to live in those canyons that are dark, and unappealing with no personality? (Candelore_053)

Response: Comment noted. Consistent with the DSOW and *CEQR Technical Manual* guidelines, the EIS will include an assessment of the proposed project's effects on neighborhood character.

ALTERNATIVES

Comment 120: The Lenox Terrace project would be ideal for a location that is underdeveloped. Property that has an open lot. (Lisa_009)

Projects of this magnitude should be relegated to empty lots, not built where people currently exist. (Shebar_052)

If the Olnick Organization want to build these towers, I'm sure the developers have enough money to find land somewhere else to build their project and leave us alone. (Stacey_050)

Queensboro Plaza would be a perfect location for the Lenox Terrace project. (Lisa_009)

Why don't the developers build the Lenox Terrace project in Brooklyn where it's already growing? (Brewer_051)

Response: The purpose of the EIS is to study the potential for significant environmental adverse impacts of the proposed project, which is within the Lenox Terrace project area. Alternatives to the proposed project that will be considered in the EIS include a No Action Alternative, where the site is not developed as proposed, and a No Unmitigated Adverse Impacts Alternative, which reduces or eliminates any significant adverse impacts identified. As the applicant does not own alternative properties, the construction of the proposed buildings on sites other than Lenox Terrace is not an alternative that will be considered.

MITIGATION

Comment 121: The EIS and the Olnick Organization need to review the actual cost of mitigating the problems identified in public comments on the DSOW. Some of the mitigation will require the Olnick Organization to spend money on individual apartments. By way of example, some apartments may have to be soundproofed. Exterminators many have to be made available on an on call and daily basis. Furniture and other furnishing may have to be replaced due to bedbugs. Some tenants may have to be relocated during the duration of construction due to health problems. In short, the level of maintenance, service, and repair may well cost the Olnick Organization millions of dollars in mitigation expenses throughout the period of construction. Any EIS should acknowledge this fact, and the Olnick Organization should be made to agree to pay for all such expenses. This, in addition to the construction centered mitigation that is typical in the construction process. (Bradford_059, Bradford_060, Bradford_067)

Response: The EIS will identify all practicable measures to mitigate significant adverse impacts that are identified, as well as determine the party or parties that would be responsible for implementing such measures.

Comment 122: Mitigation terms must be mandated as a condition of project approval. (Bradford_059, Bradford_060, Bradford_067)

Response: The EIS will assess the projects for potential significant impacts and where feasible will identify mitigation and the means for implementation. As detailed in the DSOW, the applicant is expected to enter into a Restrictive Declaration to establish any environmental mitigation conditions identified through the environmental review for the project.

MISCELLANEOUS

Comment 123: The existing Lenox Terrace residents are being asked to accept a proposal and a plan that is just another reiteration of “separate, but equal.” This proposal is nothing except for another plot to turn existing Lenox Terrace residents into second-class residents. (Cardwell_035)

Response: Comment noted. The EIS Socioeconomic Conditions, Neighborhood Character, and Construction chapters will assess the project potential to affect existing Lenox Terrace residents.

Comment 124: We are adamantly opposed to the plan to construct two 28-story residential buildings along the Fifth Avenue corridor. We demand that the Fifth Avenue corridor remain a commercial path that would provide retail shops necessary for living and not increase the residential population, which would be overbearing. (Mitchell_062, Mitchell_066)

We want the Lenox Terrace project to include the reconstruction of the proposed Lenox Avenue area on 135th Street extending from 135th to 132nd Streets. This

Appendix A: Response to Comments on the Draft Scope of Work

includes the commercial usage as well as the erection of two new residential buildings on either corner of Lenox Avenue. (Mitchell_062, Mitchell_066)

Response: Comment noted. The EIS will consider alternatives addressing significant impacts identified for the proposed actions, including any impacts identified due to the increase in the area's residential population. Furthermore it should be noted that the proposed project would include more retail on Fifth Avenue than exists today.

Comment 125: Did Manhattan CB 10 ever approve this proposal? (Jones_001, Jones_064)

Response: Following certification of the application as complete by the CPC, the application materials will be referred to the affected Community Board (CB), pursuant to ULURP requirements. CB 10 will have 60 days to review the proposal and provide recommendations on the application based on their review.

Comment 126: I say "no" to this proposal and stand behind the tenants of Lenox Terrace. (Benjamin_049)

Response: Comment noted.

Comment 127: I request that any further public meetings about this proposal be held in the Harlem community and in a venue that can comfortably seat at least 150 people. The Schomburg Center would be ideal, or one of the local Harlem schools. As many speakers rightfully stated during the February 8 scoping meeting, it was inappropriate to hold the meeting in a location and at a time that were not respectful to the Lenox Terrace residents. (Bradford_059, Bradford_060, Bradford_067)

This meeting location at Reade Street at 6 PM was chosen knowing many residents would not be able to make it. (Llanes_036)

The community has been calling or emailing for a week trying to hold the meeting where all the residents and people can be in one place and not have 75 people in the hallway. (Sales_039)

Choosing this particular venue and this room is almost a perfect metaphor for the Lenox Terrace project. It is keeping longtime members of the community out and is not accommodating everyone. There is busload of people that cannot even get here and that's a metaphor for what the proposed project is. (Gaffney_022)

Response: The public scoping meeting was noticed and conducted pursuant to CEQR regulations. Spector Hall at 22 Reade Street has been regularly used for public meetings. All people in attendance were given an opportunity to testify. In addition to receiving oral and written testimony at the public scoping meeting, DCP acting as lead agency on behalf of the CPC accepted written comments through February 20, 2018.

Comment 128: If the Lenox Terrace project rezoning and demolition decisions are not made with significant community input, how does DCP not expect such rapid changes to

contribute to tenants' and residents' fears that rapid gentrification is on the way and irreversible? A zoning change of this size should not be permitted without a substantial amount of community input that allows Lenox Terrace tenants and other marginalized and exploited residents to participate in the scale, scope, and design of any changes to new buildings and retail uses. Describe the degree of community input that contributed to the two existing commercial structures at 444 and 480 Lenox Avenue being included for demolition in the Lenox Terrace project. That the two existing commercial structures at 444 and 480 Lenox Avenue would be demolished by 2022 to allow for the new development was determined without reasonable and sufficient community input. (Cardwell_013)

Response: Pursuant to ULURP and CEQR regulations, the community will be provided opportunity to review and comment on the EIS and land use application. The socioeconomic effects of the proposed project—including the direct displacement of businesses along Lenox Avenue—will be considered in the EIS, consistent with DSOW and *CEQR Tech Manual*, and that analysis will be made available for public review and comment. A public hearing pursuant to ULURP and CEQR will be scheduled. Comments on the DEIS will be accepted by DCP as lead agency through the tenth day following the public hearing. All relevant public comments received during the public comment period of the EIS will be responded to as part of the FEIS.

Comment 129: What role, if any, will tenants and Central Harlem residents be allowed to have in designing the “more defined streetwall”? Or must tenants accept whatever physical boundaries are created, regardless of whether it means that the City has effectively created a private-gated community in the rezoning area? (Cardwell_013)

Response: Tenants and Central Harlem residents will have opportunity to comment on the application, including urban design aspects, during the CEQR and ULURP processes. Public hearings will be held by the Community Board, CPC, and City Council.

Comment 130: The Olnick Organization has demonstrated time and again the inability to satisfactorily maintain the five buildings that currently compose the existing Lenox Terrace complex. (Hudson_014)

How will the DCP assess and account for tenants' expressed complaints related to the applicant refusing to (or being unable to) provide common sense upgrades and amenities? (Cardwell_013)

The Olnick Organization is not taking care of the existing buildings and they want to put up new buildings? (Williams_024)

The Olnick Organization is not maintaining what it has. How can they build more at our expense? (Glasgow_042)

Response: The performance of the Olnick Organization as a building manager is not the subject of the EIS.

Comment 131: What will happen if the Olnick Organization fails to meet their obligations? (Morisseau_043)

Response: The EIS will assess the potential for significant adverse environmental impacts, and will identify potential mitigation measures that would serve to reduce or eliminate to the extent practicable any identified significant adverse impacts. The implementation of certain mitigation measures that are the responsibility of the applicant may become conditions to the grant of the special permit sought by the applicant. Furthermore, the development of the property pursuant to the approvals granted would be regulated by a Restrictive Declaration that would be recorded against the land.

Comment 132: The Olnick Organization has tried to say that having more DUs on the development is necessary to provide the income to upgrade the existing buildings. We reject that entirely. They have a duty as landlords to maintain and update their existing properties so that they are safe and clean, and so that any amenities provided, and on which rent is based, are in good repair. (Nichols_006)

What is DCP's method for determining how much additional revenue is needed in order to provide certain upgrades and amenities? (Cardwell_013)

Response: Project finances are not the subject of CEQR analysis.

Comment 133: All the people at this scoping meeting love their community and want to fight for the current situation and improvements to the current situation, not for some luxury high rises that are basically a scam of affordability. (Vergara-Spagnola_032)

Response: Comment noted.

Comment 134: You are caging in Lenox Terrace residents with the proposed rezoning. (Tarnok_054)

Response: Comment noted

Comment 135: The outcry from residents should be heard and respected. The proposed rezoning is not wanted, and is not feasible. (Richardson_017)

Response: Comment noted.

Comment 136: The Olnick Organization is talking about improving the kitchens and bathrooms, but in the last meeting they discussed making these improvements 9 years from now. It is only being brought up now to sound like a good thing, but it's actually in the distant future. (Gaffney_022)

Response: Comment noted.

Comment 137: This is an anti-human, anti-children project and this is undoubtedly a project that is going to disproportionately affect Black and Brown people. (Llanes_036)

Lenox Terrace

Response: Race and ethnicity are not considered under CEQR for the purpose of identifying significant adverse environmental impacts; please see the response to Comment 25.

Comment 138: The proposed rezoning does not address real affordable housing, and the preservation of neighborhood culture and character, socioeconomic conditions, and the rich Central Harlem history of the site. (Jones_001, Jones_064)

Response: Comment noted.

Comment 139: Has DCP thought about the people who have lived here for years? The people who raised families in Lenox Terrace and the Harlem community? (Cox_007)

Response: The EIS will consider the potential for significant adverse environmental impacts to the local population, irrespective of their tenure.

Comment 140: Our community has already experienced real estate companies changing the name of Harlem to something else that is more acceptable to their client base. (Williams_003)

Response: Comment noted.

Comment 141: The good jobs created by this development can help New Yorkers out of poverty and allow workers at the site to support for their families and continue to call New York home. (Matabeek_SEIU_023)

Response: Comment noted. *

Appendix B:
Written Comments Received on the Draft Scope of Work

Willie Jones, Jr.
25 West 132nd Street, Apt# 12K
New York, N.Y. 10037
212/234-5332

February 18, 2018

New York City Department Of City Planning
120 Broadway, 31st Floor
New York, N.Y. 10271
Robert Dobruskin, AICP Director
(212) 720-3423/ FAX (212) 720-3495
rdobrus@planning.nyc.gov

To Whom it may Concern,

Subject: Comments Regarding The Proposed Plan To Build Five 28 Story Towers
At The Lenox Terrace Complex Site

My name is Willie Jones Jr, I am a 64 year old retired Television Broadcast Engineer and I have been a resident of Lenox Terrace Building #25 for 38 years.

On Thursday February 8, 2018, 6pm I attended the New York City Department Of City Planning's "Scoping Hearing" held at Spector Hall, 22 Reade Street Downtown Manhattan regarding the subject proposed plan.

Having both listened to the Lenox Terrace Developer's presentation, read the Lenox Terrace Developer's presentation plan material and listened to the concerns of my fellow Lenox Terrace neighbors and community representatives, I haven't changed my mind. I am against this project as is.

Just as I witnessed speaker after speaker from at the February 8 Scoping Hearing speak out against this project as is, I join them in opposition.

Did Manhattan Community Board 10 ever approve this proposal?

My opinion is that the construction of five new towers on the site as planned will result in a unsupportable strain to the infrastructure of the community including its subways, buses, traffic, local public schools, sanitation, parking, and the hospital. Currently neighborhood community services are already overtaxed and heavily congested now.

Environmentally this project will force our children, elderly and disabled residents to live side by side with five separate hazardous construction sites of hoist elevators, hydraulic truck cranes, scaffolds, earthmoving equipment, backhoes and excavators, broken sidewalks and ramps, construction dust and sand blasting, loud noise and jackhammering for nine years or more.

The proposed re-zoning plan does not address severely overcrowded public transportation, schools, parks, traffic, parking etc.

The proposed re-zoning plan does not address real affordable housing, and the preservation neighborhood culture, character, socioeconomic conditions and the rich Central Harlem History of the Site

No amount of artificial lighting is a substitute for the current natural sunlight that illuminates Lenox Terrace Buildings. Construction five new 30 story towers just 60 feet away from current Lenox Terrace buildings will cast giant moving shadows over current existing buildings.

The core of His Honor Mayor Bill de Blasio's campaign promise was to bring New York communities together, rather than create "A Tale Of Two Cities".

Lenox Terrace has a very long history as "Harlem's Premier Residential Community". If this new billion dollar expansion project gets a green light it will create "A Tale Of Two Cities" right in the middle of Central Harlem. With stark divisions as "Harlem's Older Pre-Existing Premier Residential (Rent Stabilized) Community" will be physically towered over, penned in, overshadowed and surrounded by newer market rate tenant buildings.

Imagine moving Rent Regulated Lenox Terrace housing, residents and buildings to the middle of Midtown's Park Avenue rather than moving Market Rate Midtown Park Avenue residents and buildings to the Lenox Terrace complex grounds. How would the upscale elite Midtown Park Avenue residential community react?

This project is the Terraforming of The Lenox Terrace Community Complex and the developer needs take it back to the drawing board.

Sincerely,



Willie Jones, Jr.

Cc: Hon. Mayor Bill de Blasio, Hon. Gale A. Brewer Hon. Rep. Adriano Espaillat
Hon. Bill Perkins, Hon. Brian A. Benjamin, Hon. Inez E. Dickens, Manhattan
Community Board 10 [mn10cb@cb.nyc.gov]

DENISE GLAUDÉ
25 WEST 132ND STREET #15P
NYC NY 10037

February 17, 2018

Dear NYC Dept. Of Planning –Scoping Committee,

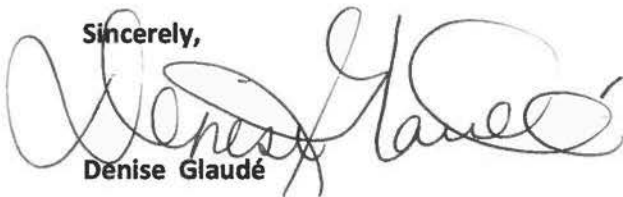
'18 FEB 20 PM3:48

I am writing to express my opinion on the request from Lenox Terrace Development/Olnick Management to add additional buildings to the complex. I am asking that you not approve the current plan.

My major issues are the impact additional buildings would have on the community's health, transportation and education services.

Please respectfully decline the proposed project.

Sincerely,

A handwritten signature in dark ink, appearing to read "Denise Glaudé", written in a cursive style. The signature is positioned above the printed name "Denise Glaudé".

Denise Glaudé

Ms. Elaine M. Williams
25 W. 132nd Street
Apt. 11P
New York, NY 10037-32

February 18, 2018

Department City Planning
C/O Robert Dobruskin
Director, Environmental Assessment & Review Division
120 Broadway
31st Floor
New York, NY 10271

'18 FEB 20 PM 3:48

Dear Mr. Dobruskin:

My name as stated above is Elaine Williams and I have been a resident of Lenox Terrace Building #25 (The Continental) since 1968 and have been an active member of the Lenox Terrace Association of Concerned Tenants since its inception in 1989. The Tenants Association was established to advise tenants of their rights under the rent laws and to assist in any problems that are not being addressed by management or owner.

On February 8, 2018 I attended the Environmental Impact Scoping Meeting I was not impressed by the accommodations afforded us but the testimonies were on target. I did testify but felt my objection to Lenox Terrace Redevelopment was not clearly stated therefore this written statement.

My reasons are the following:

1. It would destroy the character of the Harlem Community and its historical contribution to this City would be Lost forever. All around the world the name Harlem is associated with New York City. Buses filled with tourist from Europe, Asia, Middle East come to Harlem to visit our churches, restaurants like Sylvia's, The Schomberg Museum and the Appollo Theater to name a few not to look at tall cold apartment buildings.

A recent article in the New York Times about gentrification spoke about the culture and history that is lost once a community of color is displaced by the new affordable rich. We in our community have already experienced real estate companies changing the name of Harlem to something else that is more acceptable to their client base.

I was browsing through the first Lt-ACT newsletter printed in 1991 which had detailed information about the how and knows of the construction of the Lenox Terrace under TITLE 1 of the Federal Housing Administration. One particular section is relevant to our request to deny the Redevelopment plans. A feature of the FHA act Under 207 mandated that site approval could only be given when a project was in character with the surrounding area or of such magnitude as might be calculated to change the nature of the area.

This redevelopment plan is not in character with the community of Harlem

ERIC G. GLAUDÉ
25 WEST 132ND STREET #15P
NYC NY 10037

February 17, 2018

'18 FEB 20 PM 3:48

Dear NYC Dept. Of Planning –Scoping Committee,

I am a long term Lenox Terrace resident, 45 years and a Vietnam Veteran and writing to inform you that I would be adversely affected by the new development plan proposed by Olnick for the Lenox Terrace.

My health would suffer greatly due to the anticipated dust, noise and overcrowded conditions that would occur if this current project is approved.

Please respectfully decline the proposed project.

Sincerely,



Eric G. Glaudé

'18 FEB 20 PM 3:48

To: New York City Council
Planning Committee

Re: Lenox Terrace Zoning Proposal & Building project
Feb. 8, 2018

As a resident of Lenox Terrace for over twenty-two years, I am opposed to this proposal. This company has a history of harassment and intimidation for rent stabilized tenants.

I am writing to you anonymously because my lease is in the renewal process and I am concerned if testifying will negatively impact my housing situation. As a senior, and a person with disabilities, it is increasingly difficult to find housing that one can afford on a fixed income in New York City.

In December 2003 I returned home to find a notice from the lawyers Rapport, Hertz, Cherson & Rosenthal, P.C. attached to my door. The COMBINED NOTICE OF INTENTION NOT TO RENEW LEASE DUE TO NON-PRIMARY RESIDENCE AND NOTICE OF TERMINATION. I had ninety days to vacate the apartment or legal action would be initiated.

This began a **four month** battle where the landlord:

Used my previous apartment address as alleged proof I was not living in at Lenox Terrace
Listed the names of two fictitious persons, (unknown to me), who were supposedly subletting my apartment
refused to take my rent, (I sent it every month anyway)
reported me as delinquent on my credit report
would not respond to phone calls for clarification
when I did reach the rental agent, they told me I had to prove I lived there
at expense, I had to send over 10 certified letters, 20 pages of documentation, lease, utility bills, cancel checks,
due to my perseverance, they finally after four months, they relented and sent my lease renewal

Imagine coming home from work day after day, week after week, month after month not knowing if I would have a home, if my belongings would be taken, and I would be locked out of my apartment. This is the company you want to reward additional tax abatements, (that's my tax payer money), when they have a history of taking those tax benefits and not adhering to the law?

I am opposed to this expansion for the following reasons:

- o This company has a history of harassment and intimidation for rent stabilized tenants*
- o They have been taken to court many times for de-regulating apartments
- o Many rent stabilized apartments had been taken off and made market rates
- o Inadequate maintenance of current apartments, grounds, and facilities
- o Maintenance is over worked and under staffed
- o When current tenants ask to see renovated apartments to consider a possible move, they are told they must sign a paper that they are moving
- o After 21 years, when asked to replace the refrigerator, I was told, current residents do not get new appliances. The management digs up old, dirty equipment and puts it in your apartment.
- o **Internal construction already an issue.** When apartments are vacancy, a renovation process is started. Construction dust, debris is carried on elevators, hallways, and common areas of the building.
- o Noise starts at 8:57 am and may go on throughout the day
- o I have often had leave my apartment to get some peace (I cannot imagine what full time, external construction will be like right out my window)
- o You end up tracking this dust into your apartments, the dust come in via the vents, doors, windows
- o Minimum effort is made to contain this dust, and I have had to call several times to have the hall runners removed, long after construction is done.
- o Zoning changes will character of this historic area. We have seen the massive towers allowed on the West Side, now that that area is fully saturated, developers are turning to Harlem.
- o With already chronic health issues, three air purifiers now my apartment to manage the air quality, this massive construction project would force me out of my home.
- o What provisions are being made to seal windows, construct dust, noise, and disruption of quality of live.
- o I strongly urge you to vote NO on this proposal

From: [Robert Dobruskin \(DCP\)](#)
To: [Stephanie Shellooe \(DCP\)](#)
Cc: [Joseph Huennekens \(DCP\)](#)
Subject: FW: Lenox Terrace proposed rezoning
Date: Tuesday, February 20, 2018 4:22:52 PM

From: Wendalyn Nichols [mailto:wendalyn.nichols@gmail.com]
Sent: Tuesday, February 20, 2018 4:03 PM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Subject: Lenox Terrace proposed rezoning

Dear Mr. Dobruskin,

I am writing to you as a 15-year tenant of 10 West 135th Street, 10037 to register my objections to the proposed redevelopment plan for Lenox Terrace.

I am one of the earliest market rate tenants whose unit was illegally taken out of rent stabilization while the Olnick Organization was claiming a J-51 tax abatement. My late husband and I moved here, back to Harlem where he was born and raised, when I was pregnant with our daughter so she could grow up near his family (mine is in Seattle). I am trying to stay here so that she does not have to leave the only home she has ever known, and has a place to live while she is in college, but if the construction goes ahead as planned we will be forced to move to protect her from the environmental effects as she has asthma.

I spoke at the hearing on February 6 about trust issues with the Olnick family. I would like to expand on what I was able to say in my allotted three minutes.

The Olnicks like to point to the fact that the organization is family-owned as if it were an intrinsic virtue. It's only a virtue if the family behave honorably. But they do not. They are not good stewards of the properties they already own. We see right through their shameless attempts to buy people's favor by window dressing - lip-service nods to Black history and culture slapped up in the lobbies, their Easter-egg hunts on a patch of grass they've allowed to lie vacant instead of turning it into a proper park space for the tenants, their "meet the manager" meetings that happen at times of day that no working person can get to. The fact is that if they actually cared about being good landlords, they would not be trying to double the density of this development regardless of its deleterious effects on the existing tenants. They simply want to make more money out of the same patch of land, as if they needed it, and really do not care about the consequences for the existing tenants.

They have tried to say that having more units on the development is necessary to provide the income to upgrade the existing buildings. We reject that entirely. They have a duty as landlords to maintain and update their existing properties so that they are safe and clean, and so that any amenities provided, and on which rent is based, are in good repair.

- It is clear that the Olnicks are waging a cynical war of attrition:
- they allow the non-market-rate tenants' apartments to fall into further disrepair, with crumbling asbestos floor tiles and sixty-year-old kitchens;
- they allow the commercial strip along 5th avenue to remain derelict (where there is a

serious vermin problem), and the corner of 135th and 5th (where PanPan was until it burned) to remain an unsightly empty lot, and the sidewalks in front of those areas to crumble and not be shoveled in the winter;

- they leave the sinkhole near 2186 merely patched;
- they do not ensure that recycling is properly done in all buildings;
- they do not adequately deal with the vermin problems in the buildings;
- they do not redo the electrical wiring so that we are not constantly having lightbulbs and small appliances that burn out too soon and electricity bills that are too high relative to usage;
- they do not deal with the recurring issue of brown water coming through the hot water pipes;
- they do not deal with the frequent pipe blockages that cause serious water damage.

If there is any construction work to be done at all, it should be amelioration: the plumbing and electrical systems in the existing buildings should be completely replaced. They do not address the myriad issues with their existing buildings and property, and therefore should not be allowed to build more buildings. Their record with the buildings they have is also strong evidence that they cannot be trusted to keep the construction dust and noise to a minimum: every time we have asked them about it they say they will follow all the city's rules, which is code for "we will meet the absolute minimum and no more."

I had my first taste of all of this when we moved in and found that they were allowing old broken windows hanging ajar outside of air conditioners to remain broken, where the remaining glass could and did fall out onto the walkways, simply waiting until they won their case to have the replacement of the windows treated as an MCI rather than repairing the windows in the meantime. They have a pattern of trying to get away with the minimum actions required to stay just within what is required by law, and have even pushed the law to the point of breaking it (as the J-51 issue shows).

These are people who thought nothing of raising my rent by \$300 from one lease to the next. These are people who do not care about the depressive economic effect on the neighborhood of leaving vacant the commercial sites they *already have the zoning for* and could have been renting out.

These are people who do not care about the noise, dust, and disruption that nine years' worth of construction will have not just on the Lenox Terrace tenants but on everyone in the surrounding neighborhood, especially those in the Lincoln Houses projects and the homes along 132nd.

These are people who pit neighbor against neighbor, trying to cut side deals with tenants to offer spaces in the new buildings in advance of construction.

These are people who tell lies about the tenants' association: the most blatant recent one was when we came home from the town hall meeting at which our elected officials (state senator, city council member, borough president's spokeswoman) stated that they would be voting with the tenants against the proposal to find a flyer under our doors from the Olnicks saying the elected officials had not said they would vote against it.

These are people who, during the winter months of the gas leak in my building, as their sole concession to the extraordinary discomfort, inconvenience, and expense we were all experiencing, handed out ten-dollar single-burner hotplates that were fire hazards and kept turning off if you *stirred something* in a pot on them.

These are people who employ contractors whose job it seems to be to do as little as they can

get away with. Examples from my own experience:

- A contractor who came to repair my refrigerator did not have the right fan for it, and installed one he said was close enough; that fan caught fire and we were only lucky my husband and his friend were up late and managed to put it out.
- A contractor who came to determine why my oven's temperature gauge was broken (it runs hotter by between 50 and 75 degrees than the dial says) told me that "this is just how these stoves are" and would not do anything about it, even though when we first moved in it emphatically did work, and no longer did (and my oven has still not been replaced).
- The contractors who came to change the gas connection during the gas outage broke the side of my oven putting it back.

These are people who don't care that the local mom-and-pop shops who will be displaced by the reconstruction won't be able to afford to rent commercial space in the new buildings, or that we tenants will have even fewer local options for shopping, including groceries and drugstores, while the construction is underway.

The Olnicks also try to tout the revamping of lobbies and halls, and the possibility of accessing some communal spaces, as benefits to existing tenants. They've redone our lobbies and halls once already since I have lived here, which is proof they can do this without relying on the income from new buildings. And I am here to tell you as strongly as I can that nothing, *nothing*, and certainly not competing with a few thousand families for the odd use of a communal party room, will compensate for the fact that my building will be permanently in shadow if a 26-story building is erected on the corner of 5th and 135th. I will lose my sunrises. I have vitamin D deficiency already: I will lose my sunlight. In considering the effect of shadows, surely the usability of our terraces much be taken into account. I try to grow a few herbs and flowers in pots on mine: the shadow will drastically affect the ability of those who have terraces - and are paying rent for them - to enjoy them.

And the parking? An underground parking lot so near the river? In an evacuation, we are supposed to wait for the valet to go get our cars so we can leave the city? A woman is supposed to feel safe going in there at night?

The Olnicks don't care that our subway is already groaning, that the buses are overcrowded, that the schools are not equipped to handle an influx of families. It is getting harder and harder to be working class and middle class in this city, and if we allow this rezoning then it won't be just the Olnicks getting richer by eroding our quality of life, it will be the owners of the Riverton and the Savoy and other buildings in the area, a domino effect removing open space and light and livability and affordability from Harlem.

This family doesn't deserve to get richer by destroying our quality of life.

Thank you for your consideration.

Wendalyn Nichols

From: [Robert Dobruskin \(DCP\)](#)
To: [Stephanie Shellooe \(DCP\)](#)
Cc: [Joseph Huennekens \(DCP\)](#)
Subject: FW: Lenox Terrace rezoning plan
Date: Tuesday, February 20, 2018 6:27:19 PM

From: Brenda Cox [mailto:brenda.cox0729@gmail.com]
Sent: Tuesday, February 20, 2018 6:17 PM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Subject: Lenox Terrace rezoning plan

Mr. Dobruskin,

Here is my written testimony regarding the Lenox Terrace rezoning plan:

I am a resident of Lenox Terrace. The rezoning plan will cause overcrowding of schools, parking, and transportation. What will happen to the people who currently live in the community? I am nervous that the planning commission isn't thinking about our Harlem community. I think people are looking at how much money can be made from this rezoning. Has your department thought about the people who have lived here for years? The people who raised families here? The people who own businesses? Does your department recognize that Lenox Terrace already has tenants with unmet needs and requests?

Brenda Cox

From: [Robert Dobruskin \(DCP\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Joseph Huennekens \(DCP\)](#)
Subject: FW: Lenox Terrace Rezoning/Written Testimony
Date: Wednesday, February 21, 2018 10:34:59 AM

The last one in before the deadline.

From: George Buckner [mailto:georgegbuckner@gmail.com]
Sent: Tuesday, February 20, 2018 11:44 PM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Subject: Lenox Terrace Rezoning/Written Testimony

My name is George Buckner and I'm a tenant at Lenox Terrace. I moved here in 2009 and I always wanted to live in Lenox Terrace. Lenox Terrace has been a sanctuary and a wonderful place for me, as I am senior citizen and a person who is artistically inclined to understand the beauty and the naturalness of a community. It would be a travesty to do what is planned. After looking at the proposal, the proposal would be detrimental to the health and prosperity of the community. The plan would destroy a beautiful community that has kept this neighborhood intact. I totally oppose this new construction. I hate to say it, but I will move away if the new construction is approved.

Sincerely,
George Buckner

From: [Robert Dobruskin \(DCP\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Joseph Huennekens \(DCP\)](#)
Cc: [Calvin Brown \(DCP\)](#)
Subject: FW: Reasons Why Olnick's Proposed Plan is a Terrible Idea
Date: Tuesday, February 13, 2018 10:15:41 AM

From: Lisa [mailto:lluvya66@gmail.com]
Sent: Monday, February 12, 2018 10:28 PM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Subject: Reasons Why Olnick's Proposed Plan is a Terrible Idea

Dear Mr. Dobruskin,

Reason why the proposed plan for Lenox Terrace is a terrible idea:

- 1. Olnick's dream plan to build five twenty eight story towers is a wonderful vision, but not for the 132nd - 135th street location.**
- 2. This proposed plan would be ideal for a location that is UNDERDEVELOPED. Property that has an open lot.**
- 3. Queensboro Plaza would be a perfect location for Olnick's plan.**
- 4. The noise level at the 135th street location is already unbearable between the Harlem Hospital ambulance and the fire/police sirens. If Olnick's plan is in favor -- the noise from the construction sites would be too deafening. Ten or more years of construction noise is too much for anyone to take.**
- 5. The air quality at the 135th location is not good. The construction dust over a ten year period will be deadly to the residence of Central Harlem. I do not know how this Olnick plan can be approved. The patients of Harlem hospital would be effected by the construction dust. The construction dust would go through the air vents into the hospital causing the patients to become seriously ill.**
- 6. The students from PS 175 would also be greatly effected by the dust.**
- 7. The new towers would created more garbage around the Lenox Terrace complex. More garbage would attract rodents seeking food.**
- 8. 135th Street train station is NOT Grand Central Station. The platforms are long but narrow. The station would be so crowded that people would not be able to go through the turn-stall to go to work.**
- 9. The residence that have apartments in the front of building 40 enjoy**

the sun raising from the East. The light that illuminates through their apartments is breathtaking! The Olnick plan would take away our sunlight with those 28 story towers.

10. On behave of the residence of Lenox Terrace and the people of Central Harlem. We are hoping the scoping panel would hear our concerns and vote NO to the proposed plan for the Olnick Organization Inc.

From: [Robert Dobruskin \(DCP\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Joseph Huennekens \(DCP\)](#)
Cc: [Olga Abinader \(DCP\)](#)
Subject: FW: Save Lenox Terrace
Date: Friday, February 16, 2018 11:04:41 AM

From: Margaret Skarrow [mailto:peggyskarrow@gmail.com]
Sent: Friday, February 16, 2018 9:59 AM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Subject: Save Lenox Terrace

Dear Dr. Dobruskin,

I am a senior citizen resident of Lenox Terrace Development and am writing to **OPPOSE** the proposed plan to “update” Lenox Terrace. I oppose this project because:

- The scale of this project is too large to “insert” in to a complex where so many residents are senior citizens or families with young children or people with disabilities—respiratory challenges, mobility issues and numerous other challenges.
- The effect of this project on major institutions bordering this complex has to be taken into consideration. For example, Harlem Hospital borders this complex and its patients and people receiving basic health care are frequently coming to the hospital in wheelchairs, stroller, walkers and canes. They can be seen exiting the elevators at the subway stops. These patients and their families will experience the same major impact of this construction including increased traffic, dirt/dust, etc. that residents do.
- The strong sense of community and culture here at Lenox Terrace will be diminished if not destroyed if this plan is approved. This strong community was present at the Feb. 8th hearing. It will continue to be heard throughout the planning process.

It is this sense of community that makes Harlem special and the history of Lenox’s residents is legendary. **Save Lenox Terrace!**

Best,

Peg Skarrow
10 West 135th St. Apt 3F
NY, NY 10037

From: [Robert Dobruskin \(DCP\)](#)
To: [Stephanie Shellooe \(DCP\)](#)
Cc: [Joseph Huennekens \(DCP\)](#)
Subject: FW: Testimony regarding Harlem Rezoning and Lenox Terrace Redevelopment
Date: Tuesday, February 20, 2018 2:12:39 PM

From: Tracey Plaskett [mailto:mstplas@gmail.com]
Sent: Tuesday, February 20, 2018 1:20 AM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Subject: Testimony regarding Harlem Rezoning and Lenox Terrace Redevelopment

Tracey Plaskett

10 West 135th St.
New York, N.Y., 10037
917-309-9266
mstplas@gmail.com

February 19, 2018

Robert Dobruskin, Director Environmental Assessment and Review Division

120 Broadway, 31st. Floor
New York, N.Y., 10271

Dear Mr. Dobruskin,

It would be naive to think that when an individual or an entity invests in real estate, they actually care about the health, welfare or moderate financial situations of the residents that will live in their developments; real estate developers are only interested in money making. With this in mind, I would like to address some of the concerns I have regarding the current proposal for the rezoning of Harlem and the further development of Lenox Terrace.

My daughter and I have been residents of Lenox Terrace since 2005. When my daughter was a toddler and I was apartment hunting, Lenox Terrace stood out to me because of the sense of community I felt the first time I visited the property. As a single parent, my primary goal was to find an affordable, safe and well maintained place to raise my child. The buildings and grounds appeared well maintained and the renovated apartments I saw were beautifully done. I immediately felt at home, as did my daughter, when I brought her to our new apartment. Fast forward 13 years, which included a move to a larger apartment, and we are still here. Over the years, because of gentrification, the neighborhood has changed, mostly for the better; a larger selection of restaurants, shopping centers within walking distance and an increased police presence. While these changes were not meant to make the lives of the current Harlem residents better, we do benefit from these changes because of proximity, and I do believe that they have improved the quality of life for the community. Although the previously mentioned changes make the neighborhood more convenient, the current proposal to rezone Harlem and further develop Lenox Terrace is not conceivable. Asking current residents to endure nine to 10 years of construction noise, dirt and debris, closed windows, an increase in vermin, shadows from scaffolding and large towers, rising rents in a neighborhood that is already disproportionately under privileged, more hospital, school and public transportation overcrowding, an increase in private vehicles and poor air quality in an area that already has more asthma rates than other areas of the city, more garbage, and the list can go on and on, lacks compassion. Although my experience in Lenox Terrace has been okay overall, I am not blind to the fact that the buildings and grounds are old and have their own sets of problems that the organization has had trouble keeping abreast of; dishonesty regarding rent regulation laws, rats in the basement, cigarette and marijuana smoke that travels through the poor bathroom ventilation system, comments from other residents regarding old cabinetry and vermin in

their apartments, and that list can continue too.

It seems that the expansion that the Olnick Corporation is proposing would be better suited to a stretch of land that has no residents on it already. How can human beings be expected to live on a construction site for a decade? This seems like too much to ask, this proposal seems cruel and inhumane and can not work.

Respectfully Submitted by,

Tracey Plaskett

From: [Robert Dobruskin \(DCP\)](#)
To: [Stephanie Shellooe \(DCP\)](#)
Cc: [Robert Dobruskin \(DCP\)](#)
Subject: Fwd: Lenox Terrace Rezoning
Date: Thursday, February 15, 2018 9:09:53 AM

Sent from my iPhone

Begin forwarded message:

From: Carol Roberts <alice23015@yahoo.com>
Date: February 14, 2018 at 6:44:40 PM EST
To: <rdobrus@planning.nyc.gov>
Subject: Lenox Terrace Rezoning

I have been a resident of the Lenox Terrace for over 50 years and in the past 10 years have seen changes in the neighborhood.

Of course nothing could remain as peaceful as it once was, but the imminent plan of rezoning and expanding construction of new buildings would be disruptive not only to the Lenox Terrace residents but all the other surrounding complexes.

This construction would create health issues (asthma, emphysema, etc.). It would also add to the heavy traffic, infestation of rodents and plumbing problems, including definite overcrowding of our subway and massive delays of bus service.

There would be disruption and loss of the businesses and merchants who may not be able to sustain this construction or be able to pay the rent increases that would definitely happen.

Please take into account the few items I've outlined and those from other residents and reject this Plan.

Thank you.

Carol Roberts
10 West 135th Street, 5S
New York, NY 10037

Sent from my iPad

Kaloma Cardwell
Lenox Terrace/Harlem Resident
Co-Chair of the Metropolitan Black Bar Association's Civil Rights Committee
February 19, 2018

Mr. Robert Deerskin
Director
Environmental Assessment and Review Division
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10037

Dear Mr. Dobruskin:

I am writing (in haste) to submit comments in response to the proposed scope of work for the Draft Environmental Impact Statement (CEQR No. 18DCP084M) (the "EIS") related to the Lenox Terrace rezoning proposal (the "Harlem Rezoning Proposal").¹

As a resident of Lenox Terrace and the greater Harlem community, I would like to share a number of concerns, comments, and questions on behalf of myself, my Lenox Terrace neighbors, Harlem's Black and Latino residents,² and the vast majority of low-income and moderate-income Harlem residents³ (the "Marginalized and Exploited Residents") who will NOT benefit (in the short-term or long-term) from the Harlem Rezoning Proposal. Consistent with public testimonies made on February 8, 2018, which were overwhelmingly explicitly opposed to the Harlem Rezoning Proposal, my comments to the Lenox Terrace Draft Scope of Work (the "Draft Scope of Work" or "DSoW") are as follows:

1. **DSoW Statement:** *The two options that are mapped for every MIH area are: MIH Option 1: At least 25 percent of the residential floor area would be set aside for persons making no more than 60 percent of Area Median Income (AMI) on average, with at least 10 percent of the residential floor area set aside for persons making 40 percent of the AMI, and no AMI bands shall exceed 130 percent of the AMI. MIH Option 2: At least 30 percent of the residential floor area would be set aside for persons making no more than 80 percent of the AMI on average, and no AMI bands shall exceed 130 percent of the AMI.*

Comment: As noted in the DSoW, approximately 80 percent of the existing Lenox Terrace units (1,370) are currently subject to rent stabilization. Relatedly, Manhattan

¹ As used in this letter, "Rezoning Area" means that certain block (Block 1730) which is bounded by West 132nd and 135th Streets and Lenox and Fifth Avenues.

² Central Harlem is comprised of 62% Black residents and 23% Latino residents. See <https://www1.nyc.gov/assets/doh/downloads/pdf/data/2015chp-mn10.pdf>.

³ As noted in the New York City government's "Community Health Profiles 2015" for Central Harlem, 29% of residents of Central Harlem live below the Federal Poverty Level, making Central Harlem the second-poorest neighborhood in Manhattan. See <https://www1.nyc.gov/assets/doh/downloads/pdf/data/2015chp-mn10.pdf>.

Community District 10 ("Central Harlem") is the second-poorest neighborhood in Manhattan with 29% of its residents living below the Federal Poverty Line. It seems obvious that Options 1 and 2 are grossly unaffordable (i.e., would create "rent burdened" households—defined as, households where more than 30 percent of gross monthly income goes to rent) for most Central Harlem residents.

Questions:

- i. Are Options 1 and 2 the only possible affordable housing set-aside percentages for a proposal of this type?
- ii. If not, what is the maximum number of affordable units (at the lowest possible Area Median Income ("AMI") percentage thresholds) that could be set-aside for this project? If necessary, please list a range of alternative thresholds (e.g., Alternative 1: 40% of units at below-market rates to families who make no more than 30% of the AMI (10% reserved for formerly homeless), 20% of units to families who make no more than 50% of AMI, 20% of units to families who make no more than 80 percent of the AMI and no AMI bands exceeding 130 percent of the AMI).
- iii. Based on the most recently available and accurate estimates, what is the median income for Central Harlem residents?
- iv. Based on the most recently available and accurate estimates, what percentage of Central Harlem residents are "rent burdened" (as defined above)?
- v. Based on the above estimates, what percentage of Central Harlem residents would be able to live in the projected Lenox Terrace apartments without being "rent burdened"?
- vi. How many of the proposed units would be affordable or accessible to the Central Harlem residents who live below the Federal Poverty Level?
- vii. If a landlord (or the landlord at issue in this proposal) intentionally disinvests (i.e., doesn't renew leases or invest in lots and buildings within the potential rezoned area) couldn't the limited thresholds above incentivize landlords to preemptively disinvest from areas and hold out for higher rents in areas similar to the proposed rezoned area? In other words, if the income thresholds cannot go much lower, for more residents, wouldn't approving the proposal effectively reward the landlord for not renting and facilitating the sale of goods to low income residents?
- viii. Regarding the EIS, how will the New York City Department of City Planning (the "DCP") and/or the City Planning Commission (the "CPC") account for historical disinvestment to lots and buildings that have been vacant, underutilized, unrepaired within the proposed rezoned area?
- ix. Regarding the EIS, how will (or, based on past precedent, how could) tenants and residents be compensated for such disinvestment in the Harlem Rezoning Proposal?

2. **DSOW Statement:** *Although proposed as-of-right conditions would allow for a maximum FAR of 7.2 for residential use under the proposed zoning, the special permit would control the project's bulk and consequentially, would cap the maximum allowable FAR at 5.61.*

Questions:

- i. Is it possible to simply cap the maximum allowable FAR at 5.61?
 - ii. The statement above suggests there is an inherent restriction built into the special permit. Is it possible for such restrictions to be altered or essentially weakened at some point in the future by any parties (e.g., existing landlord of Lenox Terrace, new landlord, other future owners/parties in the rezoned area, legislative or administrative acts)?
 - iii. Can you describe or provide context as to how many privately owned residential properties allow for a maximum FAR of 7.2 in both (i) Central Harlem and (ii) within a half-mile boundary of the Rezoning Area?
3. **DSOW Statement:** *Approximately 80 percent of the existing dwelling units (1,370) are currently subject to rent stabilization. The retail uses along Lenox Avenue include a supermarket, a pharmacy, dry cleaners, and a few restaurants, among other uses. The retail uses along West 135th Street are a supermarket and a pharmacy, while the retail uses along Fifth Avenue are a bank, a deli/grocery, and a thrift store.*

Comment: These businesses undoubtedly serve Harlem's Black and Latino residents and Harlem's low-income and moderate-income residents. Both Lenox Terrace and the surrounding area are full of older residents who use walkers, canes, wheelchairs, and a variety of tools to help them move around the neighborhood. These businesses serve critical day-to-day needs. By my estimate, if the bank is (temporarily or permanently) closed, community members in and around Lenox Terrace (including New York City Housing Authority's (NYCHA) residents) would have to walk an additional 15-30 minutes to have access to a bank. This outcome would have a harmful effect on the community and would increase community members' reliance on predatory banking and credit institutions. Similarly, the "thrift store" is a very large Goodwill Store, and it appears to be the only Goodwill Store within a mile of the corner of West 135th Street and 5th Avenue.

Questions:

- i. The scoping documents provide a map (Figure 14 in the applicable document) that shows a ¼-mile boundary around the Rezoning Area. What is the estimated number of residents who live within the ¼ boundary of the Rezoning Area?

- ii. What is the estimated number of NYCHA residents who live within the ¼-mile boundary of the Rezoning Area?
 - iii. Does the proposal guarantee that businesses in the Rezoning Area would provide (both during and after the rezoning):
 - i. supermarkets of equal or greater size at the same level of affordability?
 - ii. a pharmacy with the ability to serve an equal or greater number of residents at the same level of affordability?
 - iii. a dry cleaners with the ability to serve an equal or greater number of residents at the same level of affordability?
 - iv. a bank that's provides the same or more services as the Chase Bank that sits at the corner of West 135th Street and 5th Avenue?
 - v. a deli/grocery with the ability to serve an equal or greater number of residents at the same level of affordability?
 - vi. a thrift store with the ability to serve an equal or greater number of residents at the same level of affordability?
 - iv. How many comparable Goodwill Stores (relative to the one on 5th Ave.) exist within a ¼ boundary of the Rezoning Area? What is a reasonable *range* of time that it would take a person to walk to the closest and second closest comparable Goodwill Store?
 - v. If the bank on 5th Avenue is (temporarily or permanently) closed, what potential financial and social impacts will (i) Black residents, (ii) Latino residents, and low-income and moderate-income residents in and immediately around the Rezoning Area experience?
4. **DSOW Statement:** *Also within the rezoning area, but outside of the proposed development site, are the Joseph P. Kennedy Memorial Community Center (Lots 16 and 19) and the Metropolitan African Methodist Episcopal (AME) Church (Lot 65) (see Figure 12). As described below, although the uses on Lots 16, 19, and 65 are long-standing community facility uses.*

Comment: Both the scale and scope of the construction would impact who is able to (and most likely will be able to) access long-standing community facility uses. A similar dynamic will result if any affordability or population shifts result from the project.

Questions:

- i. What is the age, race, language, and class demographic profile of the people who typically receive services at the Joseph P. Kennedy Memorial Community Center?

- ii. Regarding the Joseph P. Kennedy Memorial Community Center, how could each age, race, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
 - iii. Regarding the Joseph P. Kennedy Memorial Community Center, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
5. **DSOW Statement:** *Like the Rezoning Area, the land uses of the surrounding area are generally residential, but also include many commercial and community facility uses. The block to the north of the Rezoning Area contains two large community facility uses: the Harlem Hospital Center and the P.S. 197 John B Russwurm PK-5 School. The Hoard Bennett Playground is also located on the block north of the Rezoning Area. The blocks to the northeast of the Rezoning Area contain the seven elevator apartment towers of the Riverton Square development. The block to the west of the Rezoning Area across 5th Avenue consists of the fourteen elevator apartment towers of the New York City Housing Authority's (NYCHA) Lincoln Houses. The block to the south of the Rezoning Area...also includes three vacant buildings, three parking facilities, and three community facility uses: the Bethel AME Church; the St John's Pentecostal Church; and the Greater Central Baptist Church...Community facility uses include a transition housing shelter for homeless families, a food corporation, the P.S. 175 Henry H Garnet PK-5 School, the Schomburg Center for Research in Black Culture, FDNY Engine 59 and Ladder 30, the Redeemed Christian Church of God House of Prayer, the Grace Gospel Chapel and the Countee Cullen Library.*

Comment: The Harlem Rezoning Proposal will potentially (and, in the opinion of many, will definitely) speed up or maintain existing trends related to the displacement and gentrification of certain groups who live in work in both Lenox Terrace and Central Harlem.

Questions

- i. What is the age, race, language, and class demographic profile of the people who typically receive services at the Harlem Hospital Center?
- ii. Regarding the Harlem Hospital Center, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- iii. Regarding the Harlem Hospital Center, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?

- iv. What is the age, race, language, and class demographic profile of (i) the students who typically receive services at the P.S. 197 John B Russwurm PK-5 School and (ii) the faculty and staff who work at P.S. 197 John B Russwurm PK-5 School?
- v. Regarding the P.S. 197 John B Russwurm PK-5 School, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- vi. Regarding the P.S. 197 John B Russwurm PK-5 School, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- vii. What is the age, race, language, and class demographic profile of the people who typically utilize the Hoard Bennett Playground?
- viii. Regarding the Hoard Bennett Playground, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- ix. Regarding the Hoard Bennett Playground, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- x. What is the age, race, language, and class demographic profile of the people who live and work in the Riverton Square development?
- xi. Regarding the Riverton Square development, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- xii. Regarding the Riverton Square development, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- xiii. What is the age, race, language, and class demographic profile of the people who live and work in the NYCHA Lincoln Houses?
- xiv. Regarding the NYCHA Lincoln Houses, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- xv. Regarding the NYCHA Lincoln Houses, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- xvi. What is the age, race, language, and class demographic profile of the people who typically attend events and receive services at the Bethel AME Church?
- xvii. Regarding the Bethel AME Church, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?

- xviii. Regarding the Bethel AME Church, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- xix. What is the age, race, language, and class demographic profile of the people who typically attend events and receive services at the St John's Pentecostal Church?
- xx. Regarding the St John's Pentecostal Church, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- xxi. Regarding the St John's Pentecostal Church, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- xxii. What is the age, race, language, and class demographic profile of the people who typically attend events and receive services at the Greater Central Baptist Church?
- xxiii. Regarding the Greater Central Baptist Church, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- xxiv. Regarding the St John's Pentecostal Church, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- xxv. What is the age, race, language, and class demographic profile of the people who typically attend events and receive services at the transition housing shelter for homeless families?
- xxvi. Regarding the transition housing shelter for homeless families, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- xxvii. Regarding the transition housing shelter for homeless families, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- xxviii. What is the age, race, language, and class demographic profile of the people who typically utilize services or goods provided by the referenced food corporation?
- xxix. Regarding the referenced food corporation, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- xxx. Regarding the referenced food corporation, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- xxxi. What is the age, race, language, and class demographic profile of (i) the students who typically receive services at the P.S. 175 Henry H Garnet PK-5 School and (ii) the faculty and staff who work at P.S. 175 Henry H Garnet PK-5 School?

- xxxii. Regarding P.S. 175 Henry H Garnet PK-5 School, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- xxxiii. Regarding P.S. 175 Henry H Garnet PK-5 School, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- xxxiv. What is the age, race, language, and class demographic profile of the people who typically utilize services or goods provided by the Schomburg Center for Research in Black Culture?
- xxxv. Regarding the Schomburg Center for Research in Black Culture, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- xxxvi. Regarding the Schomburg Center for Research in Black Culture, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- xxxvii. What is the age, race, language, and class demographic profile of the people who typically utilize services or goods provided by the Redeemed Christian Church of God House of Prayer?
- xxxviii. Regarding the Redeemed Christian Church of God House of Prayer, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- xxxix. Regarding the Redeemed Christian Church of God House of Prayer, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- xl. What is the age, race, language, and class demographic profile of the people who typically utilize services or goods provided by the Grace Gospel?
- xli. Regarding the Grace Gospel, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?
- xlii. Regarding the Grace Gospel, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
- xliii. What is the age, race, language, and class demographic profile of the people who typically utilize services or goods provided by the Countee Cullen Library?
- xliv. Regarding the Countee Cullen Library, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal during the construction years?

- xlv. Regarding the Countee Cullen Library, how could each age, race, language, and class demographic be impacted by the Harlem Rezoning Proposal after the full completion of the construction and over the next five years?
 - xlvi. For each of the above listed institutions and organizations, what is the estimated number of who people typically utilize such institutions and organizations per week, month, and year?
6. **DSOW Statement:** *The new buildings would include approximately 1,430,258 gsf of new residential use (approximately 1,642 new units, of which between 411 and 493 units are assumed to be designated as permanently affordable pursuant to the MIH program); approximately 135,500 gsf of commercial space (an increase of approximately 39,845 gsf over No Action conditions); and approximately 15,055 gsf of community facility space. The buildings would each be 28 stories tall (approximately 284 feet, including mechanical bulkhead), which is the same height as the mechanical bulkhead at Harlem Hospital on the north side of West 135th Street.*

Comment: The size of the buildings, which were determined without community input, will alter the character and feel of Lenox Terrace and Central Harlem. The size will symbolically communicate that private entities and private wealth matter more than public institutions and the people most likely to rely on such institutions. Considering all of the sacrifices that went into securing and maintaining the Schomburg Center, Harlem Hospital and the surrounding public institutions and spaces, the proposed size of the buildings represents a tragic disregard for black, brown, and low-income people. Surely, every single child who uses or would use the playgrounds located on 135th Street will have a qualitatively different experience if multiple Harlem Hospital-sized towers are surrounding and overshadowing their outdoors areas. As the maps make clear, these outdoor spaces serve thousands of community members daily.

Questions:

- i. Within a ¼-mile boundary of the Rezoning Area, how many privately owned-residential buildings are 28 stories or taller?
 - ii. Within a ¼-mile boundary of the Rezoning Area, how many privately owned-residential buildings that 28 stories or taller were designed with meaningful input (at the design and approval phase) by black, brown, and low-income people?
What year were such buildings built?
7. **DSOW Statement:** For this first phase of development, the existing single-story buildings along Lenox Avenue would be demolished with construction immediately following, moving from north to south.

Comment: This area along Lenox Ave. is a critical cultural and community space for local vendors and community members. It's one of the few remaining places in Harlem where Harlem residents can consistently walk down the street and encounter cultural interactions that have come to make Harlem a desirable and loving residential community.

Questions:

- i. How could construction impact the typical level of cultural and business activity (which includes street vendors) along Lenox Ave.?
 - ii. What type of anti-harassment protections will be put into place to ensure that Harlem community members and vendors will not be dislocated or harassed by public or private law enforcement agents?
 - iii. How much street traffic does this area typically have?
 - iv. What goods and services are typically sold along this stretch of Lenox Ave. and what is the demographic profiles of the customers and tenants who typically interact with such businesses and street vendors?
8. **DSOW Statement:** *The actions being sought would...facilitate the development of new community facility and retail uses that would improve the quality of ground-floor streetfront retail spaces and create a more defined streetwall along Lenox Avenue; improve site circulation and access; and increase open space available to tenants.*

Comment: The above statement grossly overstates benefits that have not been defined, that cannot be guaranteed, and that have yet to be proven will actually flow to existing tenants or those who currently live in Central Harlem.

Questions:

- i. How does the DCP define "quality" in the above statement?
- ii. If such statements are used in the EIS, how will "quality" be defined and how long does the DCP estimate it will take before tenants and community residents experience projected benefits of these changes?
- iii. Can the DCP guarantee that the costs of goods and services from the new retail spaces will not be dramatically higher than existing goods and services? If not, doesn't common sense suggest that if the existing customers and tenants cannot afford an increase in costs (either with goods and services or general cost of living) then not all groups or existing tenants and Central Harlem residents will benefit from the projected "improve[ments]"?
- iv. What role, if any, will tenants and Central Harlem residents be allowed to have in designing the "more defined streetwall"? Or, must tenants accept whatever

physical boundaries are created, regardless of whether it effectively means that the city has effectively created a private gated community in the Rezoning Area?

9. **DSOW Statement:** *The proposed development also would provide revenues necessary for the applicant to create more than an acre of outdoor recreation space for tenants and upgrade existing building lobbies and amenities.*

Comment: The value of the above statement largely depends on whether the rezoning contributes to displacement or hardships for existing tenants. The above statement's value also depends on actual legal obligations, including the degree of legal and practical enforceability, that will exist after the rezoning takes place. Lastly, the above statement does not acknowledge or account for the fact that the applicant has consistently refused to listen to their tenants and provide common sense upgrades. Again, the DCP's approach suggests that landlords can and will continue to be rewarded for disinvesting in certain communities and properties.

Questions:

- i. What financial documentation has the applicant provided to confirm whether additional revenues are needed in order to create more "outdoor recreation space for tenants and upgrade existing building lobbies and amenities"? Was the documentation audited by an independent and qualified third-party?
 - ii. What is the DCP's method for determining how much additional revenue is needed in order to provide certain upgrades and amenities?
 - iii. How will the DCP assess and account for tenants' expressed complaints related to the applicant refusing to (or being unable to) provide common sense upgrades and amenities?
 - iv. Prior to any possible rezoning, what legal obligations can and will be created to ensure tenants and Central Harlem residents aren't being asked to approve a set of arrangements that largely are not legally or practically enforceable by tenants or community members?
 - v. Will the DCP specify or otherwise indicate which proposed or likely changes and projections could or will likely be tied to legally binding obligations (in addition to an estimate as to when and how such obligations would become effective)?
10. **DSOW Statement:** *In addition to the increase in residential density, the proposed C6-2 zoning would allow for the provision of a variety of retail uses, including local and destination retail, on the proposed development site. The applicant believes that the proposed actions would allow for the new buildings to be created on the proposed development site to be designed in such a way as to provide as much light, air, and distance as possible relative to the existing Lenox Terrace residential buildings.*

Specifically, the proposed actions would allow for the new buildings to be situated as far away as possible from the existing residential buildings. In addition, by situating the new construction at the corners of the site, it is the applicant's intention that the proposed project would maintain the majority of existing views across both older and newer residential units.

Comment: As I understand it, a C6-2 zoning allows a variety of uses that are not currently allowed under the zoning districts in the areas immediately surrounding the Rezoning Area. As such, a zoning change of this size should not be permitted without a substantial amount of community input that allows Lenox Terrace tenants and other Marginalized and Exploited Residents to participate in the scale, scope, and design of any changes to new buildings and retail uses.

Questions:

- i. How many privately-owned buildings have a C6-2 zoning within a ¼-mile of the Rezoning Area?
- ii. Does the DCP believe a zoning change of this scale (i.e., from C1-4 to C6-2) inherently establishes that the character and feel of a neighborhood is being altered? If not, what is the DCP's (or the CPC's) rationale?
- iii. Since the new buildings are projected to be about ten stories higher than existing buildings, and for each existing Lenox Terrace building, how will each building's view be altered? Can the DCP provide a visual illustration of how each building's balcony and sidewalk's views will be blocked by new buildings? Without this illustration and description, it is disingenuous to suggest that tenants and concerned stakeholders are being given a reasonable chance to assess whether the "proposed project would maintain the majority of existing views across" older residential units.

11. **DSOW Statement:** The applicant believes the proposed modification to reduce parking regulations would be appropriate to reflect usage patterns in this transit-rich area and would be consistent with the City's Zoning for Quality and Affordability initiative, which exempts affordable housing units from parking requirements.

Comment: According to the NY Post, "three-quarters of the city's subway lines are plagued by chronically late trains, and five lines are late more than 50 percent of the time, according to MTA data for the first three months of the year. The city's tardiest train is the 2 line, which was on time only 30.6 percent of the time during its weekday route...."⁴

⁴ See <https://nypost.com/2017/06/17/three-quarters-of-citys-subway-lines-plagued-by-chronic-delays/>.

Questions:

- i. Can the DCP provide an assessment of how late the existing public transit options typically are?
- ii. Can the DCP provide an estimate as to how such operation times could be impacted during the construction years?
- iii. Can the DCP provide an estimate as to such operational times could be impacted after completion of the construction and for five years after?

12. **DSOW Statements:** *Tenants for the proposed community facility space have not yet been identified; however, given the adjacency of Harlem Hospital across West 135th Street, and the anticipated needs of the new (as well as existing) residential population on the proposed development site, the With Action scenario will assume that half of the community facility space could be utilized as medical office space, and the other half could be utilized as a community center.*

Comment: If tenants have not yet been identified, the above statement is highly speculative and shifts a number of potential risks and burdens to tenants and Harlem residents.

Questions:

- i. Is it impossible to secure legally binding obligations (that are perhaps conditioned on the approval of the rezoning) from potential tenants of the proposed community facility space prior to rezoning the area?
- ii. What efforts if any has the applicant take to secure such legal obligations?

13. **DSOW Statements:** *The two existing commercial structures at 444 and 480 Lenox Avenue would be demolished by 2022 to allow for this new development.*

Comment: The proposal in the above statement was determined without reasonable and sufficient community input.

Questions:

- i. Can you describe the degree of community input that contributed to the two existing commercial structures at 444 and 480 Lenox Avenue being included for demolition in the Harlem Rezoning Plan?
- ii. If such rezoning and demolition decisions are not made with significant community input, how does the DCP not expect such rapid changes to contribute to tenants' and residents' fears that rapid gentrification is on the way and irreversible?

Kaloma Cardwell
Lenox Terrace/Harlem Resident
Co-Chair of the Metropolitan Black Bar Association's Civil Rights Committee
February 19, 2018

14. **DSOW Statements:** *The five principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement; and (5) adverse effects on a specific industry.*

Comment: Many scholars have noted that it is virtually impossible to meaningfully separate class assessments from considerations of race. In light of the fact that black and brown tenants and residents are concerned about being related to a type of second-class residential status, assessments related to the above socioeconomic conditions should meaningfully analyze how certain racial groups will be impacted in the near- and long-term.

Questions:

- i. When analyzing the "five principal issues of concern with respect to socioeconomic conditions," will the DCP specify whether it made any (and how it made any) race-related assessments, assumptions, and conclusions?

Unfortunately, the above statements, comments, and questions do not come close to capturing the full range of concerns that my neighbors and I have. It is my hope that the DCP will answer each question noted herein, as the above questions will facilitate the public's understanding of potential and likely benefits and harms associated with the Harlem Rezoning Proposal.

I thank you for your time and consideration and look forward to seeing how the DCP will ensure that Harlem's Black and Latino residents and other Marginalized and Exploited Residents will be given an equal (if not greater) voice and decision-making authority as the applicant.

Sincerely,



Kaloma Cardwell
Lenox Terrace/Harlem Resident

CC: Stephanie Llanes, Attorney, Center for Constitutional Rights

dear commissioner,

I have been a resident of the Harlem community and the Lenox Terrace for close to 45 years. the proposed proposal for rezoning the Lenox Terrace and surrounding neighborhoods would do it reputable damage 2 schools, daycare centers, churches and transportation systems period.

the Harlem community, Harlem USA is known World ride. Taurus come to see this unique neighborhood. the proposed rezoning and the resulting huge high-rises would not be in harmony with the feel and character of the community.

The disruption caused by the long term development will seriously impact the quality of life, light, health, transportation and services.

local trains and buses are already filled to capacity and fraught with delays. The proposed infill Construction will only add to the burden. the Olnick organization has demonstrated time and again and inability to maintain satisfactorily the five buildings that currently comprised the Lenox Terrace. I strongly oppose the assault on the Lenox Terrace development and its tenants so that a predatory owner such as Olnick can fill its coffers at the expense of the current tenants and the community.

respectfully submitted,

Marsha Hudson

10 West 135th Street #10D

NY10037

Sent from my T-Mobile 4G LTE device

To: Robert Dobruskin, AICP, Director
Environmental Assessment & Review Division
NYC department of City Planning
120 Broadway, 31st Floor
New York City, NY 10271

From: Gina Rodriguez, Tenant
25 West 132nd St., 16D
New York, NY 10037
gisabelrodriguez@gmail.com

Re: Lenox Terrace
CEQR Reference Number: 18DCP084M

The following are my comments in relation to the Draft Scope of Work:

- Sanitation and Recycling
- Fire Protection
- Traffic

Sanitation and Recycling

This project proposes 1,642 new residential units, along with new businesses. This is already a high transit area that includes Harlem Hospital, schools, a YMCA, MTA stations, the intersection with Whole Foods at 125th Street, and a lively food scene on Lenox Ave. The applicant should conduct a study on the impact to DSNY services to this area.

Relying in part on a study done by Columbia University's School of International and Public Affairs, the *New York Times* has reported on how growth at 125th Street has increased the presence of trash. With the growth that Lenox Terrace is proposing, a study should be done on this area as well.

Anecdotally, I already see the open bins overflowing on the corners along 135th Street. Winds along this street, especially fierce in the winter, also spread garbage, especially in the mornings with the trashcans are full. I contacted the DSNY about this and was informed that the trashcans are emptied on a daily basis. The representative emphasized there is not much more they can do. The DSNY is already struggling to handle the trash in this area; the impact of increased trash related to increased foot traffic must be measured.

Source:

"Business Is Booming on 125th Street. So Is the Trash," New York Times, Aug. 8, 2017
<https://www.nytimes.com/2017/08/08/nyregion/harlem-125th-street-litter.html>

Fire Protection

Generally, a detailed assessment of fire protection service delivery is conducted only if a proposed project would affect the physical operations of, or access to and from, a station house.

Nonetheless, I believe an evaluation is critical due to the ill-preparedness staff have shown at Lenox Terrace. Since moving here in 2015, I have seen two fires in our complex. (The neighborhood has seen quite a few as well. I was a witness to one directly across the street, adjacent to a new development; even tonight, as I was preparing this, I watched the smoke rising from a building one avenue over.)

One of these fires occurred in my residence, 25 West, which proved fatal for one tenant. A few months later, the roof of 45 West caught fire.

Given these two closely grouped incidents, I was stunned to see that Lenox Terrace staff had were not prepared to deal with the following incident (taken verbatim, emphasis added, from my correspondence with management on July 19, 2017):

I'm a tenant at 25 West, but as I was walking past 470 Lenox today after work, I noticed the shrubbery outside had caught fire. It was a pretty small fire, but was smoking a lot. I threw the contents of my water bottle at it and went to report it to the person at the front desk. **He did not have access to a fire extinguisher** so he called security. Meanwhile, the fire had come back and was getting bigger. I went back to the front desk to alert him that the situation was still urgent and the fire had gotten bigger; **front desk said he was not allowed to leave his post, so he filled a bucket with water and I went outside and put out the fire by myself. Security then arrived WITHOUT an extinguisher**; he said he would call his colleague to bring an extinguisher because I told him I wasn't sure the fire wouldn't reignite. At that point, I headed home.

...

After this took place, was an incident report filed? I was not asked who I was, when I had seen the fire, etc., etc.

Management admitted that multiple employees had not followed protocol, responding as follows (with no further follow-up with myself):

Thank you for bringing this to our attention and we will look into to seeing what happened. Also, the doormen have fire extinguishers in the package rooms. **We will check to see why it was not there. Also, both Doorman and Security should have called the fire department** as well based on what you described and we will follow up on that as well.

While management was distributing information to tenants about how to stay safe in case of fire, they do not seem to have been training staff. Is FDNY prepared to make up for Lenox Terrace's weak fire safety program?

Traffic

The applicant proposes analyzing weekday and Saturday peaks. Sunday must also be included in this assessment, due to the high volume of visitors who attend faith services in the surrounding area.

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

From: Nan Faessler
25 West 132nd Street, 6P
New York City, NY 10037
Email: nfaessler@hotmail.com

'18 FEB 20 PM3:48

February 12, 2018

Re: Rezoning of the Olnick owned property "Lenox Terrace" situated in a superblock between 132nd Street and 135th Street and between Lenox Avenue and 5th Avenue. The rezoning that the owners are asking for is from residential to commercial.

I am submitting two comments: a) environmental impacts on sanitation and recycling b) impact on transportation.

Sanitation and Recycling

Sanitation:

The current NYC budget submitted by Mayor de Blasio stands at \$88.1 billion. The Sanitation budget (Preliminary) for 2018 is \$1.675 which is about 2% of the City's total budget. **The 2018 budget for Sanitation is \$1.1 million less than for fiscal 2017.** Given that the City of New York will have to increase sanitation services, especially with the increase of upwards to an additional 4000 people living within our Lenox Terrace Superblock, how is a cash strapped city going to accommodate this significant increase? What measures will the City demand of the Olnick Corporation in contributing to the Sanitation budget?

Recycling:

As I mentioned at the Public Scoping Hearing, I am very dismayed at the lack of recycling at Lenox Terrace (I am speaking concretely of my building 25 West 132nd Street). I have over the last two plus years of my tenancy vigorously and properly recycled my own waste – sorting metal, glass, plastic and paper from garbage; only to find that the porters in 25 West throw everything into the black garbage bags to be thrown into landfills.

New York City is committed to Zero Waste to landfills by 2030. How can this be accomplished if landlords, such as the Olnick Corporation, cannot even get a handle on recycling in Lenox Terrace. (Each building within Lenox Terrace has close to 300 units per building.) I have brought this issue up to Lenox Terrace Management. Please see below just some of the things that a residential apartment building should be doing and **what is not being followed at Lenox Terrace 25 West:**

- 1) Clearly label all recycling bins and replace torn or ripped decals
- 2) Line recycling bins with clear plastic bags
- 3) Do not mix paper, cardboard with metal, glass, plastic in the same bag

- 4) Place additional recycling bins in common areas where there is the possibility of recycling materials, such as in the mail box area or in the laundry room
- 5) Provide staff and residents with current recycling information, especially to new residents. Review with staff what worked and does not work
- 6) Post regular recycling tips and send our reminders when they see improper recycling

Transportation/MTA

Even Joseph Lhota, the Chairman of the MTA (along with every single citizen of NYC) understands the depth of the crisis with NYC's subway system. The failing health of the subways/buses imperils the city's financial future. Our system has the worst on-time performance of any rapid transit system in the world.

While not assigning blame to either Mayor de Blasio or to Governor Cuomo, the reality is there is not enough money available to adequately fix the problems anytime soon.

There is already a problem with platform space at the subway station at 135th Street. Adding an additional 4000 people (the number expected with the new development at Lenox Terrace) this would overwhelm the platforms, crowding people into a narrow unsafe space. And of course, with the increase number of people riding the train at 135th – the crush of people trying to get on and off the train will slow customer service. The current emergency exit requirement is not up to code.

If the Olnick Corporation were able to pursue this development, I would demand that the Olnick's property tax be raised to accommodate/mitigate the problems at the 135th Station, with **NO** additional pass-on costs to current or future tenants.

The Department of City Planning
Robert Dobruskin
120 Broadway, 31st Floor
New York, NY 10271

February 20, 2018

Dear Robert Dobruskin,

I am writing in regards to the proposed Lenox Terrace Rezoning Plan. As a tenant at 10 West 135th street I am strongly against this proposal. The plan is not feasible. There are too many hazards and unwanted consequences that this community cannot bare. I have resided here for almost two years, and have enjoyed the company of older residents, a close knit community, neighborhood stores, minimal congestion and unencumbered views. This proposal presents a grave threat to public health, historic and cultural resources, socioeconomic conditions and community facilities and services.

There are multiple hazards that construction of 5 new buildings will bring. The dust from construction will cause unforeseen health problems for the residents that live here. I have asthma, and living in a construction zone will only aggravate my symptoms. Breathing in these fumes from construction will cause harm to the residence now, and could very well bring on disease in the future. The elderly residents who reside here will be under siege. Air quality, water and sewage infrastructure will be affected. Tearing up the area will cause rats, roaches, and vermin to come into our living areas.

Previously, I worked with a real estate development company and Housing Preservation Development to relocate tenants in a nearby area while their buildings were being renovated. I witnessed first hand the rat and roach problems that arose as construction got underway. Rats were found in apartments, and the roach infestation was problematic.

Harlem is a historic community, and should be preserved as such. Tall high rise buildings have no place in this community. This takes away from available open space. Tall buildings create shadows in areas where natural sunlight is currently shining. I for one will lose the view I currently have looking out to 5th Avenue. If these new buildings are erected, I will be staring into a building higher than my own, eliminating the natural sunlight that comes into my apartment. Harlem Hospital, The Schomburg Center, The AME Church, PS 197 and Democracy Prep Middle School will all be encumbered and crowded by construction and overpopulation of the area. They will also be subjugated to the dust arising from construction. These Cultural Resources are crucial to the keeping of this community. The subways will be

overly crowded in the area, and the community will start to resemble something other than its historical roots that this community is so proud of.

Socio Economic Conditions will change for the area as well. The luxury buildings that are being proposed will drive the cost of living up and raise housing and rental costs for those of us that live here. This will force out lower income residence due to rising rents. The project will directly displace more than 100 employees. The pharmacy, and grocery store next door which provides vital resources will also be displaced forcing residents especially elderly residents to travel further for their medications and food.

Above all, the residents of Lenox Terrace do not want this proposal to move forward. The residents I have spoken with are enraged and feel disrespected in the community they have lived in and contributed to for decades. The negative consequences to this community are many, and the outcry from residents should be heard and respected. This Rezoning Plan is not wanted, and is not feasible.

Sincerely,

Laurel Richardson
10 West 135th Street

Winifred Jackson
25 W. 132 Street apt 15E
New York, NY 10037
wja132@aol.com

February 19, 2018

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

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Too Many people in a given area will compound the problems that already exists.

Transportation

1. Subways are going to be overcrowded " there are too many people on the trains. The system experiences about 75,000 delays per month, and overcrowding is responsible for approximately on-third of them. In 1990, one billion people rode the subway every year. In 2015, that number had nearly doubled to 1.8 billion."
2. " **Construction sites**due to their proximity to homes and the materials used, and/or noise pollution... - the air you breathe may be polluted due to the construction work. Apart from the noise poor air quality is the most immediate pollution effect you may experience from a construction site. ... This means that airborne contaminants including contaminated particulate matter and volatile compounds are spreading around (mostly carried by wind) ... Contaminants spreading around in air can travel large distances in a short time. (volatile organic compounds), asbestos, gases such as carbon monoxide, carbon dioxide, and nitrogen oxides.
3. **Water Pollution** " the surface water runoff and the groundwater close to a construction site become polluted with various materials...**VOC, paints, glues, diesel, oils, other toxic chemicals, and cement.** The

immediate effect is creating turbidity in the runoff water and affected surface and groundwater.....once the groundwater below your home becomes contaminated, it may affect you through direct consumption and indirectly by affecting the quality of your indoor air(vapor intrusion of the volatile contaminants from water). Overall, water pollution from construction sites is underestimated and has potential to generate severe environmental problems.”

4. **Soil pollution** - “soil at and around a construction site may become contaminated due to air transport followed by **deposition of construction contaminants** (air pollution as well as water runoff) some may accumulate in soil and persist over longer periods of time”.

5. **Noise pollution** “ noise may adversely affect your health, including effects such as **stress, sleep disturbance, high blood pressure and even hearing loss**” Too many of the residents already have these illnesses which will **be compounded on by the environmental conditions resulting from the demolition and construction of these new buildings in such close proximity to their housing.**

1. **“Environmental impacts of poor sanitation and waste management at a local level include pollution of land and watercourses, the visual impact of litter, and bad odors”**... This is what I fear will happen if construction of 5 buildings at 1600 apts will happen to the small area in which the terrace now occupies.

1. **"Building construction pollution** - represents the generation of construction contamination at sites where buildings are constructed which may involve also a demolition phase (if the construction site has an existing building." (such as the building surrounding Lenox Terrace)

" If you believe you are already negatively impacted by a construction site in the vicinity, especially if you have been recently diagnosed with a medical condition involving the respiratory system you may be entitled to compensation."

Has the developer tested the site for possible pollutants in the soil of said property, and if so what is the result of the testing?

2. " From the perspective of the construction site owner/ developer, you may be faced with building on polluted land (pollution could be discovered during construction excavation work). To prevent such situation, you should order a full land quality survey (environmental site assessment phase 1 and 2) before starting any construction work."

1. **Environmental impacts of poor sanitation and waste management** at a local level include pollution of land and watercourses, the visual impact of litter, and bad odors.

Soiled bath water already runs from one apartment to the adjacent apartment filled with the stopper in the tub.

Mice, Bedbugs, roaches are a reality here at lenox terrace. When you demolish the existing building where are the rats, bedbugs, and roaches, going??? Please consider yourself living in the projected proposal when you vote.



Your expediency in this matter will be greatly appreciated.

Winifred L. Jackson

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Ms. Yvette Green
25 West 132 Street #66
New York NY 10037
February 19, 2018

To Whom It May Concern,

I have resided at the Lenox Terrace Development for several years. Although there is much needed work in the complex, the construction of six buildings will have a devastating affect on the health and well being on the complex residence the dust the construction will cause on pregnant women, unborn babies, small children, the elderly and the very young pets.

Illnesses to considered people contracting from air dust Silicosis, Bronclitis, and Fibronsis also the noise pollution and finally the RATS.

Lastly is there any knowledge of what is in the soil once it is unearthed. Our fear of contamination and ultimate Genocide.

Sincerely,
Y Green

rjon

From: rjon73309@aol.com

Sent: Monday, February 19, 2018 5:47 PM

To: Robert Dobruskin (DCP)

Subject: I am against the plans for new buildings in the lenox Terrace. It affect

the environment and the hospital. Also the transportation,parking.

There is the Riverton, Lincoln buildings.

Sent from my Verizon 4G LTE Smartphone

10 West 135th Street apt. 9F
New York, New York 10037

Robert Dobruskin,
Director Environmental Assessment and Review Division

February 19, 2018

Dear Mr. Dobruskin

RE: Lenox Terrace Rezoning Application

I am writing regarding the planning application stated above. I have examined the proposed redevelopment plans for Lenox Terrace submitted by Olnick Organization and I know the site well. I strongly object to the alteration and commercial re-zoning of this historical residential area. According to Olnick this project will enhance this community. However, the negative impacts of this plan to our community are far greater than any enhancement.

I have been a resident of Central Harlem for the past 35 years and I have lived in Lenox Terrace for 21 years. During these years, I have seen a dramatic transformation of our community, which has resulted in the on-going displacement of our friends and neighbors. This displacement has disproportionately impacted people of color, seniors living on fixed incomes, low-income working families and small business owners. This redevelopment plan will be "the icing on the cake".

Mainly, the environmental impact to this community would be tremendous. Our schools, hospitals, child care facilities, modes of transportation and other public facilities in the community will be directly affected by such construction. The dust, dirt, noise and influx of the rodent population to the area from the major construction, which would be done in phases and last about ten years +, would cause many adverse health effects for the residents of Central Harlem particularly our senior residents. Many residents of Central Harlem already have a higher rate of upper-respiratory conditions caused by inferior living situations. Additionally, the building of five new luxury towers would block the light and air from current apartments buildings.

Over 75% of the current residents oppose this plan, and rightfully so. This plan will change the mere fabric of this neighborhood's character. A rezoning of this area would be "an unsustainable burden to the community" and the increase of commercial properties would also adversely affect the character of what is now a primarily residential neighborhood.

In conclusion, I would be grateful to the council, if the council would take my objections into consideration when deciding upon the rezoning/ redevelopment application of Olnick Organization.

Faithfully yours,

Denise Borden-Miller

From: [Calvin Brown \(DCP\)](#)
To: [Stephanie Shellooe \(DCP\)](#)
Cc: [Robert Dobruskin \(DCP\)](#)
Subject: FW: Olnick Lenox Terrace Comments - Environmental Review
Date: Monday, February 26, 2018 10:21:11 AM

FYI-

From: Erik Botsford (DCP)
Sent: Monday, February 26, 2018 10:20 AM
To: Joseph Huennekens (DCP) <JHuennekens@planning.nyc.gov>; Calvin Brown (DCP) <CBROWN@planning.nyc.gov>
Subject: FW: Olnick Lenox Terrace Comments - Environmental Review

FYI.

From: John Tarnok [<mailto:jtarnok@hotmail.com>]
Sent: Tuesday, February 20, 2018 11:58 PM
To: MN_DL (DCP) <MN_DL@planning.nyc.gov>
Subject: Olnick Lenox Terrace Comments - Environmental Review

- Environmental review should include anticipated far away Bronx redevelopments and include the impact on Riverbend Housing residents and other complexes that are in the ½ mile zone or more.
- We have to walk to the 135th street station, will be further impacted from the Bronx redevelopments, which will pass through our subway lines, and bridges near us. We're going to get a LOT of additional commuter traffic over the years. Too much from the Bronx. The Bronx 2 line should be developed locally first.
- We have terrible air quality and the construction dust will interfere with this, especially on days with low wind. <https://www.epa.gov/outdoor-air-quality-data>
- Our sight lines here at Riverbend and along the water will be messed up. Build high ALONG THE WATER, not in the center. Share the views, so we all get a piece!
- Olnick should retain the same zoning, and go unrewarded without special height permits. Especially after the way they apparently treated their residents poorly on services. Department of City Planning should avoid creating BAD INCENTIVES for the community!
- Rats will make their way over here to Riverbend
- Harlem Hospital and the government building heights in Central Harlem on 125th street are tolerated because they are mutual community services. They were not meant to set a height standard, they were meant to provide necessary services in a confined area.

John Tarnok
2333 5th Ave Apt 19H
New York, NY 10037
469-609-6969

2186 5th Avenue, Apt. 11R (Lenox Terrace)/Cell: 917 744 1225/Email: ESQPAB@aol.com

Feb. 16, 2018

BY OVERNIGHT COURIER

Robert Dobruskin

Director

NYC Department of City Planning

120 Broadway, 31st Floor

New York, NY 10271

'18 FEB 23 AM 9:58

Re: Written Comments on the Lenox Terrace Proposal (CEQR No. 18DCP084M)

I write before the Feb. 20, 2018 deadline to provide my written comments to the above-referenced proposal. I understand that the NYC DCP, acting on behalf of the City Planning Commission, will be lead agency for the environmental review, and, therefore, it is appropriate that this letter be directed to you.

I have lived in Lenox Terrace for the past few years and I object to the proposal because of the harm that will surely visit current residents like me from protracted years of construction within the densely populated area where current Lenox Terrace buildings now stand.

As noted below, I am copying this letter to NYC Council Member Bill Perkins, NYS Assemblyman Robert Rodriguez, and NYS Senator Brian Benjamin. As you know, Senator Benjamin sent a representative to the recent Feb. 8, 2018 scoping meeting, and she said that the Senator was taking the side of the tenants in opposing this project. By this letter, I request that both Mr. Perkins and Mr. Rodriguez publicly oppose the current proposal. The 1700 families of Lenox Terrace are strenuously opposed to the construction of 5 new buildings, over 9 years, right in our back yards. I am also copying this letter to Marisa Lago, Chair of the CPC. Also, Delsenia Glover, President, LT-ACT.

I. The Proposed Project

Per the Draft Scope of Work for the EIS, I understand that the proposal is to build 5 new buildings over an 8 to 10 year period, and that the buildings will be adjacent to Lenox Terrace's current residents. Further, I understand that all 5 new buildings will be taller than any of the current Lenox Terrace buildings, and that the 5 new buildings will almost double the number of apartments and families in the current Lenox Terrace geographical footprint. Two of the new buildings will be on either side of 2186 5th Avenue where I currently reside.

II. The Foreseeable Harms

Frankly, this project seems outrageous due to the magnitude of construction. The current residents will certainly suffer greatly from the many ills attendant to the estimated 9 years of estimated construction. Rats, rodents, bed bugs, cockroaches, increased asthma and respiratory ills, transportation congestion, noise, school over-crowding, an increase in neighborhood unaffordability for housing and goods and services, and the resulting loss of current residents due to unaffordability, can all easily be predicted from the proposal. And perhaps this is the Olnick Organization's actual intent. By making construction so awful, current tenants will move out and their apartments can be rented to more

wealthy people, while the truly affluent can reside in the newly constructed apartments. This would result in a complete, economic transformation of the population of Lenox Terrace. And this process will certainly transform Lenox Terrace's racial character, exchanging Black residents for White renters. Again, this may well be the intent of Olnick. The sheer size of the project and its concomitant, dangerous harms to current residents is strong evidence of Olnick's actual motive.

III. The Feb. 8, 2018 Meeting

I attended the public scoping meeting held on Thursday, Feb. 8, 2018 at 6pm in Spector Hall at 22 Reade Street in lower Manhattan. Unlike many folks, I was able to find a seat in the room and I sat through the entire proceeding. During part 3 of the meeting when public comments were taken for 3 minutes a person, over 30 people spoke in opposition to the proposal, and almost all were tenants of Lenox Terrace. Nobody spoke in favor of the proposal. The speakers were diverse, racially, in age and in occupation. Many voiced objections based on anticipated environmental harms. And these harms should be directly assessed in the EIS work.

IV. Recommendations for Additions the Draft Scope of Work

Given the foregoing, I recommend that the following subjects be specifically added to the scope of work included in the draft EIS, and specifically addressed when the EIS is completed and made public.

1. **Rats & Other Rodents:** The potential for rats and other rodents within current tenant apartments, current tenant apartment buildings and the grounds. This evaluation should include a review of the rat and rodent infestation from construction near Lenox Terrace within the past several years, as well as the current rat and rodent problem. The evaluation should include an examination of OTHER CONSTRUCTION PROJECTS LIKE THE LENOX TERRACE PROPOSAL WHERE PLANNED CONSTRUCTION OVER A 5 TO 10 YEAR PERIOD WITH OVER 1000 NEW APPARTMENTS WERE CONSTRUCTED IN AN AREA ADJACENT TO EXISTING APARTMENTS AND FAMILIES IN RESIDENCE. Mitigation must be based on real world experience with, what seems to me, an unprecedented construction project planned so near a great number of existing families.
2. **Bed-bugs & Cockroaches:** Lenox Terrace has a bed-bug and cockroach infestation. Recent construction projects in the area are thought by many residents to be a cause of the infestation. This has been a long-standing issue. As with item 1 above, the EIS should determine if the proposed construction will exacerbate this infestation. Sound mitigation measures must be established.
3. **Asthma & Other Health Issues:** A number of speakers said that they, and/or their children suffer from asthma. The statistics for asthma in the Harlem community are high, much higher than other, more affluent NYC communities. Dust and debris from almost a decade of construction will surely exacerbate asthma health problems for many. In addition, the dust and constant construction will certainly make the sick and elderly much worse, including respiratory illnesses. Many retired, elderly and disabled people now live in Lenox Terrace. Almost a decade of

constant construction is sure to result in a health care decline for the current tenants of Lenox Terrace. Mitigation must be fashioned to eliminate these easily anticipated harms.

4. **Transportation Congestion:** I take the number 2 or 3 train most workday mornings from 135th Street to Park Place. The downtown platform is dangerously narrow, especially with the overcrowding in the 8am to 10am period when folks are going to work, and later when trying to get home in the evening. I don't believe the platform can be widened, and so twice as many trains may be needed during peak hours. The proposal seeks to almost double the number of families living at Lenox Terrace. I do not understand how the current train schedule will handle twice as many passengers during peak hours. This matter must be extensively studied in the EIS.
5. **Noise:** With so many elderly, retired and disabled current residents, almost a decade of loud construction noises seems unconscionable. Many remain at in their apartments all day. Sound mitigation must be required, including the sound proofing of apartments with folks who are unable to leave their apartments during construction periods. Some people may have to be relocated during the duration of construction, and Olnick should be prepared (and compelled) to pay for such expenses. (Please see item V below, detailing the cost of mitigation.)
6. **School Over-Crowding:** One of the speakers on Feb. 8 mentioned that public schools in the Lenox Terrace area are already overcrowded with students. Adding over 1600 new families will certainly further strain the public schools. The EIS should review the issue of school over-crowding that may result from the new residents.
7. **Affordability:** The proposal states that 400 of the approximately 1600 new apartments will be affordable. The EIS should examine whether current residents who are paying reduced rent could afford to take one of the new, allegedly "affordable" apartments. If the new apartments are not affordable to current tenants, then they are not truly affordable for Lenox Terrace.
8. **Gentrification:** With new, higher end stores and neighborhood amenities, the proposed new buildings, with much higher market rate rents, will likely force many current residents out of Lenox Terrace. One woman who spoke on Feb. 8 noted that she is paying market rent currently, and that any additional increases will make her apartment unaffordable. She is probably like many other current renters.

The EIS must carefully examine the likelihood that the proposal will utterly transform the economic and ethnic make up of Lenox Terrace, a historic, anchor complex in Harlem, and, thereby, transform the neighborhood from majority Black to majority White. As I understand the EIS process, such a transformation would weight against permitting the proposed project.

9. Comps: During the Feb. 8 meeting, several speakers described the proposal as, essentially, unprecedented in size and scope (extending construction for so long next to so many current residents). The EIS should specifically address any other comparable construction projects in NYC within the past 20 years. If there have been no similar projects -- construction of over 1000 new apartments over a 5-10 year period ADJACENT TO a substantial number of current tenants -- then the EIS should clearly state this because it means the anticipated harms and corresponding mitigation would be unknown. If there are comparable situations, the harms to current residents should be detailed, IN CONNECTION WITH DETERMINING APPROPRIATE MITIGATION MEASURES for the benefit of current residents.

V. The Cost of Mitigation

The EIS and Olnick need to review the actual cost of mitigating the problems identified above. Some of the mitigation will require Olnick to spend money on individual apartments. By way of example, some apartments may have to be sound proofed. Exterminators many have to be made available on an "on call" and daily basis. Furniture and other furnishing may have to be replaced due to bed-bugs. Some tenants may have to be relocated during the duration of construction due to health problems. In short, the level of maintenance, service and repair may well cost Olnick millions of dollars in mitigation expenses throughout the period of construction. Any EIS should acknowledge this fact, and Olnick should be made to agree to pay for all such expenses. This, in addition to the construction centered mitigation that is typical in the construction process.

VI. Anticipation of Litigation

Given Olnick's awful history of maintenance, service and repair, should the project actually materialize, Olnick should anticipate litigation, including class action litigation from current tenants, even at this early stage in the process. That means that all documents related to the proposed construction plans, should be retained for what is surely a foreseeable litigation related to foreseeable, significant harms to current tenants caused by the massive construction proposed. To that end, this letter and all other written documents, in any form, detailing anticipated and foreseeable harms to tenants that will be caused by the Olnick's planned construction project should be retained.

Olnick is an awful landlord. This is a factual statement and some of the proof was given during the Feb. 8 meeting. One tenant, a young lawyer, recounted the total lack of gas in her building for about the first 6 months of 2016. Small hot plates were given by Olnick for cooking, there was no rent abatement, and Olnick's actions lead Con Ed to turn off the gas. The rat and bed-bud infestation has not been dealt with competently. One tenant spoke about a fractured water pipe that left feces floating in the basement of her Lenox Terrace building. With this negligent record of building maintenance and service, it is impossible for the current tenants to believe that Olnick will provide proper maintenance and service in mitigation of the certain harms to current tenants from Olnick's proposed, massive construction. Mitigation terms must be mandated as a condition of project approval.

Page 5

I request that any further public meetings about this proposal be held in the Harlem community and in a venue that can comfortably seat at least 150 people. The Schomburg would be ideal, or one of the local Harlem schools. As many speakers rightfully stated during the Feb. 8 meeting, it was inappropriate for your agency to hold the meeting in a location and at a time that were not respectful of the Lenox Terrace residents.

Thank you for your consideration of the above-written comments. I look forward to reviewing your agency's supervision of the EIS process for the proposed project,

Very truly yours,

A handwritten signature in black ink that reads "Patrick A. Bradford". The signature is written in a cursive, flowing style.

Patrick A. Bradford

Cc: NYC Council Member Bill Perkins, 250 Broadway, Ste. 1821, New York, NY 10007;
NYS Assemblyman Robert Rodriguez, 55 East 115th Street, New York, NY 10029;
NYS Senator Brian Benjamin, 163 West 125th Street, Ste. 912, New York, NY 10027,
Marisa Lago, CPC, 120 Broadway, 31st Floor, New York, NY 10271;
Delsenia Glover, delsenia@yahoo.com

2186 5th Avenue, Apt. 11R (Lenox Terrace)/Cell: 917 744 1225/Email: ESQPAB@aol.com

Feb. 16, 2018

BY OVERNIGHT COURIER

Robert Dobruskin

Director

NYC Department of City Planning

120 Broadway, 31st Floor

New York, NY 10271

'18 FEB 23 AM 9:59

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constant construction is sure to result in a health care decline for the current tenants of Lenox Terrace. Mitigation must be fashioned to eliminate these easily anticipated harms.

4. **Transportation Congestion:** I take the number 2 or 3 train most workday mornings from 135th Street to Park Place. The downtown platform is dangerously narrow, especially with the overcrowding in the 8am to 10am period when folks are going to work, and later when trying to get home in the evening. I don't believe the platform can be widened, and so twice as many trains may be needed during peak hours. The proposal seeks to almost double the number of families living at Lenox Terrace. I do not understand how the current train schedule will handle twice as many passengers during peak hours. This matter must be extensively studied in the EIS.
5. **Noise:** With so many elderly, retired and disabled current residents, almost a decade of loud construction noises seems unconscionable. Many remain at in their apartments all day. Sound mitigation must be required, including the sound proofing of apartments with folks who are unable to leave their apartments during construction periods. Some people may have to be relocated during the duration of construction, and Olnick should be prepared (and compelled) to pay for such expenses. (Please see item V below, detailing the cost of mitigation.)
6. **School Over-Crowding:** One of the speakers on Feb. 8 mentioned that public schools in the Lenox Terrace area are already overcrowded with students. Adding over 1600 new families will certainly further strain the public schools. The EIS should review the issue of school over-crowding that may result from the new residents.
7. **Affordability:** The proposal states that 400 of the approximately 1600 new apartments will be affordable. The EIS should examine whether current residents who are paying reduced rent could afford to take one of the new, allegedly "affordable" apartments. If the new apartments are not affordable to current tenants, then they are not truly affordable for Lenox Terrace.
8. **Gentrification:** With new, higher end stores and neighborhood amenities, the proposed new buildings, with much higher market rate rents, will likely force many current residents out of Lenox Terrace. One woman who spoke on Feb. 8 noted that she is paying market rent currently, and that any additional increases will make her apartment unaffordable. She is probably like many other current renters.

The EIS must carefully examine the likelihood that the proposal will utterly transform the economic and ethnic make up of Lenox Terrace, a historic, anchor complex in Harlem, and, thereby, transform the neighborhood from majority Black to majority White. As I understand the EIS process, such a transformation would weight against permitting the proposed project.

9. Comps: During the Feb. 8 meeting, several speakers described the proposal as, essentially, unprecedented in size and scope (extending construction for so long next to so many current residents). The EIS should specifically address any other comparable construction projects in NYC within the past 20 years. If there have been no similar projects - - construction of over 1000 new apartments over a 5-10 year period ADJACENT TO a substantial number of current tenants -- then the EIS should clearly state this because it means the anticipated harms and corresponding mitigation would be unknown. If there are comparable situations, the harms to current residents should be detailed, IN CONNECTION WITH DETERMINING APPROPRIATE MITIGATION MEASURES for the benefit of current residents.

V. The Cost of Mitigation

The EIS and Olnick need to review the actual cost of mitigating the problems identified above. Some of the mitigation will require Olnick to spend money on individual apartments. By way of example, some apartments may have to be sound proofed. Exterminators many have to be made available on an "on call" and daily basis. Furniture and other furnishing may have to be replaced due to bed-bugs. Some tenants may have to be relocated during the duration of construction due to health problems. In short, the level of maintenance, service and repair may well cost Olnick millions of dollars in mitigation expenses throughout the period of construction. Any EIS should acknowledge this fact, and Olnick should be made to agree to pay for all such expenses. This, in addition to the construction centered mitigation that is typical in the construction process.

VI. Anticipation of Litigation

Given Olnick's awful history of maintenance, service and repair, should the project actually materialize, Olnick should anticipate litigation, including class action litigation from current tenants, even at this early stage in the process. That means that all documents related to the proposed construction plans, should be retained for what is surely a foreseeable litigation related to foreseeable, significant harms to current tenants caused by the massive construction proposed. To that end, this letter and all other written documents, in any form, detailing anticipated and foreseeable harms to tenants that will be caused by the Olnick's planned construction project should be retained.

Olnick is an awful landlord. This is a factual statement and some of the proof was given during the Feb. 8 meeting. One tenant, a young lawyer, recounted the total lack of gas in her building for about the first 6 months of 2016. Small hot plates were given by Olnick for cooking, there was no rent abatement, and Olnick's actions lead Con Ed to turn off the gas. The rat and bed-bud infestation has not been dealt with competently. One tenant spoke about a fractured water pipe that left feces floating in the basement of her Lenox Terrace building. With this negligent record of building maintenance and service, it is impossible for the current tenants to believe that Olnick will provide proper maintenance and service in mitigation of the certain harms to current tenants from Olnick's proposed, massive construction. Mitigation terms must be mandated as a condition of project approval.

Page 5

I request that any further public meetings about this proposal be held in the Harlem community and in a venue that can comfortably seat at least 150 people. The Schomburg would be ideal, or one of the local Harlem schools. As many speakers rightfully stated during the Feb. 8 meeting, it was inappropriate for your agency to hold the meeting in a location and at a time that were not respectful of the Lenox Terrace residents.

Thank you for your consideration of the above-written comments. I look forward to reviewing your agency's supervision of the EIS process for the proposed project,

Very truly yours,

A handwritten signature in black ink that reads "Patrick A. Bradford". The signature is written in a cursive, flowing style.

Patrick A. Bradford

Cc: NYC Council Member Bill Perkins, 250 Broadway, Ste. 1821, New York, NY 10007;
NYS Assemblyman Robert Rodriguez, 55 East 115th Street, New York, NY 10029;
NYS Senator Brian Benjamin, 163 West 125th Street, Ste. 912, New York, NY 10027,
Marisa Lago, CPC, 120 Broadway, 31st Floor, New York, NY 10271;
Delsenia Glover, delseniag@yahoo.com

Ms. Audrey Collins
40 West 135th Street, Apt 3S
New York, NY 10037
February 15, 2018

The Department of City Planning
c/o Robert Dobruskin
120 Broadway, 31st Floor
New York, NY 10271

'18 FEB 23 AM 9:38

Dear Mr. Dobruskin,

I am writing regarding the project to Lenox Terrace Development of an additional five building, 30-story high and an underground parking lot which will take about 9 years to complete.

- This project will affect the air quality on the outside and the air quality in my apartment, as I will have to close my windows.
- This project will affect my parking space and entering in/out of the parking lot. There is no parking space around in the community/area. The parking spaces we have are meter parking and alternate side parking. Parking condition is terrible!
- This project will close the stores in my community/areas making it inconvenience for my neighbors who are unable to get around outside the community/areas.
- This project will make the traffic worst (heavier and backup traffic).
- This project will inconvenience a lot of tenants in the neighborhood from doing all the things they are uses to doing in the community/areas, such as, grocery shopping; use of the cleaner; banking; use of the little deli store on 5th Avenue and Lenox Avenue; Fish Market; the school; hospital, etc.

I'm not in favor of this project. This project will affect all of us in some way or another in the community/areas of Lenox Terrace Development.

Thanking you in advance for your consideration to my concerns as a tenant.

Sincerely,



Ms. Audrey Collins

2186 5th Avenue, Apt. 11P/ Cell: 917.604.3290/ Email: clm@clmitchellesq.com

February 16, 2018

ROBERT Dobruskin

Director

NYC Department of City Planning

120 Broadway, 31st Floor

New York, NY 10271

'18 FEB 23 AM 9:58

Re: Written Comments on the Lenox Terrace Proposal (CEOR Mp/ 18DCP084M)

I write before the Feb. 20, 2018 deadline to provide my written comments to the above-referenced proposal. I understand that the NYC DCP, is acting on behalf of the City Planning Commission, is the lead agency for the environmental review. It is therefore, appropriate that this letter is directed to you.

Per the Draft Scope of Work, I understand that included within the proposal is to build 5 new buildings within the existing Lenox Terrace complex. From commencement to completion, this project is last for over an 8 to 10 year period. I have lived in Lenox Terrace for over 15 years, and I object in part to the proposal for the following reasons.

1. Due to the magnitude of construction, the protracted years of construction within the densely populated area will have a harmful physical on the health of the community beyond reasonable proportions. It is not only the current Lenox Terrace residents who will be affected by respiratory ills, transportation congestion, and overcrowded sidewalk detours, just to name a few, but also the surrounding community residents.
2. The environmental impact is also a matter of great concern. Notwithstanding the long-standing issue of existing rat, mice and other rodent infestation that currently exist on the grounds and within the current Lenox Terrace tenant apartments that has not been adequately addressed, the prospect of this problem manifesting in huge proportions is intolerable. As with other neighborhoods throughout NYC who are also battling this problem, we can not take on more than our fair share, which excess construction based upon greed and egotistical measures will bring.
3. The scope of this project has failed to consider the community's infrastructure, which is currently inadequate to handle the recent rise and influx into the community. The 135th Street, Lenox Avenue subway platforms are inadequate at best to handle the morning rush hour as it stands. The communities two public schools are currently overcrowded. Even with the end-of-the-line bus terminals are a relatively short distance away at 147th Street, by the time the bus reaches the 135th Street stops, they are crowded to capacity leaving standing room only. As I stated above, I, like many of the Lenox Terrace residents am only partially in opposition to the proposed redevelopment plan. We realize, accept and want the plans that are reasonably

part of and vital for community growth and development. While I have expressed what we don't want, here is what we do want:

1. Re-construction of the proposed Lenox Avenue area on 135th Street extending from 135th to 132nd Street. This includes the commercial usage as well as the erection of two new residential building on either corner of Lenox Avenue.
2. Residents are also are in favor of the proposed park that would exist within the Lenox Terrace complex, and underground parking. These are welcomed features that would certainly enhance the property and provide tenants with a greater sense of community within the Lenox Terrace complex.

What we are most adamantly opposed to is the plan to construct two 23-story residential housing along the 5th Avenue corridor. Currently, the plan is to construct a building on the corners of 135th Street and the other on the corner of 132nd Street. This plan goes beyond the size and scope of any genuine concerns for existing tenants and the existing integrity of this historic neighborhood. We demand that the 5th Avenue corridor remain a commercial path that would provide retail shops necessary for living and not increase the residential population, which would be overbearing.

1. The proposed 23-story would be built in an area that is less than one city block in distance from the existing building. The density concerns that will result must be addressed as this poses numerous health and quality of life issues that cannot be overlooked. This is a serious consideration. It must be proven by the Olnick Organization that the construction of these buildings serves anything more than monetary greed. While it is acknowledged that housing is in demand, with proposed construction for three other residential buildings on the Lenox Terrace complex, adding over an additional 1,000 people to the neighborhood that doesn't have the transportation, schools to accommodate them, provides all of the housing this neighborhood can afford to handle.
2. Construction would also necessitate removing trees that have been in the neighborhood for close to a century, if not more.
3. It needs to be mandated that any buildings built on these two corners are not any higher than the existing 6-story buildings directly across 5th Avenue so that the neighborhood retains its historical integrity.

In conclusion, I request that the above is taken with astute consideration and given all of the seriousness that it deserves.

Very truly yours,



Charles and Yvonne Mitchell

Cc: NYC Council Member Bill Perkins, 250 Broadway, Ste. 1821, New York, NY 10007
NYS Assemblyman Robert Rodriguez, 55 East 115th Street, New York, NY 10029
NYS Senator Brian Benjamin, 163 West 125th Street, Ste. 912, New York, NY 10027
Marisa Lago, CPC, 120 Broadway, 31st Floor, New York, NY 10271

Ms. Louise R. Taylor
10 West 135th Street, Apt 6H
New York, NY 10037-2612
February 15, 2018

The Department of City Planning
c/o Robert Dobruskin
120 Broadway, 31st Floor
New York, NY 10271

'18 FEB 23 AM 9:58

Dear Mr. Dobruskin,

I'm a tenant who resides in the Lenox Terrace Development. An addition five (5) building, 30-story high and an underground parking lot where tenants occupy is outrages.

This project will definitely impact the sunlight and air ventilation. It will increase the dust in my apartment. I have to keep my windows closed at all times causing me to choke and/or cough not having the outside air ventilation and the 30-story high building will block my sunlight which I received in my apartment now. Closing the stores in the surrounding areas will take away the convenience of grocery shopping, eateries and the pharmacy where my prescription is filled. I would have to travel outside my community.

This project will have a tremendous impact on the community individually and as a whole.

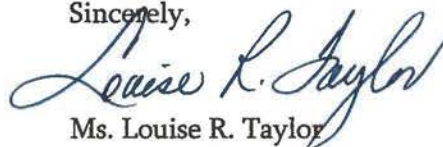
To name a few:

- Traffic flow is overwhelming now; the construction will make the traffic flow worst.
- Parking will be impossible nowhere to park now on the street in the surrounding areas. Parking will be taken away due to the construction.
- The subway (overcrowding platforms and trains) and bus services (traffic and delays due to the heavy equipment use) and getting to mine/our destination.
- The park will be off-limit to the children who suffer with asthma and upper- respiratory problems, etc.
- The project will affect the employees as well; having to walk/travel from building to building within the Lenox Terrace complex doing their job making it difficult with all the construction trucks and heavy machinery to be use in the surrounding areas.

This project is a disadvantage to me and everyone in my community. The neighborhood will not be the same as mine/our safety will be affect due to this project. Not in favor of this project.

Your consideration to this project is mostly appreciated. Thank you.

Sincerely,



Ms. Louise R. Taylor

Willie Jones, Jr.
 25 West 132nd Street, Apt# 12K
 New York, N.Y. 10037
 212/234-5332

February 18, 2018

New York City Department Of City Planning
 120 Broadway, 31st Floor
 New York, N.Y. 10271
 Robert Dobruskin, AICP Director
 (212) 720-3423/ FAX (212) 720-3495
rdobrus@planning.nyc.gov

'18 FEB 26 AM 10:49

To Whom it may Concern,

Subject: Comments Regarding The Proposed Plan To Build Five 28 Story Towers
 At The Lenox Terrace Complex Site

My name is Willie Jones Jr, I am a 64 year old retired Television Broadcast Engineer and I have been a resident of Lenox Terrace Building #25 for 38 years.

On Thursday February 8, 2018, 6pm I attended the New York City Department Of City Planning's "Scoping Hearing" held at Spector Hall, 22 Reade Street Downtown Manhattan regarding the subject proposed plan.

Having both listened to the Lenox Terrace Developer's presentation, read the Lenox Terrace Developer's presentation plan material and listened to the concerns of my fellow Lenox Terrace neighbors and community representatives, I haven't changed my mind. I am against this project as is.

Just as I witnessed speaker after speaker from at the February 8 Scoping Hearing speak out against this project as is, I join them in opposition.

Did Manhattan Community Board 10 ever approve this proposal?

My opinion is that the construction of five new towers on the site as planned will result in a unsupportable strain to the infrastructure of the community including its subways, buses, traffic, local public schools, sanitation, parking, and the hospital. Currently neighborhood community services are already overtaxed and heavily congested now.

Environmentally this project will force our children, elderly and disabled residents to live side by side with five separate hazardous construction sites of hoist elevators, hydraulic truck cranes, scaffolds, earthmoving equipment, backhoes and excavators, broken sidewalks and ramps, construction dust and sand blasting, loud noise and jackhammering for nine years or more.

The proposed re-zoning plan does not address severely overcrowded public transportation, schools, parks, traffic, parking etc.

The proposed re-zoning plan does not address real affordable housing, and the preservation neighborhood culture, character, socioeconomic conditions and the rich Central Harlem History of the Site

No amount of artificial lighting is a substitute for the current natural sunlight that illuminates Lenox Terrace Buildings. Construction five new 30 story towers just 60 feet away from current Lenox Terrace buildings will cast giant moving shadows over current existing buildings.

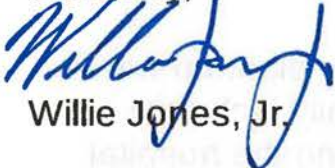
The core of His Honor Mayor Bill de Blasio's campaign promise was to bring New York communities together, rather than create "A Tale Of Two Cities".

Lenox Terrace has a very long history as "Harlem's Premier Residential Community". If this new billion dollar expansion project gets a green light it will create "A Tale Of Two Cities" right in the middle of Central Harlem. With stark divisions as "Harlem's Older Pre-Existing Premier Residential (Rent Stabilized) Community" will be physically towered over, penned in, overshadowed and surrounded by newer market rate tenant buildings.

Imagine moving Rent Regulated Lenox Terrace housing, residents and buildings to the middle of Midtown's Park Avenue rather than moving Market Rate Midtown Park Avenue residents and buildings to the Lenox Terrace complex grounds. How would the upscale elite Midtown Park Avenue residential community react?

This project is the Terraforming of The Lenox Terrace Community Complex and the developer needs take it back to the drawing board.

Sincerely,



Willie Jones, Jr.

Cc: Hon. Mayor Bill de Blasio, Hon. Gale A. Brewer Hon. Rep. Adriano Espaillat
Hon. Bill Perkins, Hon. Brian A. Benjamin, Hon. Inez E. Dickens, Manhattan
Community Board 10 [mn10cb@cb.nyc.gov]

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

From: Nan Faessler
25 West 132nd Street, 6P
New York City, NY 10037
Email: nfaessler@hotmail.com

'18 FEB 27 AM 9:25

February 12, 2018

Re: Rezoning of the Olnick owned property "Lenox Terrace" situated in a superblock between 132nd Street and 135th Street and between Lenox Avenue and 5th Avenue. The rezoning that the owners are asking for is from residential to commercial.

I am submitting two comments: a) environmental impacts on sanitation and recycling b) impact on transportation.

Sanitation and Recycling

Sanitation:

The current NYC budget submitted by Mayor de Blasio stands at \$88.1 billion. The Sanitation budget (Preliminary) for 2018 is \$1.675 which is about 2% of the City's total budget. **The 2018 budget for Sanitation is \$1.1 million less than for fiscal 2017.** Given that the City of New York will have to increase sanitation services, especially with the increase of upwards to an additional 4000 people living within our Lenox Terrace Superblock, how is a cash strapped city going to accommodate this significant increase? What measures will the City demand of the Olnick Corporation in contributing to the Sanitation budget?

Recycling:

As I mentioned at the Public Scoping Hearing, I am very dismayed at the lack of recycling at Lenox Terrace (I am speaking concretely of my building 25 West 132nd Street). I have over the last two plus years of my tenancy vigorously and properly recycled my own waste – sorting metal, glass, plastic and paper from garbage; only to find that the porters in 25 West throw everything into the black garbage bags to be thrown into landfills.

New York City is committed to Zero Waste to landfills by 2030. How can this be accomplished if landlords, such as the Olnick Corporation, cannot even get a handle on recycling in Lenox Terrace. (Each building within Lenox Terrace has close to 300 units per building.) I have brought this issue up to Lenox Terrace Management. Please see below just some of the things that a residential apartment building should be doing and **what is not being followed at Lenox Terrace 25 West:**

- 1) Clearly label all recycling bins and replace torn or ripped decals
- 2) Line recycling bins with clear plastic bags
- 3) Do not mix paper, cardboard with metal, glass, plastic in the same bag

- 4) Place additional recycling bins in common areas where there is the possibility of recycling materials, such as in the mail box area or in the laundry room
- 5) Provide staff and residents with current recycling information, especially to new residents. Review with staff what worked and does not work
- 6) Post regular recycling tips and send out reminders when they see improper recycling

Transportation/MTA

Even Joseph Lhota, the Chairman of the MTA (along with every single citizen of NYC) understands the depth of the crisis with NYC's subway system. The failing health of the subways/buses imperils the city's financial future. Our system has the worst on-time performance of any rapid transit system in the world.

While not assigning blame to either Mayor de Blasio or to Governor Cuomo, the reality is there is not enough money available to adequately fix the problems anytime soon.

There is already a problem with platform space at the subway station at 135th Street. Adding an additional 4000 people (the number expected with the new development at Lenox Terrace) this would overwhelm the platforms, crowding people into a narrow unsafe space. And of course, with the increase number of people riding the train at 135th – the crush of people trying to get on and off the train will slow customer service. The current emergency exit requirement is not up to code.

If the Olnick Corporation were able to pursue this development, I would demand that the Olnick's property tax be raised to accommodate/mitigate the problems at the 135th Station, with **NO** additional pass-on costs to current or future tenants.

A handwritten signature in black ink, appearing to read "N. Faessler". The signature is fluid and cursive, with a long horizontal stroke at the end.

2186 5th Avenue, Apt. 11P/ Cell: 917.604.3290/ Email: clm@clmitchellesq.com

February 16, 2018

ROBERT Dobruskin

Director

NYC Department of City Planning

120 Broadway, 31st Floor

New York, NY 10271

OFFICE OF THE
CHAIRPERSON

FEB 21 2018

30987

Re: Written Comments on the Lenox Terrace Proposal (CEOR Mp/ 18DCP084M)

I write before the Feb. 20, 2018 deadline to provide my written comments to the above-referenced proposal. I understand that the NYC DCP, is acting on behalf of the City Planning Commission, is the lead agency for the environmental review. It is therefore, appropriate that this letter is directed to you.

Per the Draft Scope of Work, I understand that included within the proposal is to build 5 new buildings within the existing Lenox Terrace complex. From commencement to completion, this project is last for over an 8 to 10 year period. I have lived in Lenox Terrace for over 15 years, and I object in part to the proposal for the following reasons.

1. Due to the magnitude of construction, the protracted years of construction within the densely populated area will have a harmful physical on the health of the community beyond reasonable proportions. It is not only the current Lenox Terrace residents who will be affected by respiratory ills, transportation congestion, and overcrowded sidewalk detours, just to name a few, but also the surrounding community residents.
2. The environmental impact is also a matter of great concern. Notwithstanding the long-standing issue of existing rat, mice and other rodent infestation that currently exist on the grounds and within the current Lenox Terrace tenant apartments that has not been adequately addressed, the prospect of this problem manifesting in huge proportions is intolerable. As with other neighborhoods throughout NYC who are also battling this problem, we can not take on more than our fair share, which excess construction based upon greed and egotistical measures will bring.
3. The scope of this project has failed to consider the community's infrastructure, which is currently inadequate to handle the recent rise and influx into the community. The 135th Street, Lenox Avenue subway platforms are inadequate at best to handle the morning rush hour as it stands. The communities two public schools are currently overcrowded. Even with the end-of-the-line bus terminals are a relatively short distance away at 147th Street, by the time the bus reaches the 135th Street stops, they are crowd to capacity leaving standing room only. As I stated above, I, like many of the Lenox Terrace residents am only partially in opposition to the proposed redevelopment plan. We realize, accept and want the plans that are reasonably

part of and vital for community growth and development. While I have expressed what we don't want, here is what we do want:

1. Re-construction of the proposed Lenox Avenue area on 135th Street extending from 135th to 132nd Street. This includes the commercial usage as well as the erection of two new residential building on either corner of Lenox Avenue.
2. Residents are also are in favor of the proposed park that would exist within the Lenox Terrace complex, and underground parking. These are welcomed features that would certainly enhance the property and provide tenants with a greater sense of community within the Lenox Terrace complex.

What we are most adamantly opposed to is the plan to construct two 23-story residential housing along the 5th Avenue corridor. Currently, the plan is to construct a building on the corners of 135th Street and the other on the corner of 132nd Street. This plan goes beyond the size and scope of any genuine concerns for existing tenants and the existing integrity of this historic neighborhood. We demand that the 5th Avenue corridor remain a commercial path that would provide retail shops necessary for living and not increase the residential population, which would be overbearing.

1. The proposed 23-story would be built in an area that is less than one city block in distance from the existing building. The density concerns that will result must be addressed as this poses numerous health and quality of life issues that cannot be overlooked. This is a serious consideration. It must be proven by the Olnick Organization that the construction of these buildings serves anything more than monetary greed. While it is acknowledged that housing is in demand, with proposed construction for three other residential buildings on the Lenox Terrace complex, adding over an additional 1,000 people to the neighborhood that doesn't have the transportation, schools to accommodate them, provides all of the housing this neighborhood can afford to handle.
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3. It needs to be mandated that any buildings built on these two corners are not any higher than the existing 6-story buildings directly across 5th Avenue so that the neighborhood retains its historical integrity.

In conclusion, I request that the above is taken with astute consideration and given all of the seriousness that it deserves.

Very truly yours,



Charles and Yvonne Mitchell

Cc: NYC Council Member Bill Perkins, 250 Broadway, Ste. 1821, New York, NY 10007
NYS Assemblyman Robert Rodriguez, 55 East 115th Street, New York, NY 10029
NYS Senator Brian Benjamin, 163 West 125th Street, Ste. 912, New York, NY 10027
Marisa Lago, CPC, 120 Broadway, 31st Floor, New York, NY 10271

2186 5th Avenue, Apt. 11R (Lenox Terrace)/Cell: 917 744 1225/Email: ESQPAB@aol.com

Feb. 16, 2018

BY OVERNIGHT COURIER

Robert Dobruskin
Director
NYC Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

OFFICE OF THE
CHAIRPERSON

FEB 21 2018

30991

Re: Written Comments on the Lenox Terrace Proposal (CEQR No. 18DCP084M)

I write before the Feb. 20, 2018 deadline to provide my written comments to the above-referenced proposal. I understand that the NYC DCP, acting on behalf of the City Planning Commission, will be lead agency for the environmental review, and, therefore, it is appropriate that this letter be directed to you.

I have lived in Lenox Terrace for the past few years and I object to the proposal because of the harm that will surely visit current residents like me from protracted years of construction within the densely populated area where current Lenox Terrace buildings now stand.

As noted below, I am copying this letter to NYC Council Member Bill Perkins, NYS Assemblyman Robert Rodriguez, and NYS Senator Brian Benjamin. As you know, Senator Benjamin sent a representative to the recent Feb. 8, 2018 scoping meeting, and she said that the Senator was taking the side of the tenants in opposing this project. By this letter, I request that both Mr. Perkins and Mr. Rodriguez publicly oppose the current proposal. The 1700 families of Lenox Terrace are strenuously opposed to the construction of 5 new buildings, over 9 years, right in our back yards. I am also copying this letter to Marisa Lago, Chair of the CPC. Also, Delsenia Glover, President, LT-ACT.

I. The Proposed Project

Per the Draft Scope of Work for the EIS, I understand that the proposal is to build 5 new buildings over an 8 to 10 year period, and that the buildings will be adjacent to Lenox Terrace's current residents. Further, I understand that all 5 new buildings will be taller than any of the current Lenox Terrace buildings, and that the 5 new buildings will almost double the number of apartments and families in the current Lenox Terrace geographical footprint. Two of the new buildings will be on either side of 2186 5th Avenue where I currently reside.

II. The Foreseeable Harms

Frankly, this project seems outrageous due to the magnitude of construction. The current residents will certainly suffer greatly from the many ills attendant to the estimated 9 years of estimated construction. Rats, rodents, bed bugs, cockroaches, increased asthma and respiratory ills, transportation congestion, noise, school over-crowding, an increase in neighborhood unaffordability for housing and goods and services, and the resulting loss of current residents due to unaffordability, can all easily be predicted from the proposal. And perhaps this is the Olnick Organization's actual intent. By making construction so awful, current tenants will move out and their apartments can be rented to more

wealthy people, while the truly affluent can reside in the newly constructed apartments. This would result in a complete, economic transformation of the population of Lenox Terrace. And this process will certainly transform Lenox Terrace's racial character, exchanging Black residents for White renters. Again, this may well be the intent of Olnick. The sheer size of the project and its concomitant, dangerous harms to current residents is strong evidence of Olnick's actual motive.

III. The Feb. 8, 2018 Meeting

I attended the public scoping meeting held on Thursday, Feb. 8, 2018 at 6pm in Spector Hall at 22 Reade Street in lower Manhattan. Unlike many folks, I was able to find a seat in the room and I sat through the entire proceeding. During part 3 of the meeting when public comments were taken for 3 minutes a person, over 30 people spoke in opposition to the proposal, and almost all were tenants of Lenox Terrace. Nobody spoke in favor of the proposal. The speakers were diverse, racially, in age and in occupation. Many voiced objections based on anticipated environmental harms. And these harms should be directly assessed in the EIS work.

IV. Recommendations for Additions the Draft Scope of Work

Given the foregoing, I recommend that the following subjects be specifically added to the scope of work included in the draft EIS, and specifically addressed when the EIS is completed and made public.

1. Rats & Other Rodents: The potential for rats and other rodents within current tenant apartments, current tenant apartment buildings and the grounds. This evaluation should include a review of the rat and rodent infestation from construction near Lenox Terrace within the past several years, as well as the current rat and rodent problem. The evaluation should include an examination of OTHER CONSTRUCTION PROJECTS LIKE THE LENOX TERRACE PROPOSAL WHERE PLANNED CONSTRUCTION OVER A 5 TO 10 YEAR PERIOD WITH OVER 1000 NEW APARTMENTS WERE CONSTRUCTED IN AN AREA ADJACENT TO EXISTING APARTMENTS AND FAMILIES IN RESIDENCE. Mitigation must be based on real world experience with, what seems to me, an unprecedented construction project planned so near a great number of existing families.
2. Bed-bugs & Cockroaches: Lenox Terrace has a bed-bug and cockroach infestation. Recent construction projects in the area are thought by many residents to be a cause of the infestation. This has been a long-standing issue. As with item 1 above, the EIS should determine if the proposed construction will exacerbate this infestation. Sound mitigation measures must be established.
3. Asthma & Other Health Issues: A number of speakers said that they, and/or their children suffer from asthma. The statistics for asthma in the Harlem community are high, much higher than other, more affluent NYC communities. Dust and debris from almost a decade of construction will surely exacerbate asthma health problems for many. In addition, the dust and constant construction will certainly make the sick and elderly much worse, including respiratory illnesses. Many retired, elderly and disabled people now live in Lenox Terrace. Almost a decade of

constant construction is sure to result in a health care decline for the current tenants of Lenox Terrace. Mitigation must be fashioned to eliminate these easily anticipated harms.

4. **Transportation Congestion:** I take the number 2 or 3 train most workday mornings from 135th Street to Park Place. The downtown platform is dangerously narrow, especially with the overcrowding in the 8am to 10am period when folks are going to work, and later when trying to get home in the evening. I don't believe the platform can be widened, and so twice as many trains may be needed during peak hours. The proposal seeks to almost double the number of families living at Lenox Terrace. I do not understand how the current train schedule will handle twice as many passengers during peaks hours. This matter must be extensively studied in the EIS.
5. **Noise:** With so many elderly, retired and disabled current residents, almost a decade of loud construction noises seems unconscionable. Many remain at in their apartments all day. Sound mitigation must be required, including the sound proofing of apartments with folks who are unable to leave their apartments during construction periods. Some people may have to be relocated during the duration of construction, and Olnick should be prepared (and compelled) to pay for such expenses. (Please see item V below, detailing the cost of mitigation.)
6. **School Over-Crowding:** One of the speakers on Feb. 8 mentioned that public schools in the Lenox Terrace area are already overcrowded with students. Adding over 1600 new families will certainly further strain the public schools. The EIS should review the issue of school over-crowding that may result from the new residents.
7. **Affordability:** The proposal states that 400 of the approximately 1600 new apartments will be affordable. The EIS should examine whether current residents who are paying reduced rent could afford to take one of the new, allegedly "affordable" apartments. If the new apartments are not affordable to current tenants, then they are not truly affordable for Lenox Terrace.
8. **Gentrification:** With new, higher end stores and neighborhood amenities, the proposed new buildings, with much higher market rate rents, will likely force many current residents out of Lenox Terrace. One woman who spoke on Feb. 8 noted that she is paying market rent currently, and that any additional increases will make her apartment unaffordable. She is probably like many other current renters.

The EIS must carefully examine the likelihood that the proposal will utterly transform the economic and ethnic make up of Lenox Terrace, a historic, anchor complex in Harlem, and, thereby, transform the neighborhood from majority Black to majority White. As I understand the EIS process, such a transformation would weight against permitting the proposed project.

9. Comps: During the Feb. 8 meeting, several speakers described the proposal as, essentially, unprecedented in size and scope (extending construction for so long next to so many current residents). The EIS should specifically address any other comparable construction projects in NYC within the past 20 years. If there have been no similar projects - - construction of over 1000 new apartments over a 5-10 year period ADJACENT TO a substantial number of current tenants -- then the EIS should clearly state this because it means the anticipated harms and corresponding mitigation would be unknown. If there are comparable situations, the harms to current residents should be detailed, IN CONNECTION WITH DETERMINING APPROPRIATE MITIGATION MEASURES for the benefit of current residents.

V. The Cost of Mitigation

The EIS and Olnick need to review the actual cost of mitigating the problems identified above. Some of the mitigation will require Olnick to spend money on individual apartments. By way of example, some apartments may have to be sound proofed. Exterminators many have to be made available on an "on call" and daily basis. Furniture and other furnishing may have to be replaced due to bed-bugs. Some tenants may have to be relocated during the duration of construction due to health problems. In short, the level of maintenance, service and repair may well cost Olnick millions of dollars in mitigation expenses throughout the period of construction. Any EIS should acknowledge this fact, and Olnick should be made to agree to pay for all such expenses. This, in addition to the construction centered mitigation that is typical in the construction process.

VI. Anticipation of Litigation

Given Olnick's awful history of maintenance, service and repair, should the project actually materialize, Olnick should anticipate litigation, including class action litigation from current tenants, even at this early stage in the process. That means that all documents related to the proposed construction plans, should be retained for what is surely a foreseeable litigation related to foreseeable, significant harms to current tenants caused by the massive construction proposed. To that end, this letter and all other written documents, in any form, detailing anticipated and foreseeable harms to tenants that will be caused by the Olnick's planned construction project should be retained.

Olnick is an awful landlord. This is a factual statement and some of the proof was given during the Feb. 8 meeting. One tenant, a young lawyer, recounted the total lack of gas in her building for about the first 6 months of 2016. Small hot plates were given by Olnick for cooking, there was no rent abatement, and Olnick's actions lead Con Ed to turn off the gas. The rat and bed-bud infestation has not been dealt with competently. One tenant spoke about a fractured water pipe that left feces floating in the basement of her Lenox Terrace building. With this negligent record of building maintenance and service, it is impossible for the current tenants to believe that Olnick will provide proper maintenance and service in mitigation of the certain harms to current tenants from Olnick's proposed, massive construction. Mitigation terms must be mandated as a condition of project approval.

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I request that any further public meetings about this proposal be held in the Harlem community and in a venue that can comfortably seat at least 150 people. The Schomburg would be ideal, or one of the local Harlem schools. As many speakers rightfully stated during the Feb. 8 meeting, it was inappropriate for your agency to hold the meeting in a location and at a time that were not respectful of the Lenox Terrace residents.

Thank you for your consideration of the above-written comments. I look forward to reviewing your agency's supervision of the EIS process for the proposed project,

Very truly yours,

A handwritten signature in black ink that reads "Patrick A. Bradford". The signature is written in a cursive, flowing style.

Patrick A. Bradford

Cc: NYC Council Member Bill Perkins, 250 Broadway, Ste. 1821, New York, NY 10007;
NYS Assemblyman Robert Rodriguez, 55 East 115th Street, New York, NY 10029;
NYS Senator Brian Benjamin, 163 West 125th Street, Ste. 912, New York, NY 10027,
Marisa Lago, CPC, 120 Broadway, 31st Floor, New York, NY 10271;
Delsenia Glover, delseniag@yahoo.com

Appendix C :
Travel Demand Factors (TDF) Memorandum



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

Travel Demand Factors (TDF) Memorandum

To: Project File
From: AKRF, Inc.
Date: July 10, 2017 (Revised August 22, 2019)
Re: Lenox Terrace – Travel Demand Analysis
cc: Project Team

A. INTRODUCTION

This memorandum details the trip generation assumptions and travel demand estimates for the City Environmental Quality Review (CEQR) analysis of a proposed project on the Lenox Terrace complex, which is bounded by West 132nd and 135th Streets and Lenox and Fifth Avenues (Block 1730, Lots 1, 7, 9, 25, 33, 36, 40, 45, 50, 52, 64, 68, and 75, referred to as the “proposed development site”) in the Central Harlem neighborhood of Manhattan. The proposed development site currently contains Lenox Terrace, a large-scale development comprising six 16-story residential towers with approximately 1,716 dwelling units; five 1-story buildings with approximately 96,000 gross square feet (gsf) of local retail use (of which approximately 18,000 gsf are currently vacant); and approximately 457 at-grade accessory parking spaces.

PROPOSED DEVELOPMENT SITE

Absent the proposed actions, in the future without the proposed actions (the “No Action” condition), it is assumed that the approximately 18,000 gsf of vacant retail would be retented and the rezoning area would otherwise continue in its current condition. For the purposes of this analysis, trip estimates are based on the program shown in **Table 1**. In the future with the proposed actions (the “With Action” condition), five new mixed-use buildings would be constructed on the proposed development site, replacing the existing 1-story retail structures. The new buildings would include approximately 1,642 dwelling units, approximately 135,500 gsf of commercial space; and approximately 15,000 gsf of community facility space. The proposed commercial use is assumed to include half local and half destination retail uses. Tenants for the proposed community facility space have not yet been identified; however, given the adjacency of Harlem Hospital across West 135th Street, and the anticipated needs of the new (as well as existing) residential population on the proposed development site, the With Action scenario will assume that half of the community facility space could be utilized as medical office space, and the other half could be utilized as a community center. Two of the proposed new buildings would front onto Lenox Avenue; one would front onto West 135th Street; and two would front onto Fifth Avenue. There would be between 491 and 626 accessory parking spaces within parking garages below the

new buildings, as well as approximately 34 accessory parking spaces at-grade. The proposed garages would have access/egress points on West 132nd and 135th Streets. The accessory parking spaces would be for use by the residential tenants.

A future build year of 2026 will be examined to assess the potential impacts of the proposed actions. An interim build year of 2023 will be examined to assess the potential impacts of the first phase of development (Phase 1). The Phase 1 development includes three of the five buildings and their connecting element which comprise approximately 1,094 new residential units and approximately 95,000 gsf of new retail (assumed to be half local and half destination retail uses). Approximately 33,700 gsf of the existing local retail uses would also remain in Phase 1.

PROJECTED FUTURE DEVELOPMENT SITE

Also within the rezoning area, but outside of the proposed development site, is the Metropolitan African Methodist Episcopal (AME) Church (Lot 65). To date, the owner of this lot has not expressed any interest in the sale of their property to the applicant, and no development by the applicant is anticipated to occur on this lot. However, for the purposes of a conservative analysis, the travel demand analysis will consider the potential future development of Lot 65 with a mixed-use building (continuation of existing community facility use with residential above), fully utilizing the maximum FAR allowable under the proposed rezoning. In total, Lot 65 is assumed to be developed with approximately 69 new dwelling units and 6,968 gsf of replacement community facility use. Since there are no current plans for the redevelopment of this lot, it is assumed that any projected future development would occur by the latter build year (2026).

POTENTIAL DEVELOPMENT SITE

Block 1730, Lots 16 and 19 are occupied by the Joseph P. Kennedy Memorial Community Center, which has operated in that facility since 1954. Prior to 1954, the building was also in community facility use, as the Harlem Boys Club. The owner of the Kennedy Center has expressed that it has no intention of redeveloping or disposing of the site in the foreseeable future. Therefore, while this site is being considered as a potential development site for the purposes of this environmental review and site-specific impacts are being evaluated, development is not anticipated on this site in the foreseeable future, and it is not included in the density-based impact assessments.

CITY-OWNED SITE

Block 1730, Lot 55 is located within the rezoning area but outside of the proposed development site. It is occupied by the Hansborough Recreation Center and owned by the New York City Department of Parks and Recreation (NYC Parks). While this lot would be rezoned under the proposed actions, it is expected to retain its current use and is not considered as a projected or potential future development site in the analysis.

REZONING AREA TOTAL

In total, the proposed actions would result in new development on the proposed development site and on the projected future development site within the rezoning area. Phase 1 of the proposed actions would only result in new development on the proposed development site. The 2026 full build of the proposed actions would result in the balance of the development on the proposed development site, as well as the projected future development site within the rezoning area. **Table 1** presents a summary of the Phase 1 and 2026 full build development programs.

Table 1
Comparison of No Action and With Action Scenarios

Components	No Action	With Action			
		Phase 1 (2023) Total	Full Build (2026) Total	Increment: Phase 1 (2023)	Increment: Full Build (2026)
Proposed Development Site					
Residential Dwelling Units	1,716	2,810	3,358	1,094	1,642
Retail (GSF)					
Destination	0	47,656	67,750	47,656	67,750
Local	95,655	81,355	67,750	-14,300	-27,905
Total	95,655	129,011 ⁽¹⁾	135,500	33,356	39,845
Community Facility – General					
GSF	0	2,483	7,528	2,483	7,528
Community Facility – Medical Office					
GSF	0	2,483	7,527	2,483	7,527
Accessory Parking (Space)					
	457	792-817	525-660	355-360	68-203
Projected Future Development Site (Lot 65)					
Residential Dwelling Units	0	0	69	0	69
Community Facility ⁽²⁾					
GSF	6,968	6,968	6,968	0	0
Accessory Parking (Space)					
	0	0	19	0	19
Remainder of Rezoning Area (Lots 16, 19, and 55)					
Community Facility ⁽²⁾					
GSF	66,091	66,091	66,091	0	0
Accessory Parking (Space)					
	21	21	21	0	0
Totals for Rezoning Area					
Residential Dwelling Units	1,716	2,810	3,427	1,094	1,711
Retail (GSF)					
Destination	0	47,656	67,750	47,656	67,750
Local	95,655	81,355	67,750	-14,300	-27,905
Total	95,655	129,011 ⁽¹⁾	135,500	33,356	39,845
Community Facility – General					
GSF	0	2,483	7,528	2,483	7,528
Community Facility – Medical Office					
GSF	0	2,483	7,527	2,483	7,527
Community Facility ⁽²⁾					
GSF	73,059	73,059	73,059	0	0
Accessory Parking (Space)					
	478	813-838	565-700	335-360	87-222

Notes: GSF = Gross Square Feet

(1) Phase 1 total retail includes 95,311 gsf of new retail (anticipated to be half local and half destination retail uses) and 33,700 gsf of existing local retail to remain under Phase 1.

(2) The existing community facility uses on the projected future development site and the remainder of the rezoning area include recreation center, community center, and church uses. These uses would be maintained in the future with the proposed actions and therefore, would not result in any new incremental trips.

Source: The Olnick Organization

B. TRANSPORTATION PLANNING ASSUMPTIONS

Trip generation factors for the proposed project were developed based on information from the 2014 *CEQR Technical Manual*, the 2012 *West Harlem Rezoning FEIS*, the 2009 *Gateway Estates II EIS*, the 2016 *East New York Rezoning Proposal FEIS*, U.S. Census Data, and other approved EASs and EISs, as summarized in **Table 2**.

RESIDENTIAL

The daily person trip rate and temporal distribution are from the *CEQR Technical Manual*. Modal splits are based on the Journey-to-Work (JTW) data from the 2012-2016 U.S. Census Bureau American Community Survey (ACS) for Manhattan census tracts 206, 208, 210, 212, 214, 226, 228, and 230. The directional distributions for all peak periods are from the 2012 *West Harlem Rezoning FEIS*. The vehicle occupancies are from the 2012-2016 U.S. Census ACS for autos and from the 2012 *West Harlem Rezoning FEIS* for taxis. The daily delivery trip rate and temporal and directional distributions are from the *CEQR Technical Manual*.

LOCAL RETAIL

The daily person trip generation rate for the local neighborhood retail component is from the *CEQR Technical Manual*. Consistent with assumptions typically accepted by City agencies for the purposes of environmental review, a 25-percent linked trip credit was applied to the local retail trip generation estimates. The modal splits and vehicle occupancies were obtained from the 2017 *East Harlem Rezoning FEIS*. The temporal and directional distributions for all peak periods were obtained from the *CEQR Technical Manual* and the 2012 *West Harlem Rezoning FEIS*, respectively. The daily delivery trip rate and temporal and directional distributions are from the *CEQR Technical Manual*.

DESTINATION RETAIL

The daily person trip generation rate for the destination retail component is from the *CEQR Technical Manual*. The modal splits and vehicle occupancies were obtained from the 2017 *East Harlem Rezoning FEIS*. The temporal and directional distributions for all peak periods were obtained from the *CEQR Technical Manual* and the 2012 *West Harlem Rezoning FEIS*, respectively. The daily delivery trip rate and temporal and directional distributions are from the 2012 *West Harlem Rezoning FEIS*.

COMMUNITY FACILITY - GENERAL

For the general community facility use, the daily trip generation rate, temporal and directional distributions, vehicle occupancies, and delivery trip rate and delivery temporal and directional distributions for a YMCA-type facility were obtained from the 2015 *280 Cadman Plaza West EAS*. Modal splits were obtained from the 2012 *West Harlem Rezoning FEIS*.

COMMUNITY FACILITY – MEDICAL OFFICE

The daily person trip generation rate, temporal and directional distributions, modal splits, and vehicle occupancy for autos for the medical office component were obtained from the New York City Department of Transportation (NYCDOT)'s Modal Split Survey for Medical Office in Manhattan (Within Transit Zone). Vehicle occupancy for taxis, and delivery trip rate and delivery temporal and directional distributions are from the 2016 *East New York Rezoning Proposal FEIS*.

Table 2
Travel Demand Assumptions

Use	Residential				Local Retail				Destination Retail			
Daily Person Trip Generation Rate	Weekday (1) 8.075		Saturday 9.6		Weekday (1) 205.0		Saturday 240.0		Weekday (1) 78.2		Saturday 92.5	
Link Credit	N/A				25%				N/A			
Final Trip Rate	8.075		9.6		153.75		180.0		78.2		92.5	
Person Trip Temporal Distribution	(1)				(1)				(1)			
Directional Distribution	AM (2)	MD (2)	PM (2)	Sat (2)	AM (2)	MD (2)	PM (2)	Sat (3)	AM (3)	MD (2)	PM (2)	Sat (2)
In	16%	50%	67%	53%	50%	50%	50%	50%	50%	50%	50%	50%
Out	84%	50%	33%	47%	50%	50%	50%	50%	50%	50%	50%	50%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Modal Split	(3)				(4)				(4)			
Auto	10.0%	10.0%	10.0%	10.0%	2.5%	2.5%	2.5%	7.0%	15.0%	15.0%	15.0%	17.0%
Taxi	3.0%	3.0%	3.0%	3.0%	0.5%	0.5%	0.5%	0.0%	9.0%	9.0%	9.0%	10.0%
Subway	66.0%	66.0%	66.0%	66.0%	16.5%	16.5%	16.5%	21.0%	27.0%	27.0%	27.0%	16.0%
Railroad	2.0%	2.0%	2.0%	2.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Bus	8.0%	8.0%	8.0%	8.0%	4.0%	4.0%	4.0%	9.0%	12.0%	12.0%	12.0%	20.0%
Walk	11.0%	11.0%	11.0%	11.0%	76.5%	76.5%	76.5%	63.0%	37.0%	37.0%	37.0%	37.0%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Vehicle Occupancy	(2)(3)				(4)				(4)			
Auto	Weekday/Saturday 1.10				Weekday/Saturday 2.00				Weekday 2.00		Saturday 2.70	
Taxi	1.40				2.00				2.00		2.80	
Daily Delivery Trip Generation Rate	(1) 0.06		0.02		(2) 0.35		0.04		(2) 0.35		0.04	
Delivery Trip Temporal Distribution	(1)				(1)				(2)			
Directional Distribution	AM (5)	MD (5)	PM (5)	Sat (5)	AM (6)	MD (6)	PM (6)	Sat (6)	AM (8.0%)	MD (11%)	PM (2%)	Sat (11%)
In	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Out	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Use	Community Facility – General				Community Facility – Medical Office							
Daily Person Trip Generation Rate	Weekday (5) 44.7		Saturday 26.1		Weekday (8) 103.4		Saturday 62.1					
Link Credit	N/A				N/A							
Final Trip Rate	44.7		26.1		103.4		62.1					
Person Trip Temporal Distribution	(5)				(8)							
Directional Distribution	AM (7.2%)	MD (7.1%)	PM (8.3%)	Sat (14.0%)	AM (10.0%)	MD (13.0%)	PM (9.0%)	Sat (16.0%)				
In	94.0%	45.0%	42.0%	49.0%	89.0%	51.0%	48.0%	41.0%				
Out	6.0%	55.0%	58.0%	51.0%	11.0%	49.0%	52.0%	59.0%				
Total	100%	100%	100%	100%	100%	100%	100%	100%				
Modal Split	(2)				(8)							
Auto	4.0%	4.0%	4.0%	4.0%	1.0%	1.0%	1.0%	1.0%				
Taxi	9.0%	9.0%	9.0%	9.0%	5.0%	5.0%	5.0%	5.0%				
Subway	12.0%	12.0%	12.0%	12.0%	60.0%	60.0%	60.0%	60.0%				
Railroad	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%				
Bus	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%				
Walk	70.0%	70.0%	70.0%	70.0%	29.0%	29.0%	29.0%	29.0%				
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%				
Vehicle Occupancy	(5)				(6)(7)(8)							
Auto	Weekday/Saturday 1.50				Weekday 1.53		Saturday 1.53					
Taxi	1.50				1.50		1.50					
Daily Delivery Trip Generation Rate	(5) 0.19		0.04		(6) 0.29		0.29					
Delivery Trip Temporal Distribution	(5)				(6)							
Directional Distribution	AM (6.0%)	MD (11.0%)	PM (1.0%)	Sat (0.0%)	AM (3.0%)	MD (11.0%)	PM (1.0%)	Sat (0.0%)				
In	50%	50%	50%	50%	50%	50%	50%	50%				
Out	50%	50%	50%	50%	50%	50%	50%	50%				
Total	100%	100%	100%	100%	100%	100%	100%	100%				
Sources: (1) 2014 CEQR Technical Manual (2) West Harlem Rezoning FEIS (2012) (3) U.S. Census Bureau, ACS 2012-2016 Five-Year Estimates - Journey-to-Work (JTW) Data for Census Tracts 206, 208, 210, 212, 214, 226, 228, and 230. (4) East Harlem Rezoning FEIS (2017) (5) 280 Cadman Plaza West EAS (2015) (6) East New York Rezoning Proposal FEIS (2016) (7) Saturday vehicle occupancy assumed the same as weekday (8) Based on NYCDOT's Modal Split Survey for Medical Office in Manhattan (Within Transit Zone)												

C. CEQR TRANSPORTATION ANALYSIS SCREENING

The *CEQR Technical Manual* identifies procedures for evaluating a proposed project's potential impacts on traffic, transit, pedestrian, and parking conditions. This methodology begins with the preparation of a trip generation analysis to determine the volume of person and vehicle trips associated with the proposed project. The results are then compared with the *CEQR Technical Manual*-specified thresholds (Level 1 screening analysis) to determine whether additional quantified analyses are warranted. If the proposed project would result in 50 or more peak hour vehicle trips, 200 or more peak hour transit trips (200 or more peak hour transit riders at any given subway station or 50 or more peak hour bus trips on a particularly route in one direction), and/or 200 or more peak hour pedestrian trips, a Level 2 screening analysis (involving trip assignment) is undertaken.

For the Level 2 screening analysis, project-generated trips would be assigned to specific intersections, transit routes, and pedestrian elements. If the results of this analysis show that the proposed project would generate 50 or more peak hour vehicle trips through an intersection, 50 or more peak hour bus riders on a bus route in a single direction, 200 or more peak hour subway passengers at any given station, or 200 or more peak hour pedestrian trips per pedestrian element, further quantified analyses may be warranted to evaluate the potential for significant adverse traffic, transit, pedestrian, and parking impacts.

TRIP GENERATION SUMMARY

As summarized in **Table 3**, Phase 1 of the proposed actions would generate 965, 398, 1,120, and 1,102 incremental person trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. Approximately 150, 116, 182, and 163 incremental vehicle trips would be generated during the same respective peak hours under Phase 1 completion. As summarized in **Table 4**, the 2026 full build of the proposed actions would generate 1,511, 475, 1,667, and 1,602 incremental person trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. Approximately 227, 167, 269, and 242 incremental vehicle trips would be generated during the same respective peak hours under the 2026 full build of the proposed project.

Table 3
Trip Generation Summary: 2023 Phase 1 Incremental Trips

Peak Hour	In/Out	Person Trip							Vehicle Trip			
		Auto	Taxi	Subway	Railroad	Bus	Walk	Total	Auto	Taxi	Delivery	Total
AM	In	21	11	118	3	18	24	195	17	25	5	47
	Out	82	27	502	15	65	79	770	73	25	5	103
	Total	103	38	620	18	83	103	965	90	50	10	150
Midday	In	43	22	166	4	31	-67	199	31	23	4	58
	Out	43	22	166	4	30	-66	199	31	23	4	58
	Total	86	44	332	8	61	-133	398	62	46	8	116
PM	In	89	34	465	13	69	54	724	72	33	1	106
	Out	55	26	246	6	43	20	396	42	33	1	76
	Total	144	60	711	19	112	74	1,120	114	66	2	182
Saturday	In	77	39	313	9	74	64	576	52	31	1	84
	Out	71	37	281	8	69	60	526	47	31	1	79
	Total	148	76	594	17	143	124	1,102	99	62	2	163

Table 4

Trip Generation Summary: 2026 Full Build Incremental Trips

Peak Hour	In/Out	Person Trip							Vehicle Trip			
		Auto	Taxi	Subway	Railroad	Bus	Walk	Total	Auto	Taxi	Delivery	Total
AM	In	34	18	201	5	28	41	327	26	38	7	71
	Out	126	42	782	23	100	111	1,184	111	38	7	156
	Total	160	60	983	28	128	152	1,511	137	76	14	227
Midday	In	62	34	256	7	44	-164	239	46	34	4	84
	Out	61	33	256	7	42	-163	236	45	34	4	83
	Total	123	67	512	14	86	-327	475	91	68	8	167
PM	In	134	53	723	21	104	53	1,088	109	48	1	158
	Out	81	39	384	10	64	1	579	62	48	1	111
	Total	215	92	1,107	31	168	54	1,667	171	96	2	269
Saturday	In	112	58	482	14	105	64	835	77	46	1	124
	Out	104	55	436	13	98	61	767	71	46	1	118
	Total	216	113	918	27	203	125	1,602	148	92	2	242

LEVEL 1 SCREENING

TRAFFIC

As shown in **Table 3**, the estimated trips generated by Phase 1 of the proposed actions would be 150, 116, 182, and 163 incremental vehicle trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. As shown in **Table 4**, the incremental vehicle trips generated by the 2026 full build of the proposed actions would be 227, 167, 269, and 242 vehicle trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. Since the incremental vehicle trips would be greater than 50 vehicles for both phases, a Level 2 screening assessment (presented in the section below) was conducted for Phase 1 and the 2026 full build to determine if a quantified traffic analysis is warranted.

TRANSIT

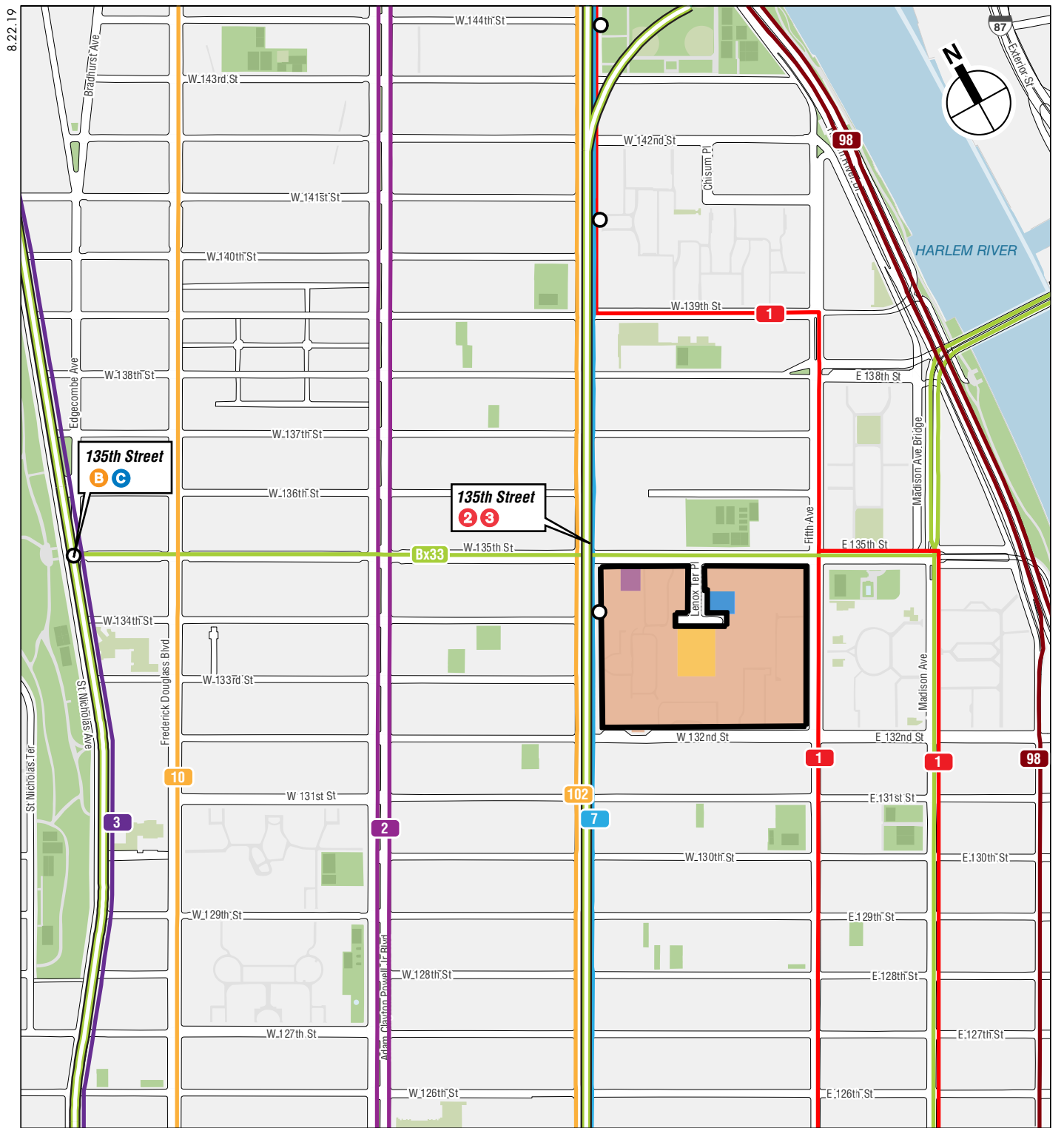
Public transit options to and from the study area are shown in **Figure 1**. The rezoning area is located near two New York City Transit (NYCT) subway stations: (1) 135th Street (B and C trains); and (2) 135th Street (No. 2 and 3 trains). There are also numerous bus routes with stops near the rezoning area, including the Bx33, M1, M2, M7, and M102 bus routes. In addition the rezoning area is located near the Harlem 125th Street Metro-North Station.

As detailed in **Table 3**, the incremental transit trips generated by Phase 1 of the proposed actions would be 620, 332, 711, and 594 person trips by subway; and 83, 61, 112, and 143 person trips by bus during the weekday AM, midday, PM, and Saturday peak hours, respectively. As shown in **Table 4**, the transit trips generated by the 2026 full build of the proposed actions would be 983, 512, 1,107, and 918 person trips by subway; and 128, 86, 168, and 203 person trips by bus during the weekday AM, midday, PM, and Saturday peak hours, respectively.

The incremental subway trips would be greater than the *CEQR Technical Manual* analysis threshold of 200 peak hour trips made by subway during all peak hours under Phase 1 and 2026 full build of the proposed actions. Since the incremental subway trips would be greater than 200 during all four peak hours, a Level 2 screening assessment (presented in the section below) was conducted to determine if a quantified subway analysis is warranted.

The incremental bus trips would be greater than 50 during all peak hours, therefore, a Level 2 screening assessment for Phase 1 and the 2026 full build of the proposed actions was conducted to determine if a quantified bus line-haul analysis is warranted.

As shown in **Table 3**, the incremental railroad trips generated by Phase 1 of the proposed actions would be 18, 8, 19, and 17 person trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. As shown in **Table 4**, the incremental railroad trips generated by the 2026 full build of the proposed actions would be 28, 14, 31, and 27 person trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. Since these increments do not exceed the *CEQR Technical Manual*



- Rezoning Area
- Proposed Development Site
- Projected Future Development Site
- Potential Development Site
- City-Owned Site

- Subway Line
- Bus Route

0 500 FEET

analysis threshold of 200 peak hour trips made by rail, a detailed analysis of rail facilities is not warranted and the proposed actions are not expected to result in any significant adverse rail impacts.

PEDESTRIAN

All incremental person trips generated by the proposed actions would traverse the pedestrian elements surrounding the rezoning area. As shown in **Tables 3 and 4**, the incremental pedestrian trips would be greater than 200 during all peak hours for both phases of the proposed actions. A Level 2 screening assessment (presented in the section below) was conducted for Phase 1 and the 2026 full build of the proposed actions to determine if a quantified pedestrian analysis is warranted.

LEVEL 2 SCREENING

As part of the Level 2 screening assessment, project-generated trips were assigned to specific intersections and pedestrian elements near the project site. As previously stated, further quantified analyses to assess the potential impacts of the proposed project on the transportation system would be warranted if the trip assignments were to identify key intersections incurring 50 or more peak hour vehicle-trips or pedestrian elements incurring 200 or more peak hour pedestrian-trips. Similarly, for transit elements, the projected trips were considered in determining the likely transit facilities requiring a detailed analysis of potential impacts.

SITE ACCESS AND EGRESS

Traffic

As shown in **Tables 3 and 4**, incremental vehicle trips resulting from the proposed actions would exceed the *CEQR* Level-1 screening threshold during all analysis peak hours for both Phase 1 and the 2026 full build. The most likely travel routes to and from the rezoning area, prevailing travel patterns, commuter origin-destination (O-D) summaries from the census data, the configuration of the roadway network, and the anticipated locations of site access and egress were examined to develop trip assignment patterns. The incremental auto vehicle trips were conservatively assigned to the rezoning area to account for the on-site parking. The environmental review for the proposed actions will describe how the proposed actions' parking demand would be accommodated on-site and in the study area. Taxi trips were assigned to the various proposed and projected site entrances. All delivery trips were assigned to the rezoning area via the NYCDOT designated truck routes.

Traffic assignment patterns for the various development uses by vehicle type are discussed below.

Residential

The proposed residential use's auto trip assignments were developed based on the 2006-2010 U.S. Census ACS JTW origin-destination (O-D) estimates. Many of the destinations for the residential trips would remain in Manhattan (64 percent) and toward the Bronx (13 percent). The remaining trips would be toward Brooklyn (6 percent), Upstate New York (6 percent), Queens (4 percent), New Jersey (4 percent), and Long Island (3 percent). Residential trips would originate from the on-site parking garages and surface lots, and use the most direct route for travel to their destinations. Overall, incremental vehicle trips generated by the residential uses were distributed to the study area roadway network in the following manner: approximately 7 percent were assigned to 125th Street to points west, 23 percent to the 145th Street Bridge, Madison Avenue Bridge, Third Avenue Bridge, and Robert F. Kennedy (RFK) Bridge to points east, 20 percent to St. Nicholas Avenue, Adam Clayton Powell Jr. Boulevard, and the Harlem River Drive to points north, and 50 percent to points south via major north-south corridors and the Harlem River Drive.

Local Retail

The proposed local retail uses are expected to serve the immediate surrounding area. Therefore, auto trips were generally assigned from local origins within the neighborhood and adjacent residential areas. Overall, the vehicle trips generated by the local retail component were distributed to the study area streets/roadways based on the population densities within a half-mile of the rezoning area. The vehicle

trips were assigned to the rezoning area block faces via the most direct routes available, primarily along Adam Clayton Powell Jr. Boulevard, Lenox Avenue, and Fifth Avenue.

Destination Retail

The destination retail component's trip assignment patterns would be similar to those for local retail but would draw from a larger geographic area, including the Bronx and Queens. Therefore, a majority of the auto trips are expected to come from within Manhattan with some trips expected to come from the Bronx and Queens. Destination retail trips from the broader area (i.e., the Bronx and Queens) would take major roadways to reach the rezoning area. Once in the immediate vicinity of the rezoning area, the destination retail trip assignments would be comparable to those for local retail.

Community Facility

The proposed community facility use is expected to have travel patterns similar to the retail components, with trips originating mostly from within Manhattan residential areas, and some from the Bronx and Queens.

Taxis

The rezoning area is located in Manhattan, north of 60th Street. Therefore, a 25 percent taxi overlap was applied to the taxi trips per the *CEQR Technical Manual*. Taxi pick-ups and drop-offs for all development components were assigned to pick up and drop off along the rezoning area frontages on Lenox Avenue, Fifth Avenue, 135th Street, and 132nd Street.

Deliveries

Truck delivery trips for all development components were assigned to NYCDOT-designated truck routes. Trucks were assigned to the study area from regional origins via Adam Clayton Powell Jr Boulevard, 125th Street, Third Avenue, and the Madison Avenue Bridge. Deliveries are expected to take place curbside along the rezoning area's various frontages.

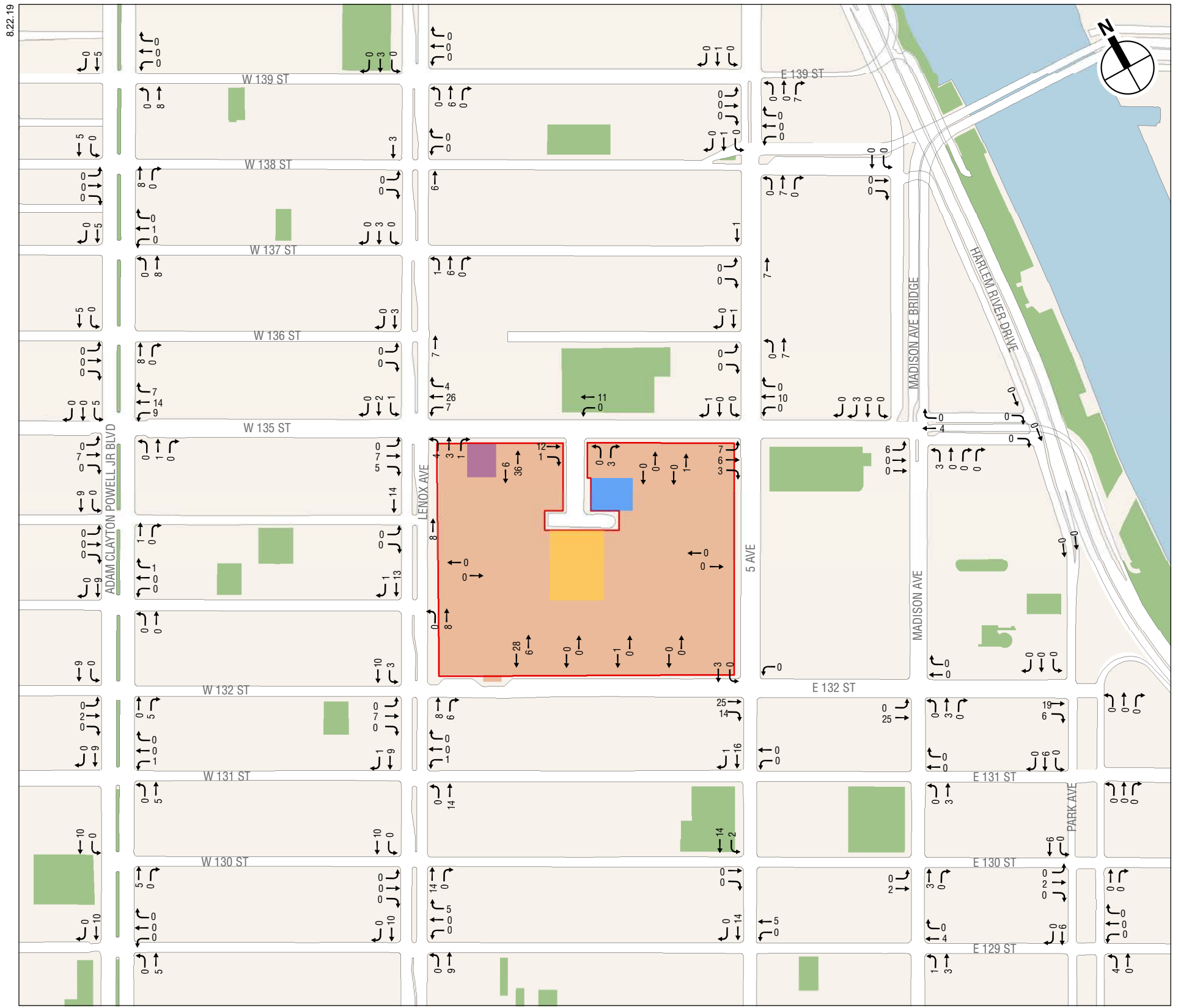
Summary

As shown in **Figures 2 through 9** and summarized in **Table 5**, 11 intersections for Phase 1 and the 2026 full build, comprising the traffic study area, have been recommended based on the volume of trips projected and the turning movements anticipated to occur at those locations. The recommended traffic analysis locations are shown in **Figure 10**.

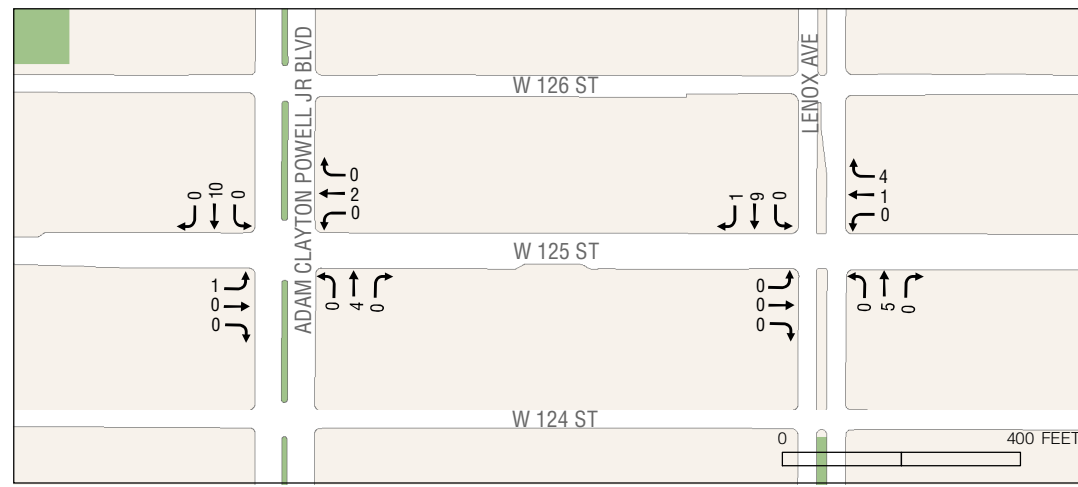
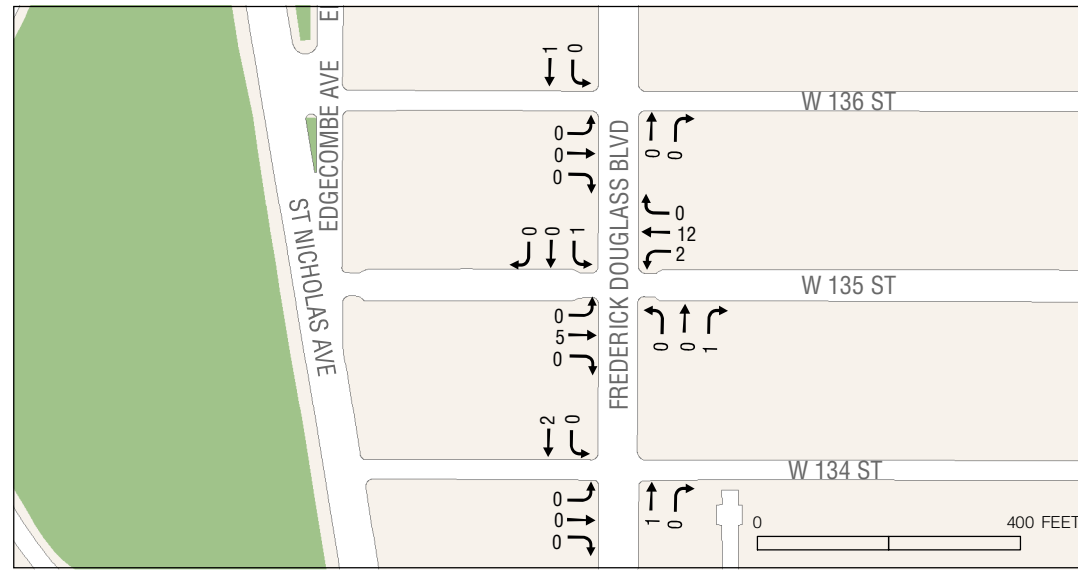
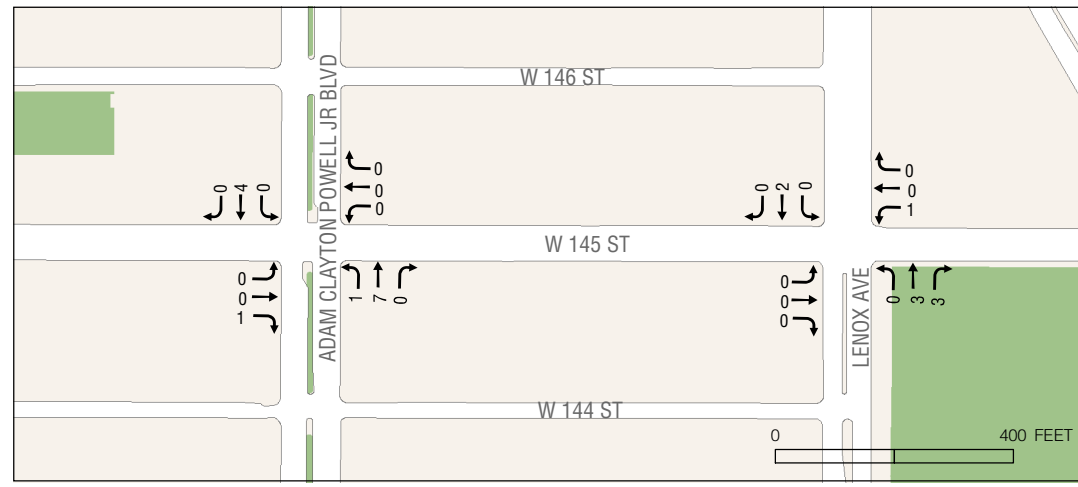
Table 5

Traffic Level 2 Screening Analysis Results—Recommended Analysis Locations

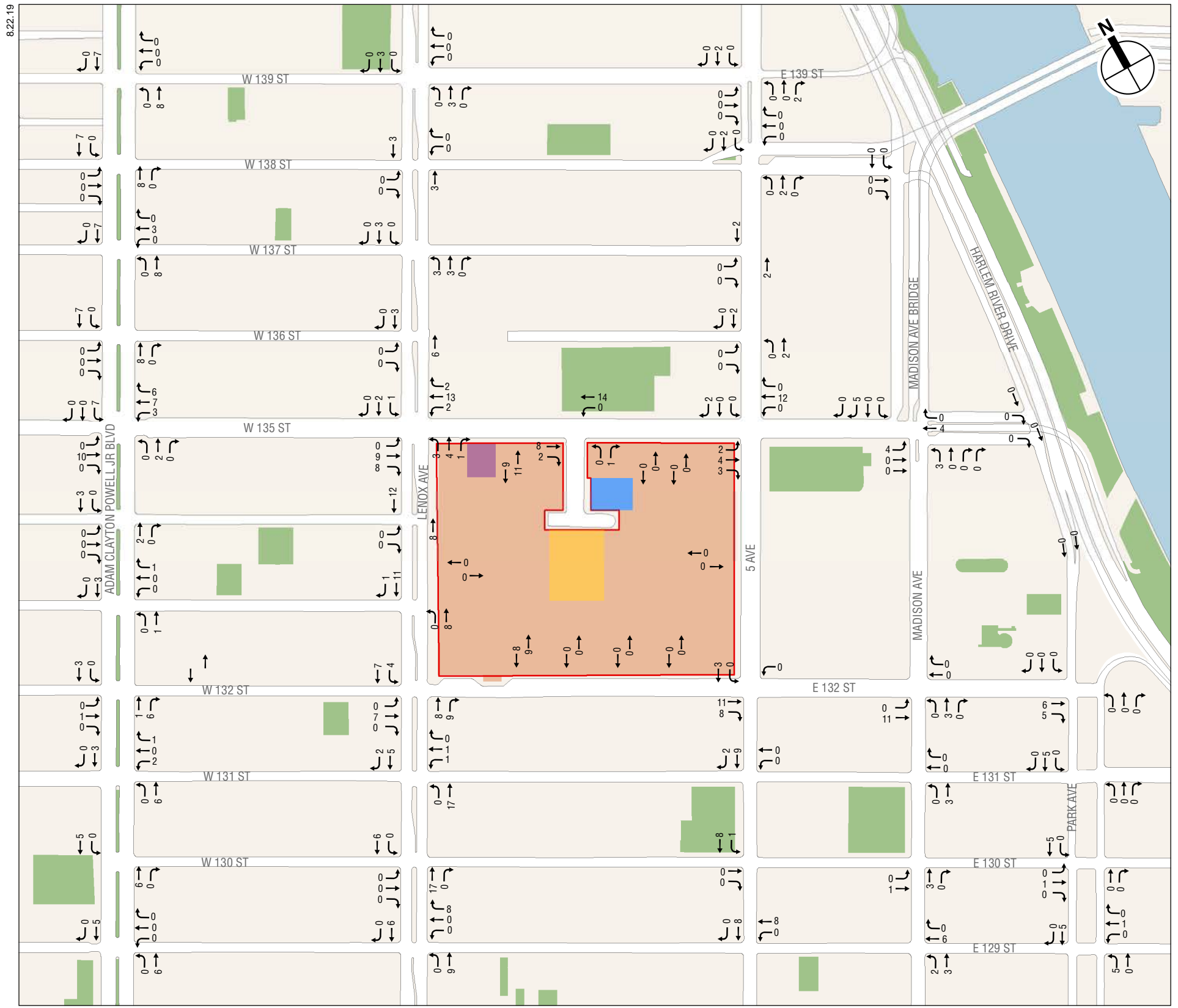
Intersection	2023 Phase 1				2026 Full Build				Recommended Analysis Location
	Weekday			Saturday	Weekday			Saturday	
	AM	Midday	PM		AM	Midday	PM		
Frederick Douglass Blvd and West 136th Street	1	3	3	3	2	4	4	4	
Frederick Douglass Blvd and West 135th Street	21	17	27	26	29	25	38	35	
Frederick Douglass Blvd and West 134th Street	3	3	4	5	2	4	4	4	
Adam Clayton Powell Jr Blvd and West 145th Street	13	15	18	17	20	20	25	23	
Adam Clayton Powell Jr Blvd and West 144th Street	13	15	18	17	20	20	25	23	
Adam Clayton Powell Jr Blvd and West 143rd Street	13	15	18	17	20	20	25	23	
Adam Clayton Powell Jr Blvd and West 142nd Street	13	15	18	17	20	20	25	23	
Adam Clayton Powell Jr Blvd and West 141st Street	13	15	18	17	20	20	25	23	
Adam Clayton Powell Jr Blvd and West 140th Street	13	15	18	17	20	20	25	23	
Adam Clayton Powell Jr Blvd and West 139th Street	13	15	18	17	20	20	25	23	
Adam Clayton Powell Jr Blvd and West 138th Street	13	15	18	17	20	20	25	23	
Adam Clayton Powell Jr Blvd and West 137th Street	14	18	21	20	22	23	29	27	
Adam Clayton Powell Jr Blvd and West 136th Street	13	15	18	17	20	20	25	23	
Adam Clayton Powell Jr Blvd and West 135th Street	43	35	50	48	60	48	68	64	✓
Adam Clayton Powell Jr Blvd and West 134th Street	10	5	7	7	12	5	7	8	
Adam Clayton Powell Jr Blvd and West 133rd street	10	5	7	7	12	5	7	8	
Adam Clayton Powell Jr Blvd and West 132nd Street	16	11	18	14	22	13	23	21	
Adam Clayton Powell Jr Blvd and West 131st Street	15	12	19	16	26	18	29	27	
Adam Clayton Powell Jr Blvd and West 130th Street	15	11	19	16	23	17	26	25	
Adam Clayton Powell Jr Blvd and West 129th Street	15	11	19	16	23	17	26	25	
Adam Clayton Powell Jr Blvd and West 128th Street	15	11	19	16	23	17	26	25	
Adam Clayton Powell Jr Blvd and West 127th Street	15	11	19	16	23	17	26	25	



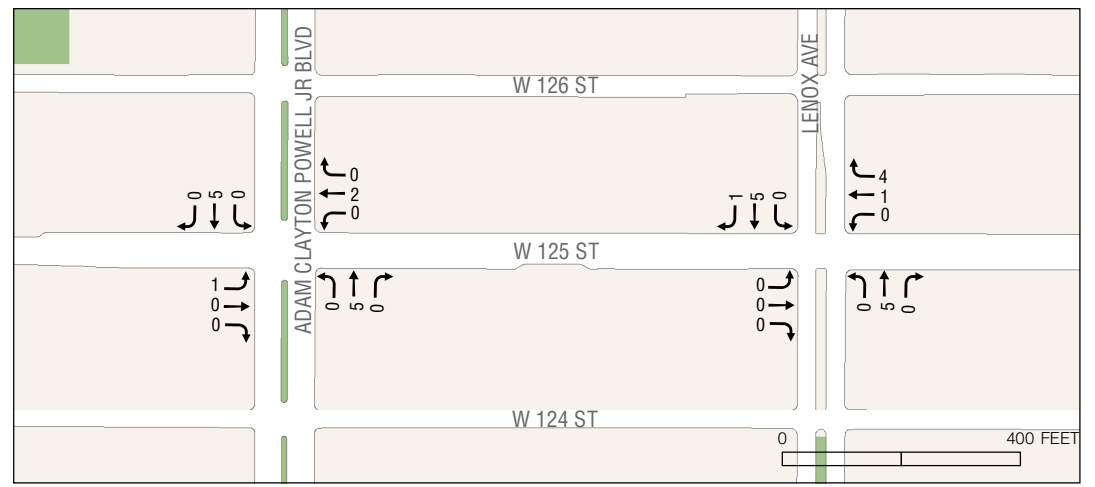
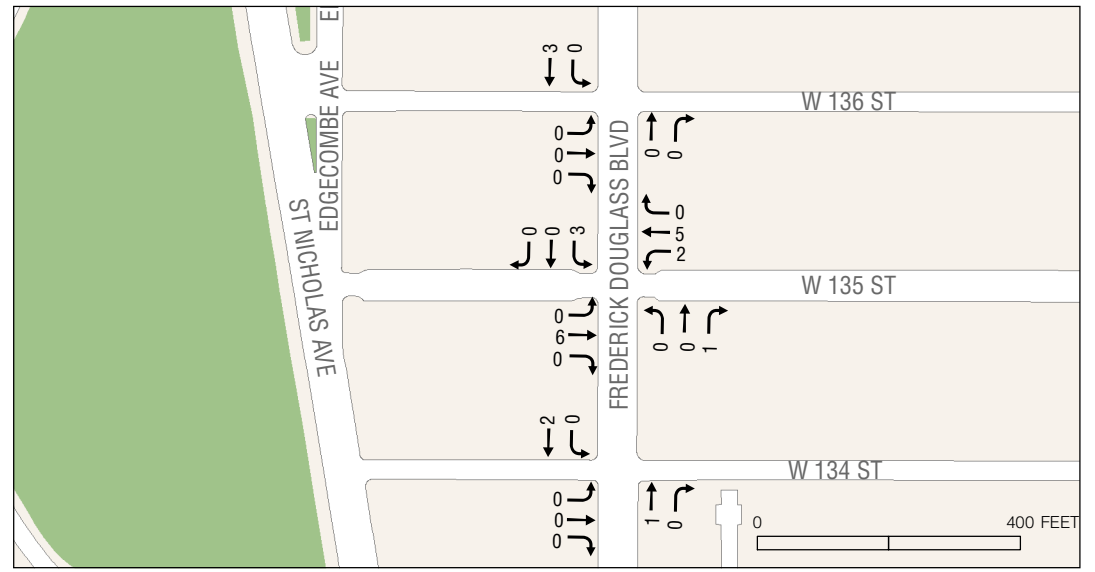
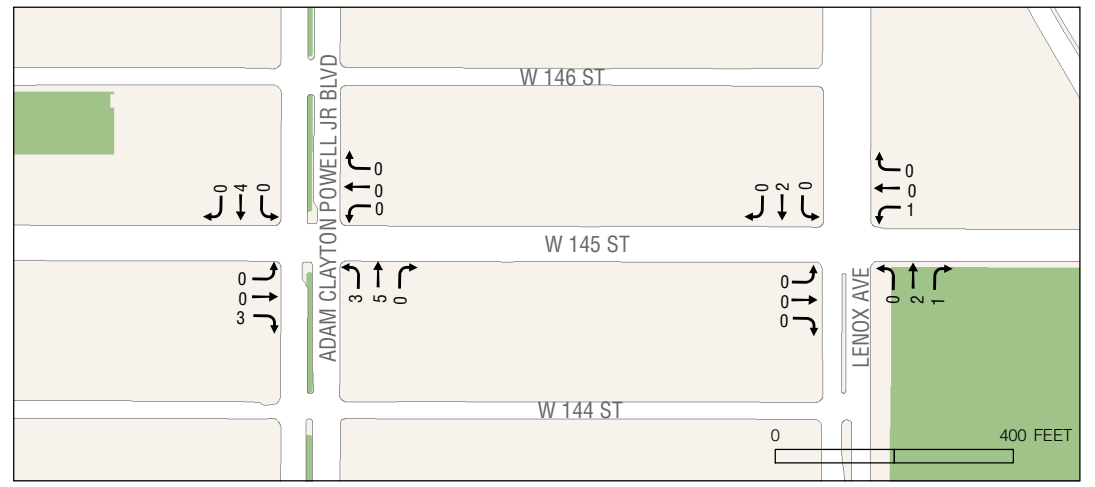
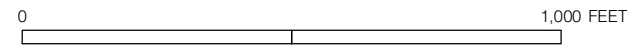
- Rezoning Area
- Potential Development Site
- Proposed Development Site
- City-Owned Site
- Projected Future Development Site



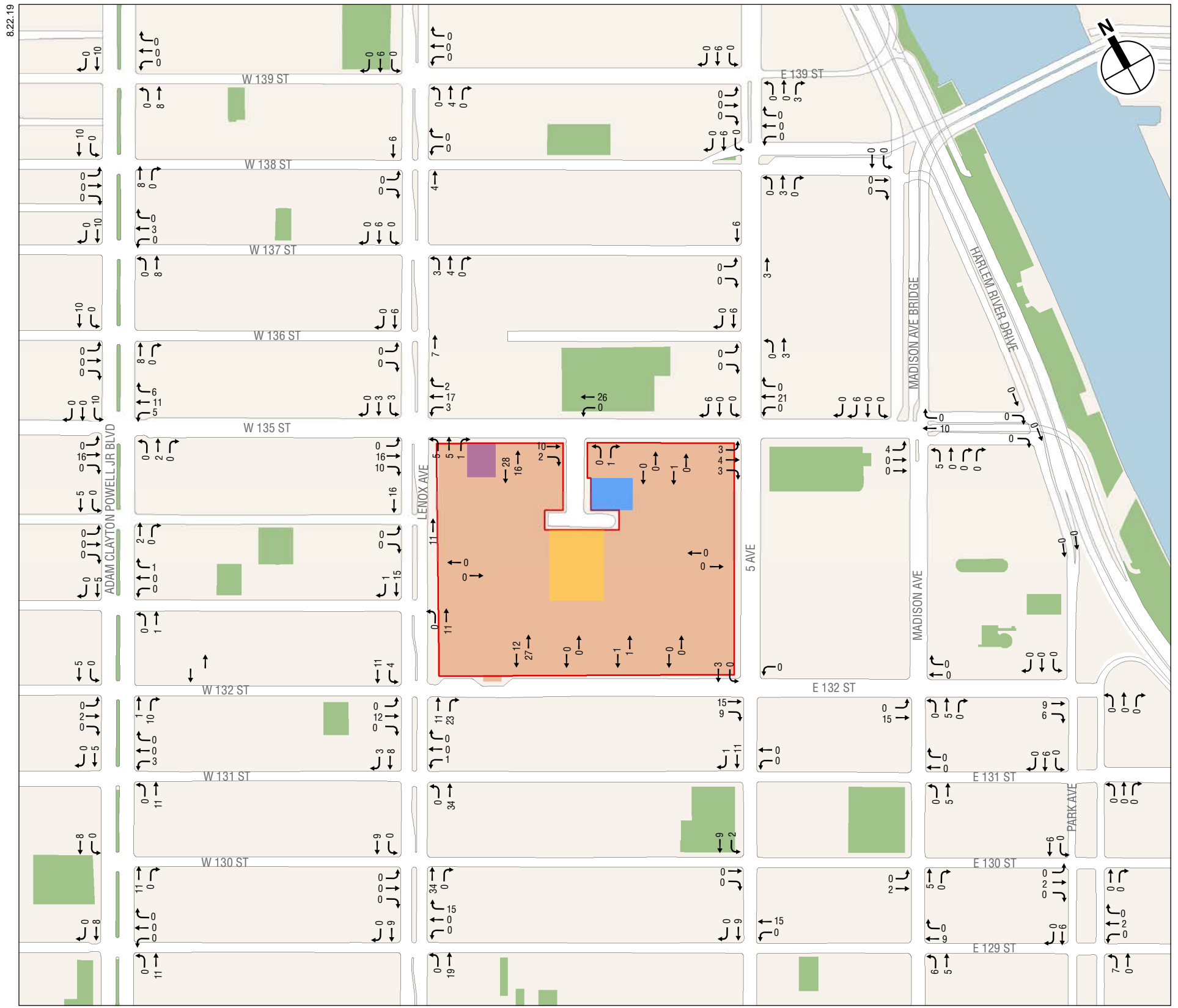
2023 Phase 1 Incremental Vehicle Trips
Weekday AM Peak Hour
Figure 2



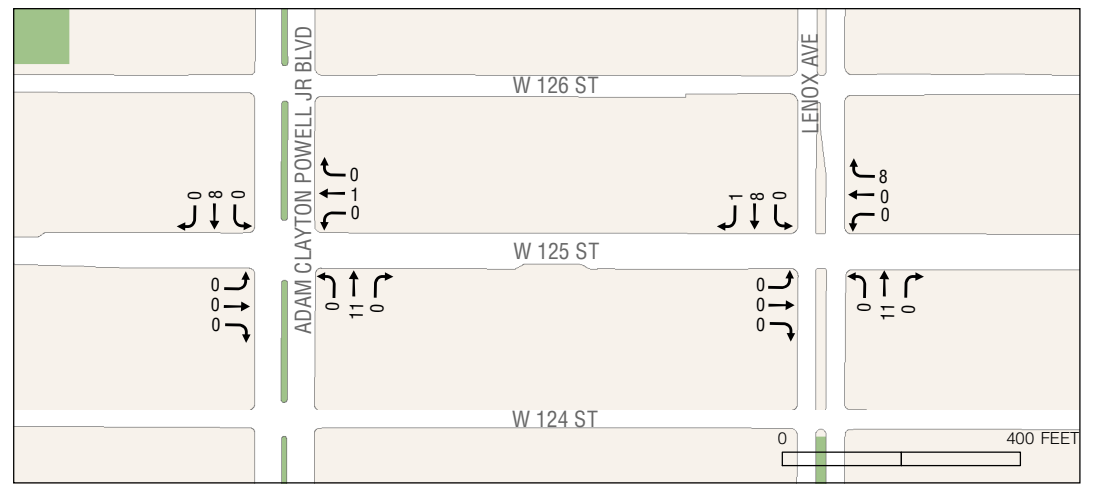
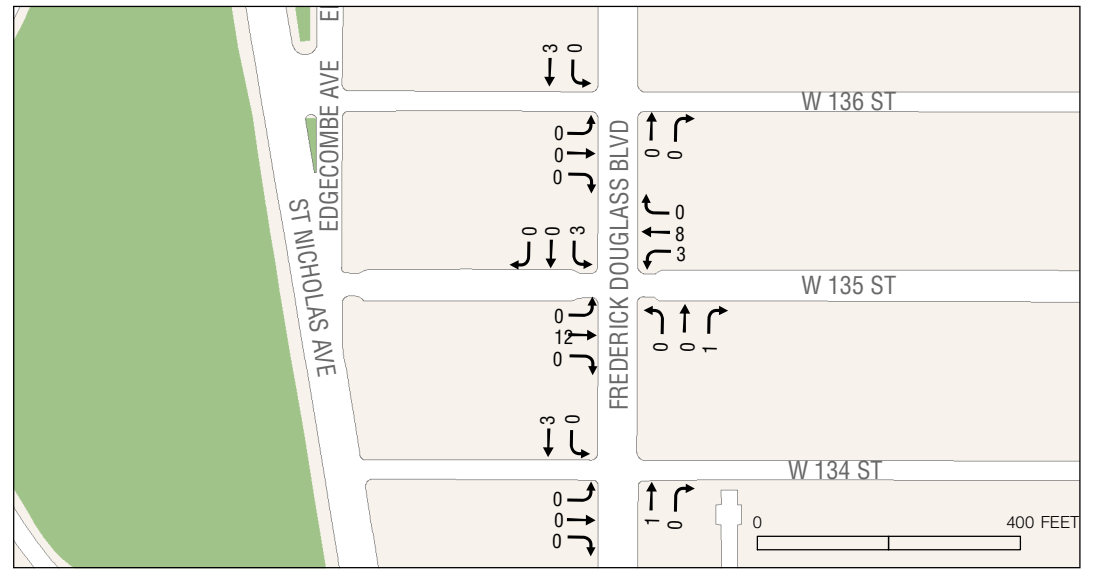
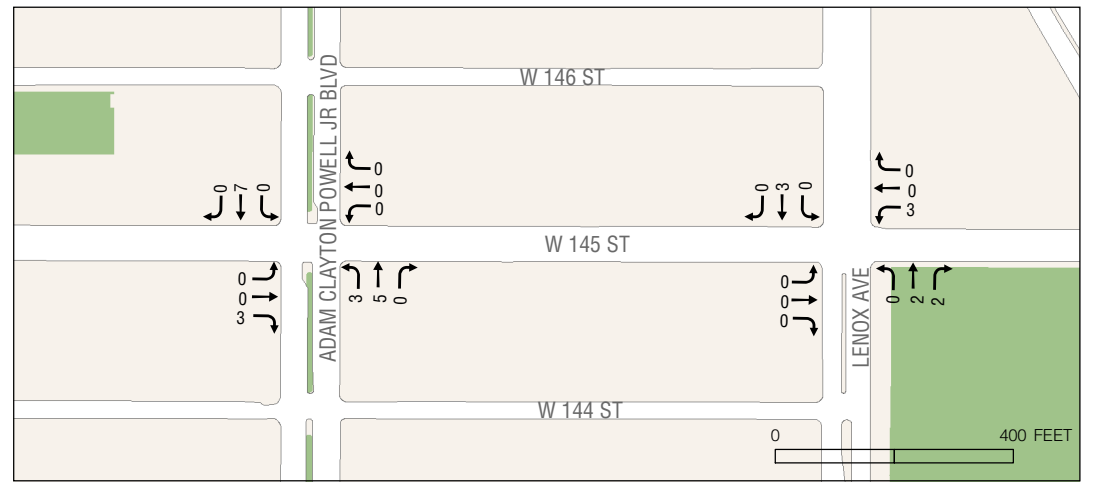
- Rezoning Area
- Potential Development Site
- Proposed Development Site
- City-Owned Site
- Projected Future Development Site



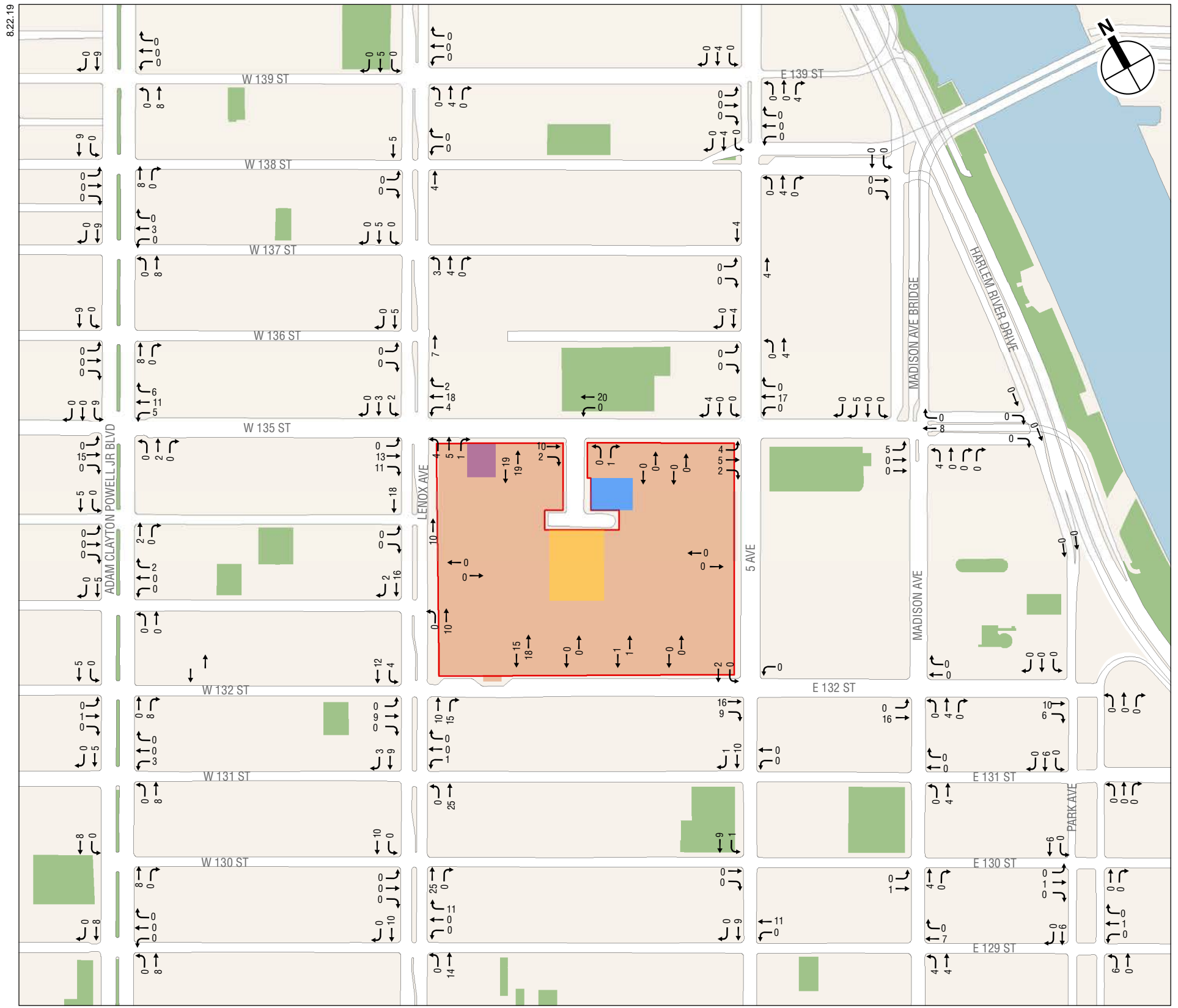
2023 Phase 1 Incremental Vehicle Trips
Weekday Midday Peak Hour
Figure 3



- Rezoning Area
- Potential Development Site
- Proposed Development Site
- City-Owned Site
- Projected Future Development Site

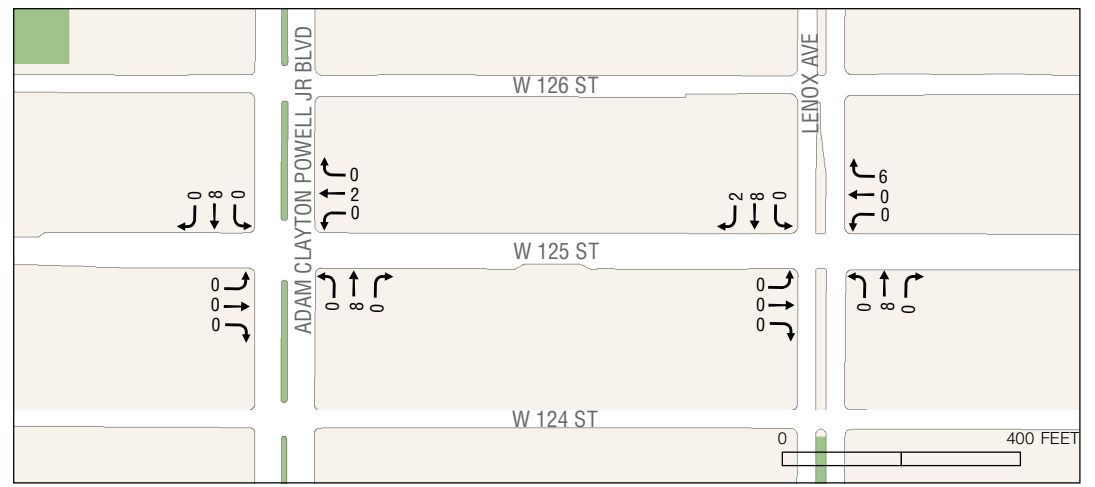
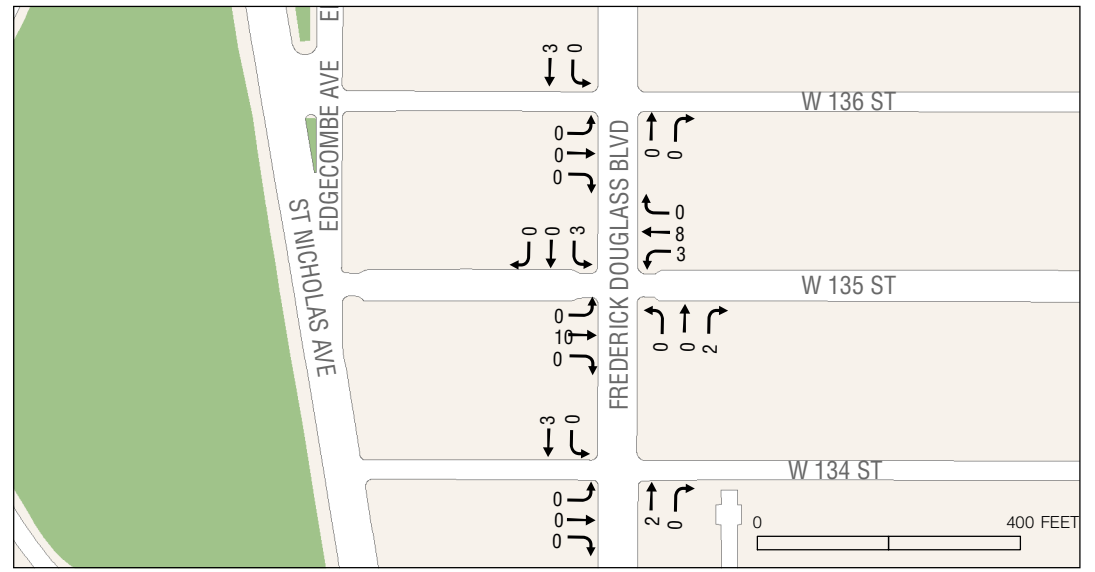
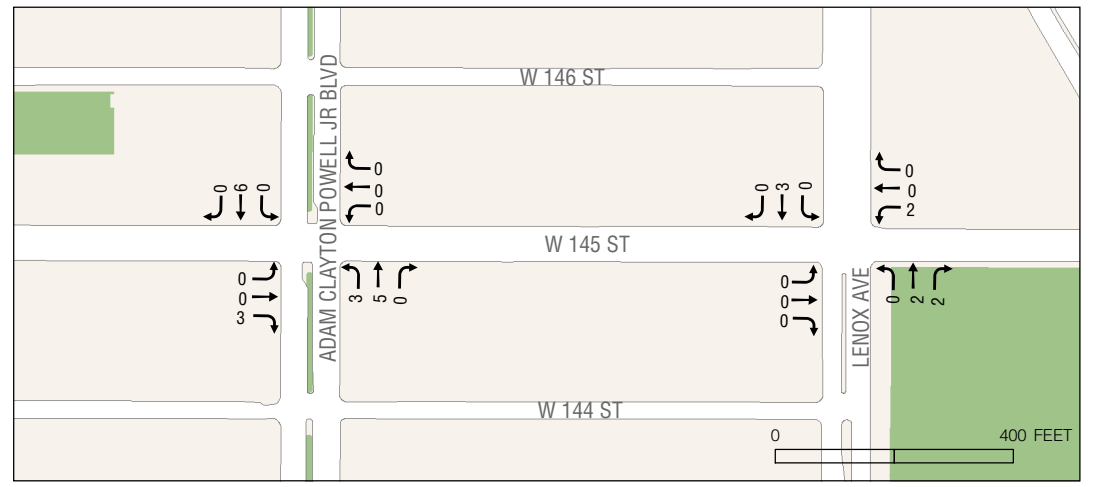


2023 Phase 1 Incremental Vehicle Trips
Weekday PM Peak Hour
Figure 4

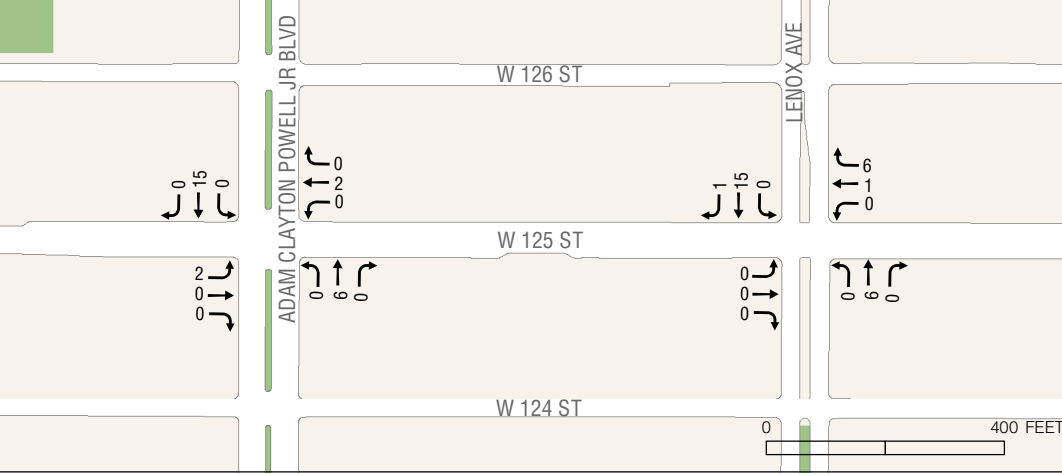
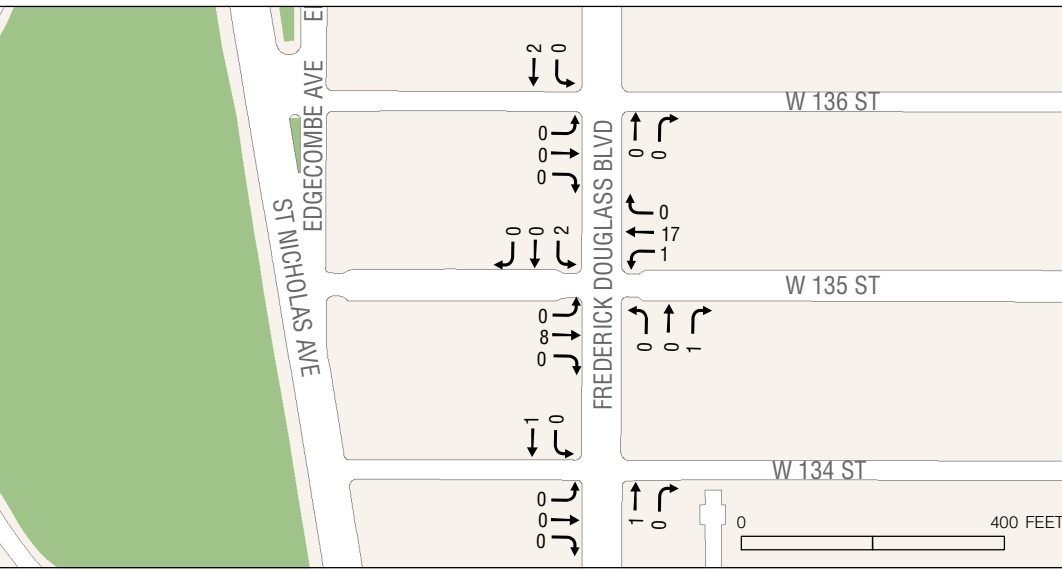
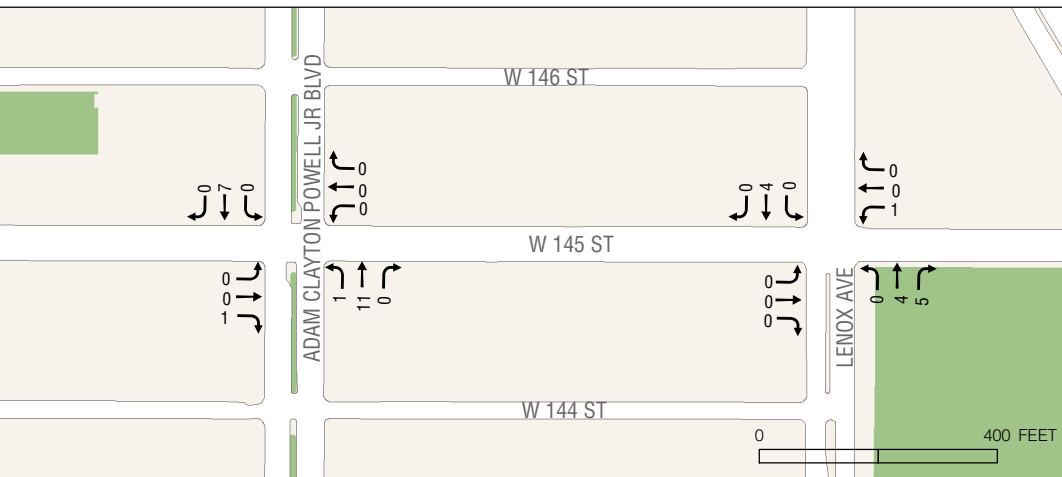
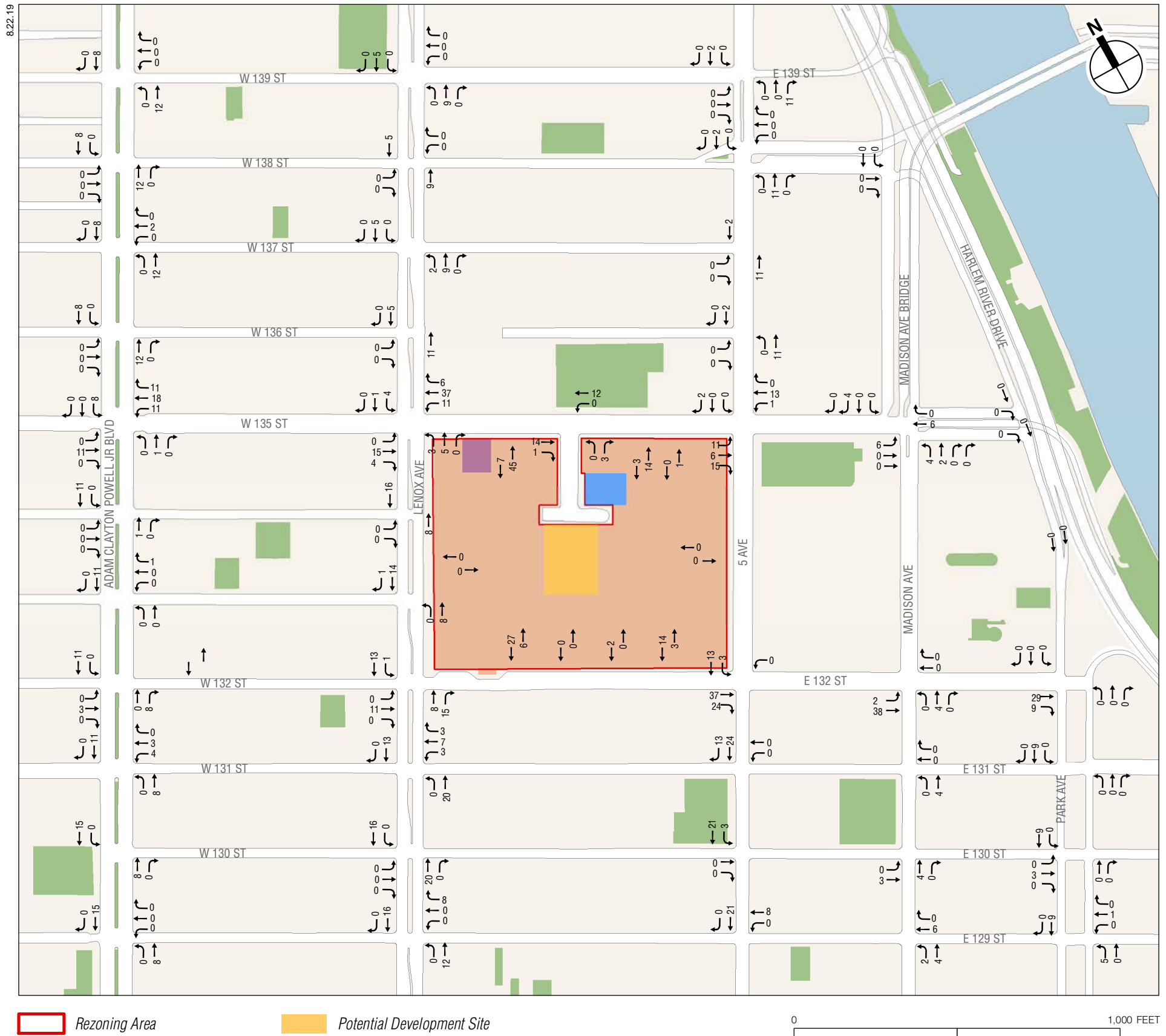


- Rezoning Area
- Potential Development Site
- Proposed Development Site
- City-Owned Site
- Projected Future Development Site

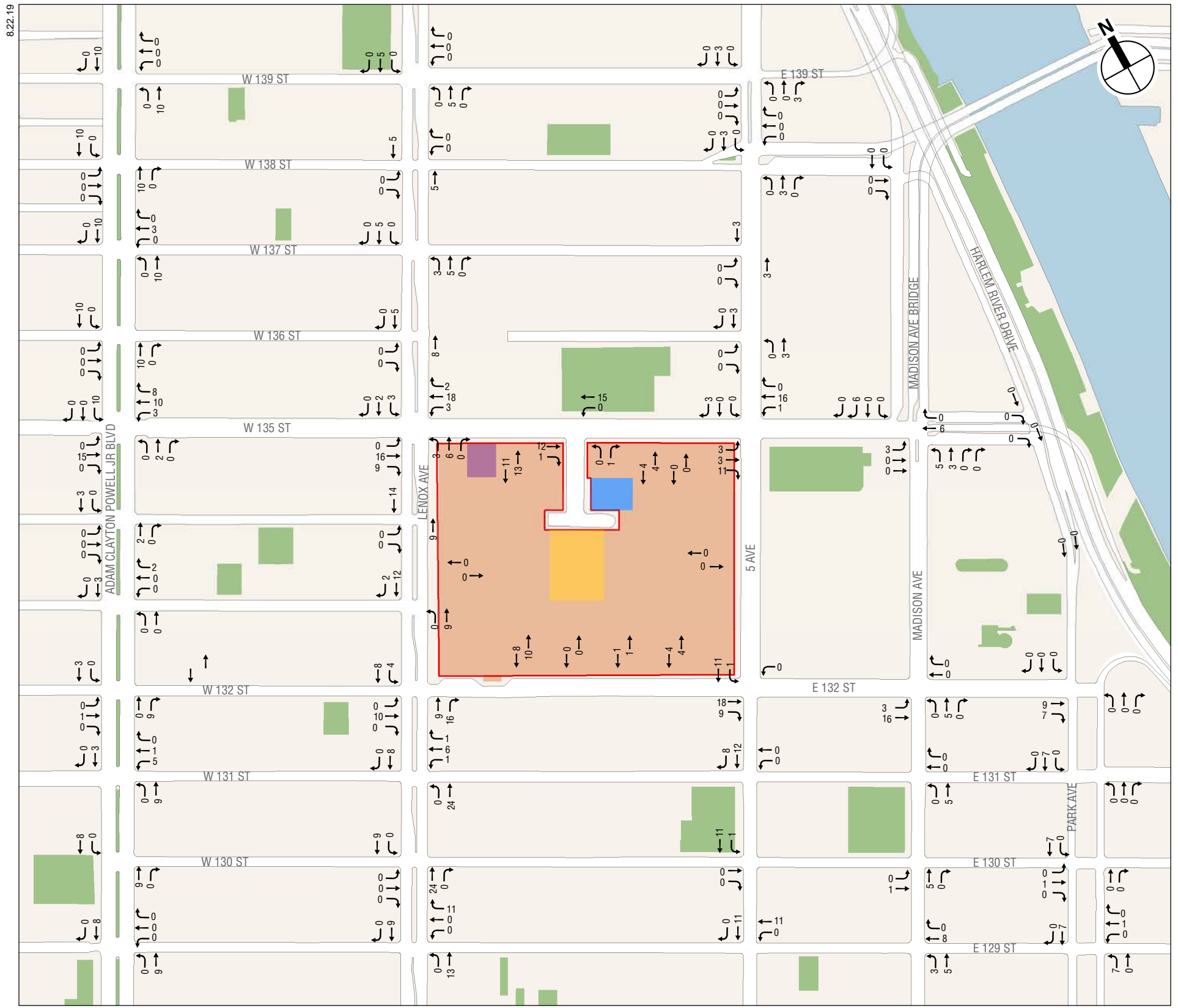
LENOX TERRACE



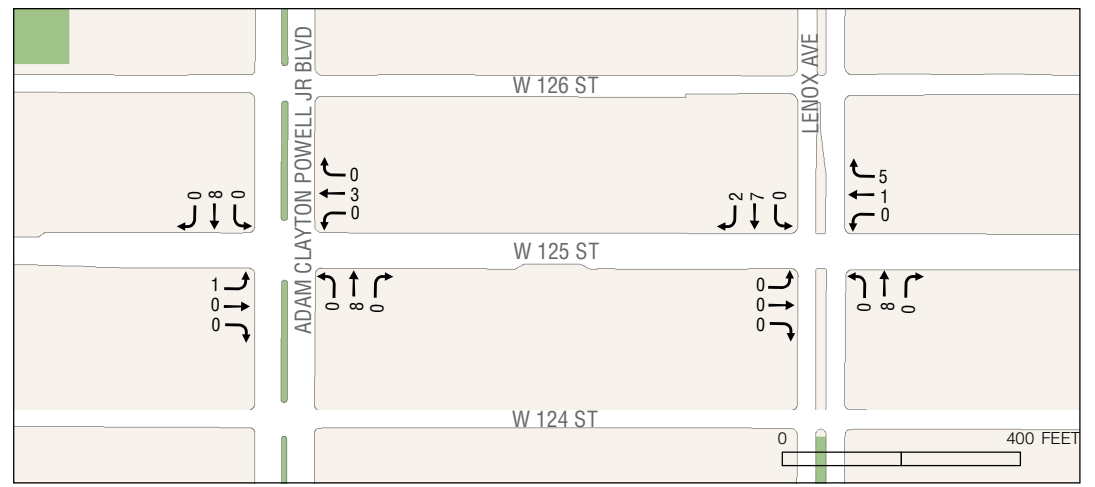
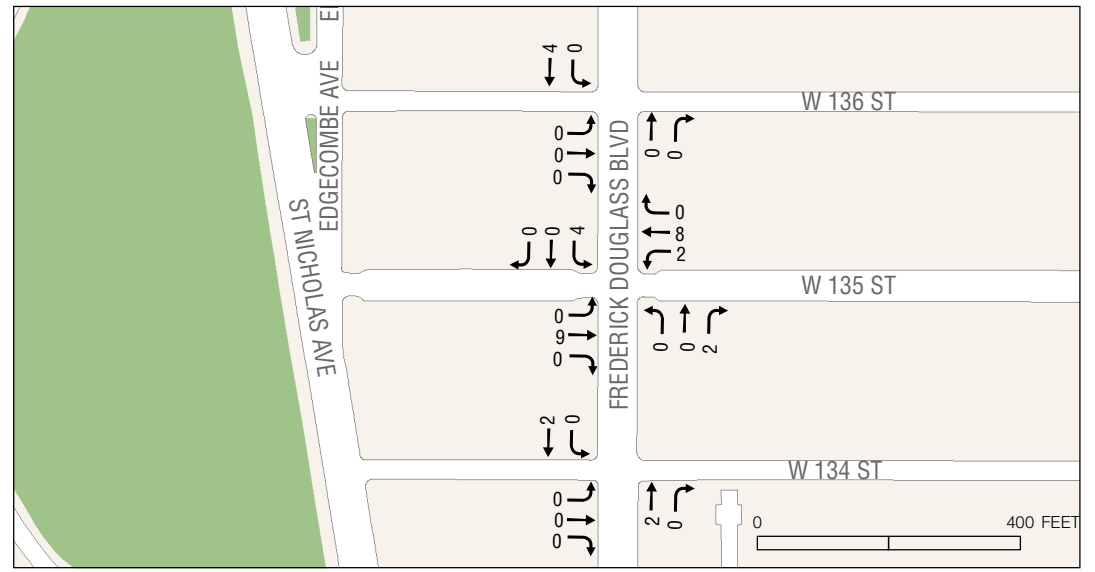
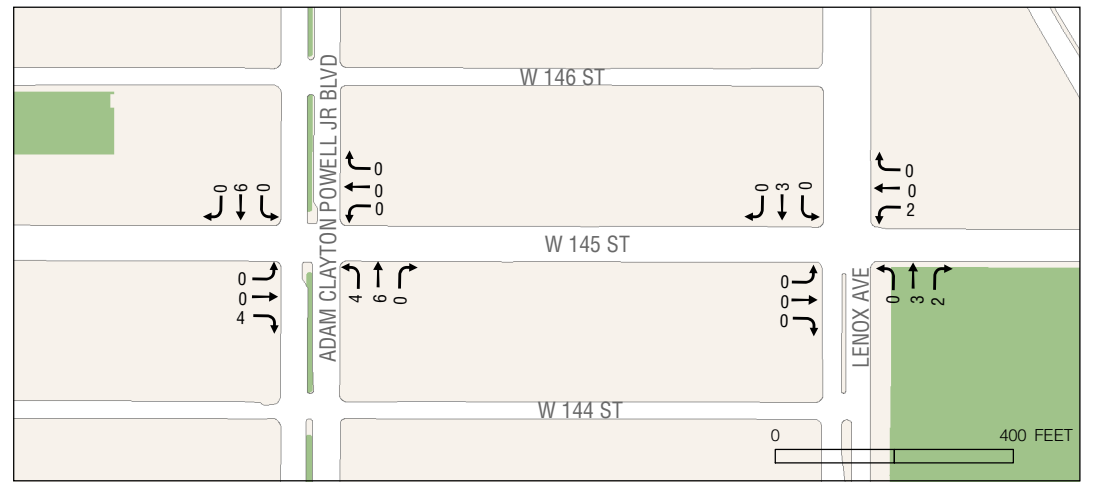
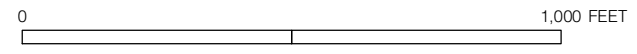
2023 Phase 1 Incremental Vehicle Trips
Saturday Peak Hour
Figure 5



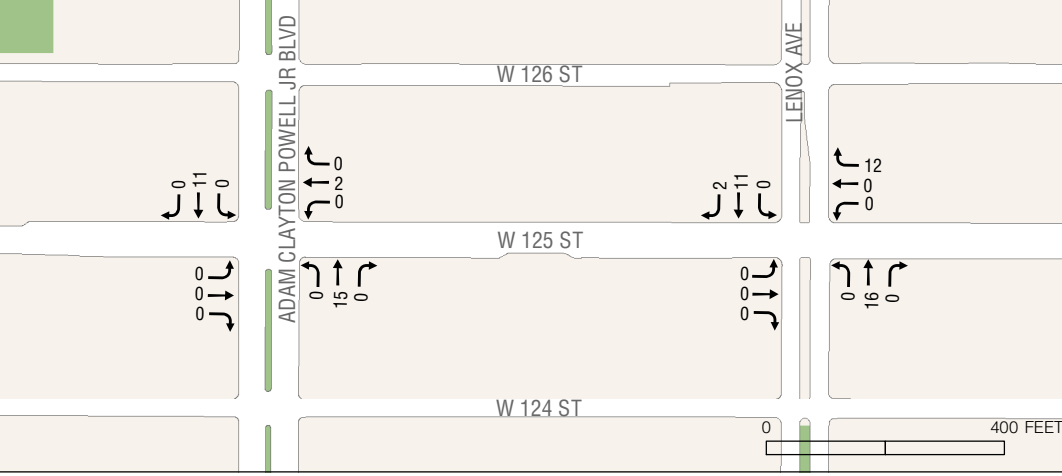
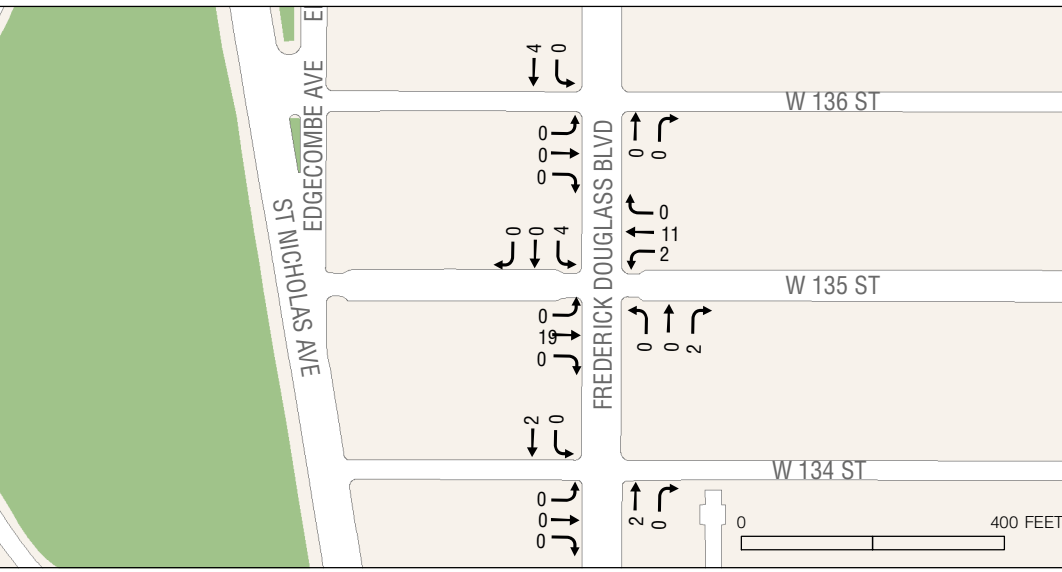
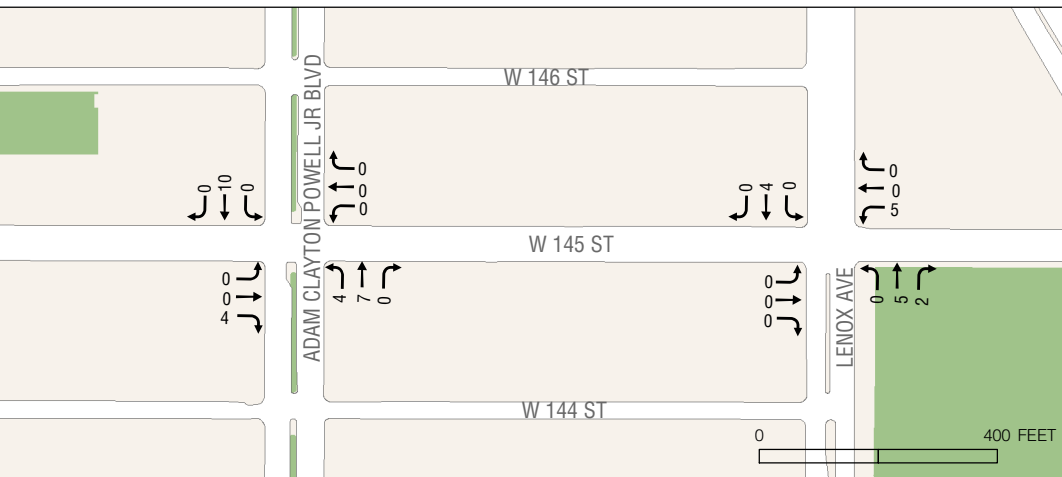
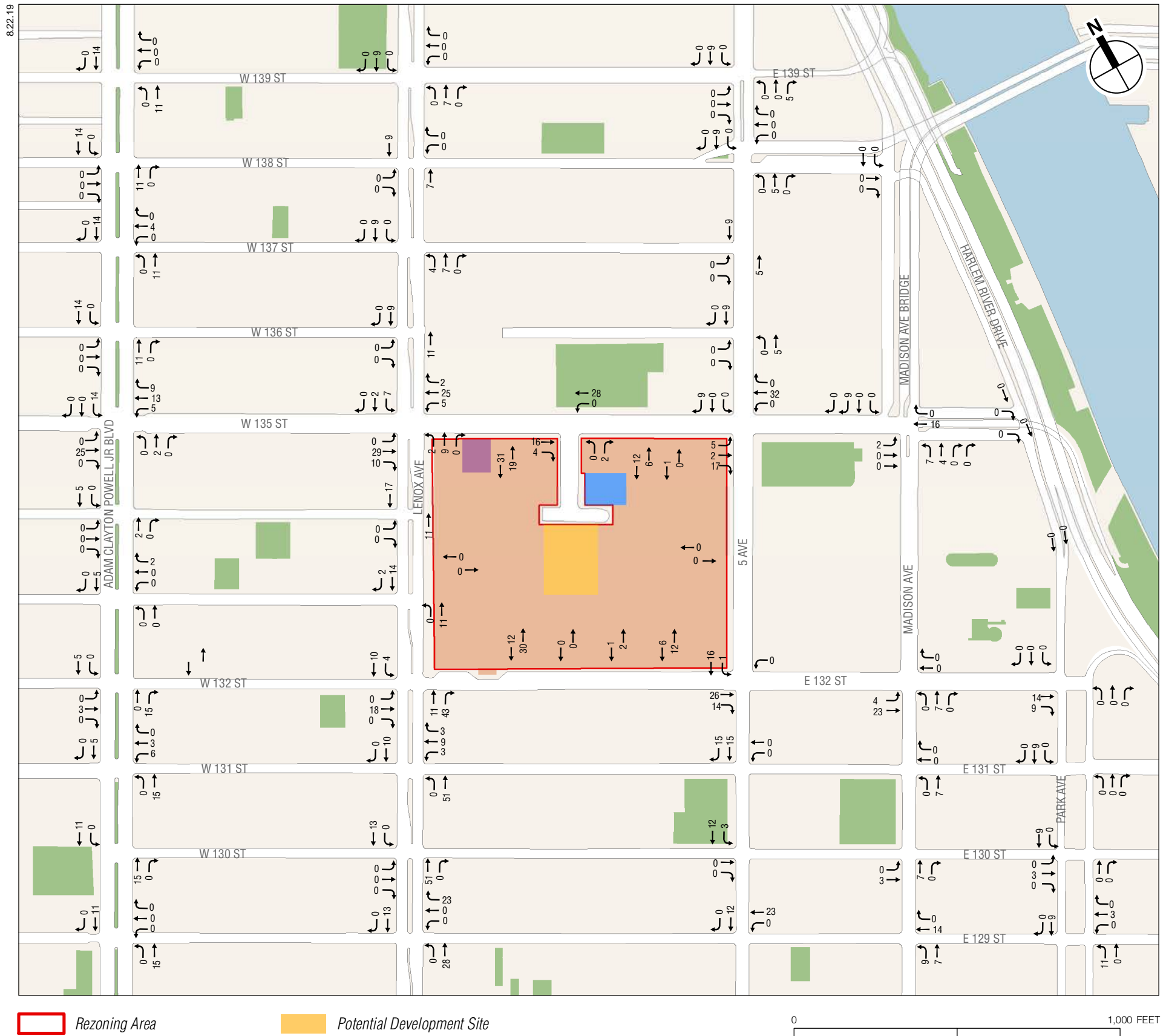
2026 Full Build Incremental Vehicle Trips
Weekday AM Peak Hour
Figure 6



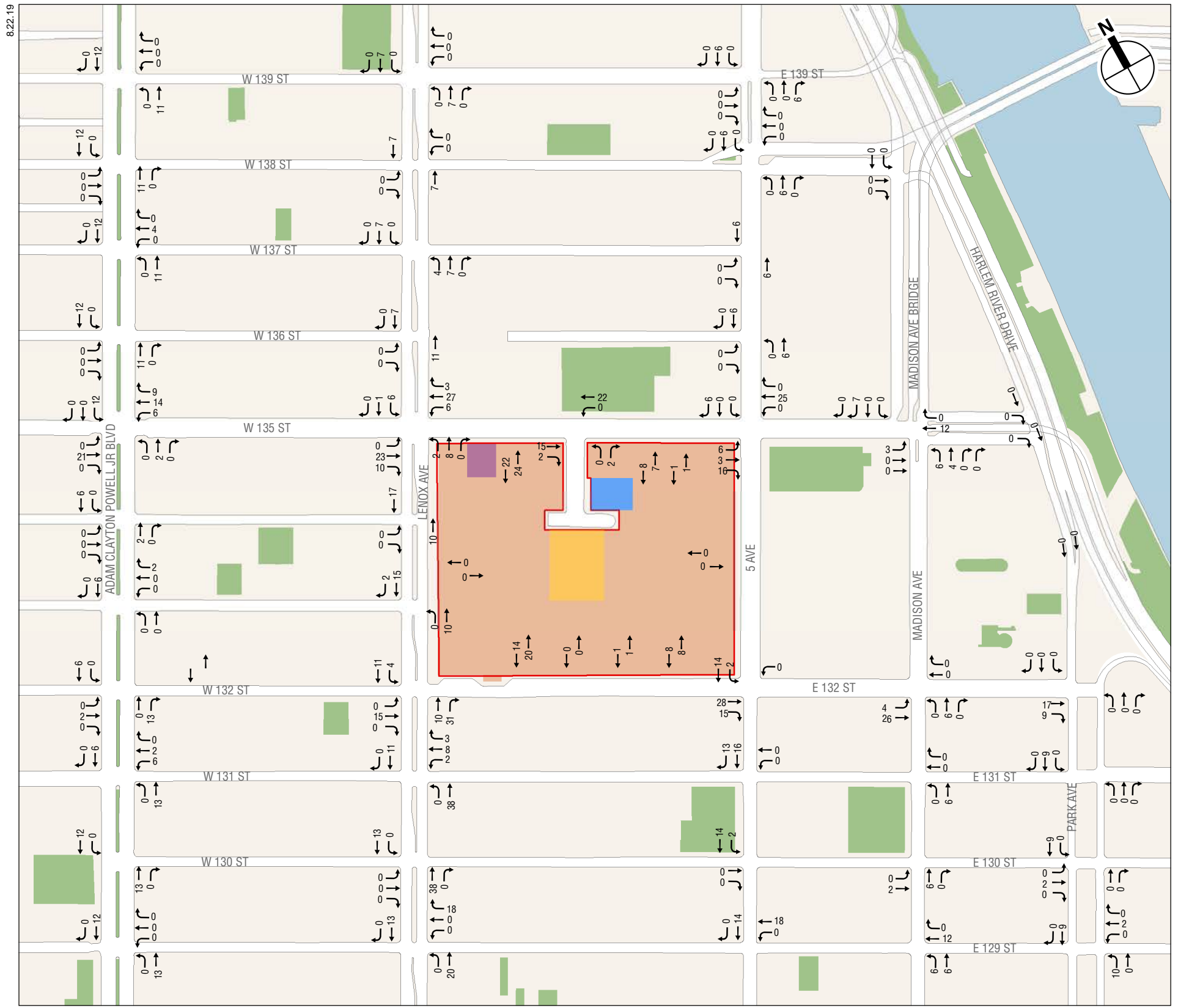
- Rezoning Area
- Potential Development Site
- Proposed Development Site
- City-Owned Site
- Projected Future Development Site



2026 Full Build Incremental Vehicle Trips
Weekday Midday Peak Hour
Figure 7

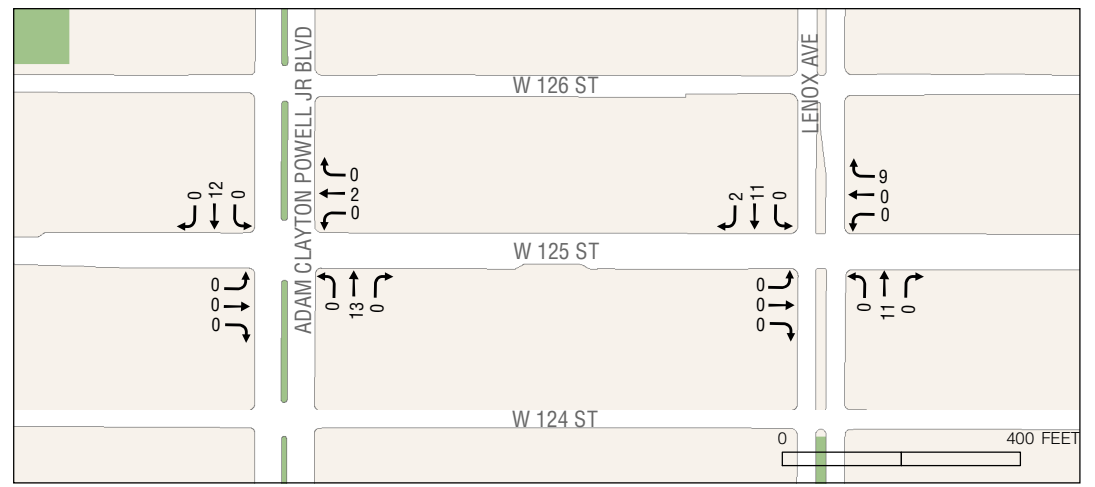
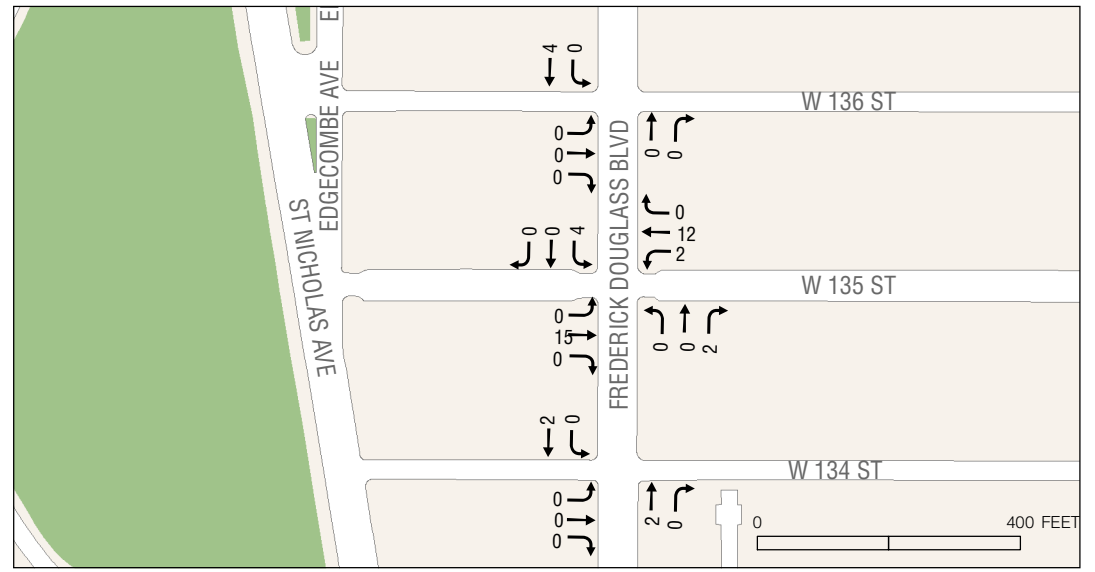
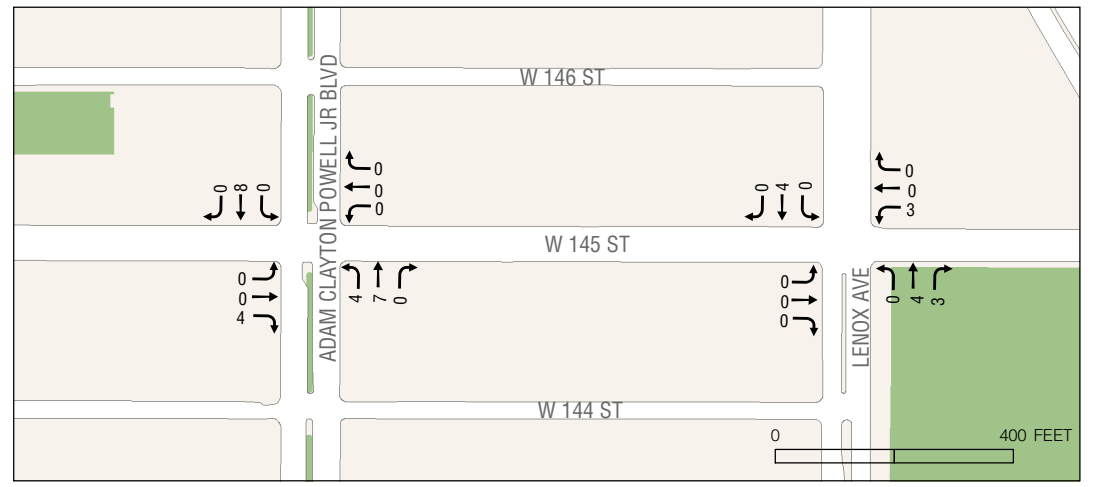


2026 Full Build Incremental Vehicle Trips
Weekday PM Peak Hour
Figure 8

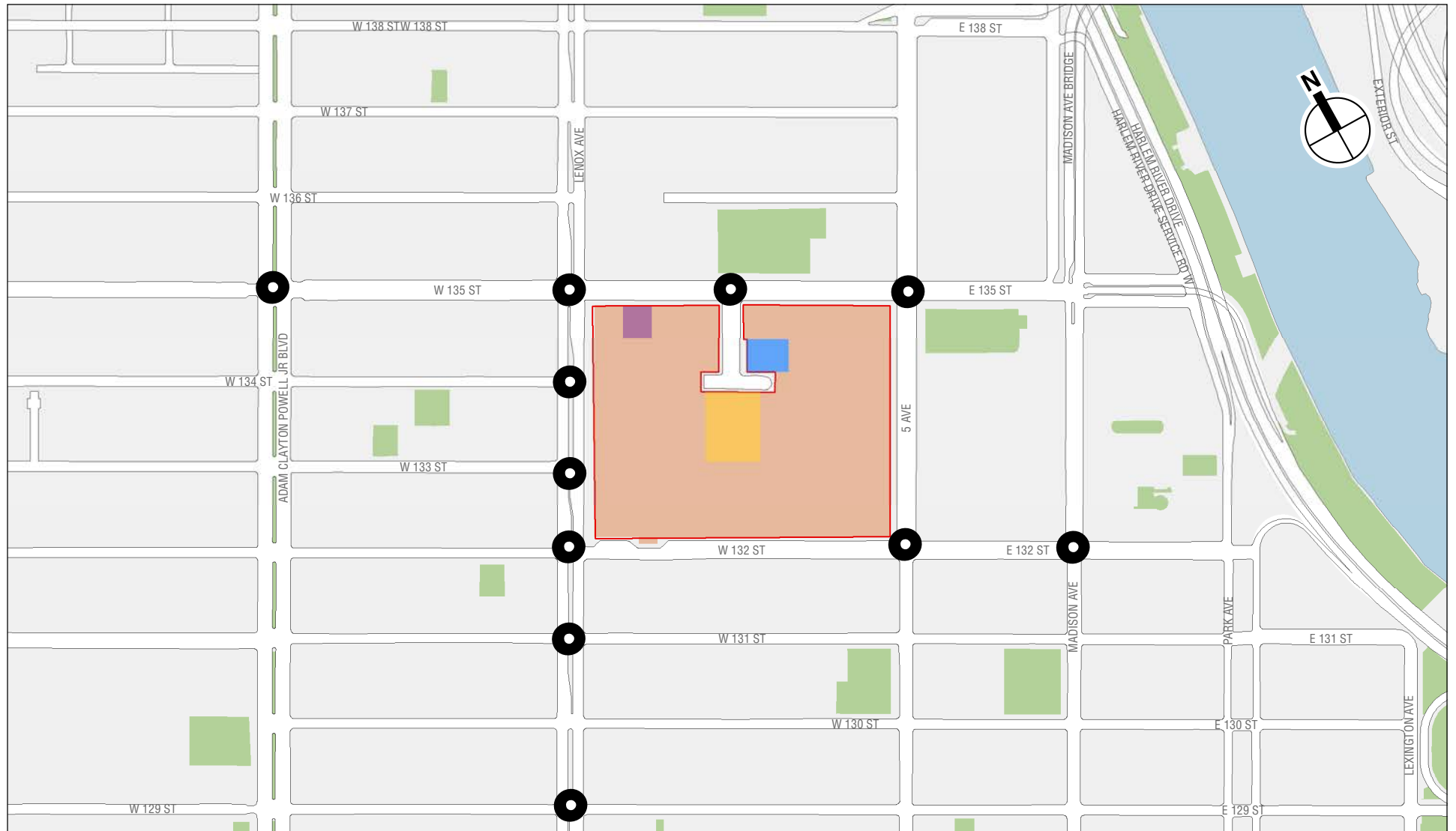


- Rezoning Area
- Potential Development Site
- Proposed Development Site
- City-Owned Site
- Projected Future Development Site

LENOX TERRACE



2026 Full Build Incremental Vehicle Trips
Saturday Peak Hour
Figure 9



- | | | | |
|--|------------------------------------|---|----------------------------|
|  | Rezoning Area |  | Potential Development Site |
|  | Proposed Development Site |  | City-Owned Site |
|  | Projected Future Development Sites |  | Traffic Analysis Location |

0 600 FEET

Recommended Traffic Analysis Locations

Figure 10

Table 5 (cont'd)

Traffic Level 2 Screening Analysis Results—Recommended Analysis Locations

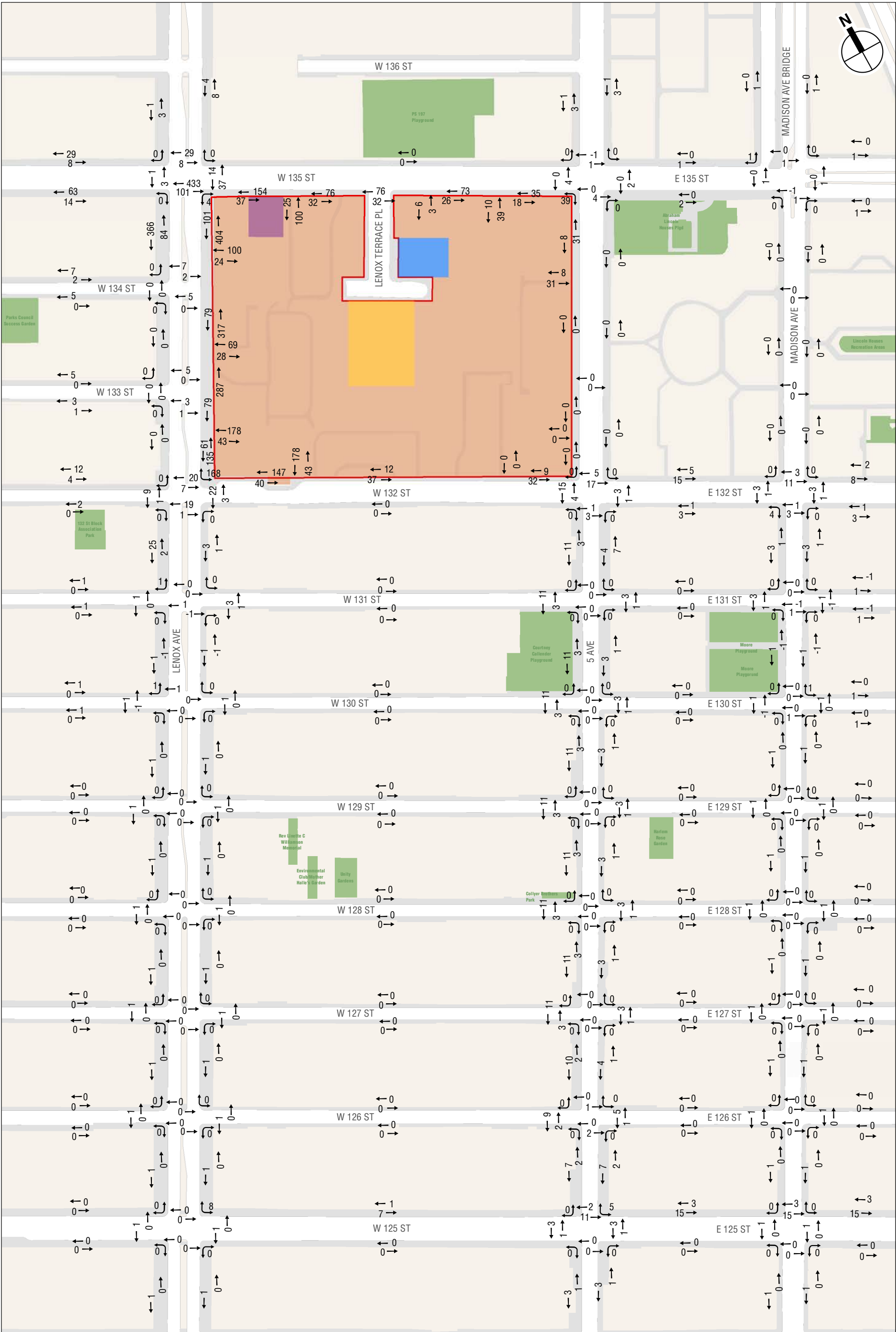
Intersection	2023 Phase 1				2026 Full Build				Recommended Analysis Location
	Weekday			Saturday	Weekday			Saturday	
	AM	Midday	PM		AM	Midday	PM		
Adam Clayton Powell Jr Blvd and West 126th Street	15	11	19	16	23	17	26	25	
Adam Clayton Powell Jr Blvd and West 125th Street	17	13	20	18	25	20	28	27	
Lenox Avenue and West 145th Street	9	6	10	9	14	10	16	14	
Lenox Avenue and West 144th Street	9	6	10	9	14	10	16	14	
Lenox Avenue and West 143rd Street	9	6	10	9	14	10	16	14	
Lenox Avenue and West 142nd Street	9	6	10	9	14	10	16	14	
Lenox Avenue and West 141st Street	9	6	10	9	14	10	16	14	
Lenox Avenue and West 140th Street	9	6	10	9	14	10	16	14	
Lenox Avenue and West 139th Street	9	6	10	9	14	10	16	14	
Lenox Avenue and West 138th Street	9	6	10	9	14	10	16	14	
Lenox Avenue and West 137th Street	10	9	13	12	16	13	20	18	
Lenox Avenue and West 136th Street	10	9	13	12	16	13	20	18	
Lenox Avenue and West 135th Street	60	45	65	63	86	62	91	86	✓
Lenox Avenue and West 134th Street	22	20	27	28	24	23	28	27	✓
Lenox Avenue and West 133rd Street	22	20	27	28	23	23	27	27	✓
Lenox Avenue and West 132nd Street	34	35	61	50	48	47	86	71	✓
Lenox Avenue and West 131st Street	25	26	46	38	46	40	76	62	✓
Lenox Avenue and West 130th Street	24	23	43	35	36	33	64	51	
Lenox Avenue and West 129th Street	24	23	43	35	36	33	64	51	✓
Lenox Avenue and West 128th Street	19	15	28	24	28	22	41	33	
Lenox Avenue and West 127th Street	19	15	28	24	28	22	41	33	
Lenox Avenue and West 126th Street	19	15	28	24	28	22	41	33	
Lenox Avenue and West 125th Street	20	16	28	24	29	23	41	33	
Lenox Terrace Place and West 135th Street	27	25	39	33	30	29	50	41	✓
Fifth Avenue and 139th Street	8	4	9	8	13	6	14	12	
Fifth Avenue and 138th Street	8	4	9	8	13	6	14	12	
Fifth Avenue and 137th Street	8	4	9	8	13	6	14	12	
Fifth Avenue and 136th Street	8	4	9	8	13	6	14	12	
Fifth Avenue and 135th Street	27	23	37	32	48	37	65	56	✓
Fifth Avenue and 132nd Street	42	22	27	27	77	39	57	59	✓
Fifth Avenue and 131st Street	17	11	12	11	37	20	30	29	
Fifth Avenue and 130th Street	16	9	11	10	24	12	15	16	
Fifth Avenue and 129th Street	19	16	24	20	29	22	35	32	
Madison Avenue and East 138th Street	0	0	0	0	0	0	0	0	
Madison Avenue and East 135th Street	16	16	25	22	22	23	38	32	
Madison Avenue and East 132nd Street	28	14	20	20	44	24	34	36	✓
Madison Avenue and East 131st Street	3	3	5	4	4	5	7	6	
Madison Avenue and East 130th Street	5	4	7	5	7	6	10	8	
Madison Avenue and East 129th Street	8	11	20	15	12	16	30	24	
Park Avenue and East 135th Street (N)	0	0	0	0	0	0	0	0	
Park Avenue and East 135th Street (S)	0	0	0	0	0	0	0	0	
Park Avenue and Harlem River Drive Off-ramp	0	0	0	0	0	0	0	0	
Park Avenue and East 132nd Street	25	11	15	16	38	16	23	26	
Park Avenue and East 131st Street	6	5	6	6	9	7	9	9	
Park Avenue and East 130th Street	8	6	8	7	12	8	12	11	
Park Avenue and East 129th Street	10	11	15	13	15	15	23	21	
Note: ✓ denotes intersections recommended for the detailed traffic analysis.									

Note: ✓ denotes intersections recommended for the detailed traffic analysis.

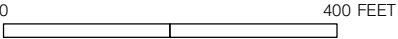
TRANSIT

The rezoning area is located near two NYCT subway stations: (1) 135th Street (B and C trains); and (2) 135th Street (No. 2 and 3 trains). The most likely travel routes to and from the rezoning area, prevailing travel patterns, commuter origin-destination (O-D) summaries from the census data, and the anticipated locations of site access and egress were examined to develop subway trip assignment patterns. Based on these considerations, it is expected that approximately 15 percent of the project-generated subway trips would be distributed to the 135th Street (B and C) Station and 85 percent of the project-generated subway trips would be distributed to the 135th Street (No. 2 and 3 trains) Station. As a result, it was determined that quantified analysis of affected elements at the 135th Street (No. 2 and 3 trains) Station and subway line-haul for the No. 2 and 3 lines for the weekday AM and PM peak hours would be warranted.

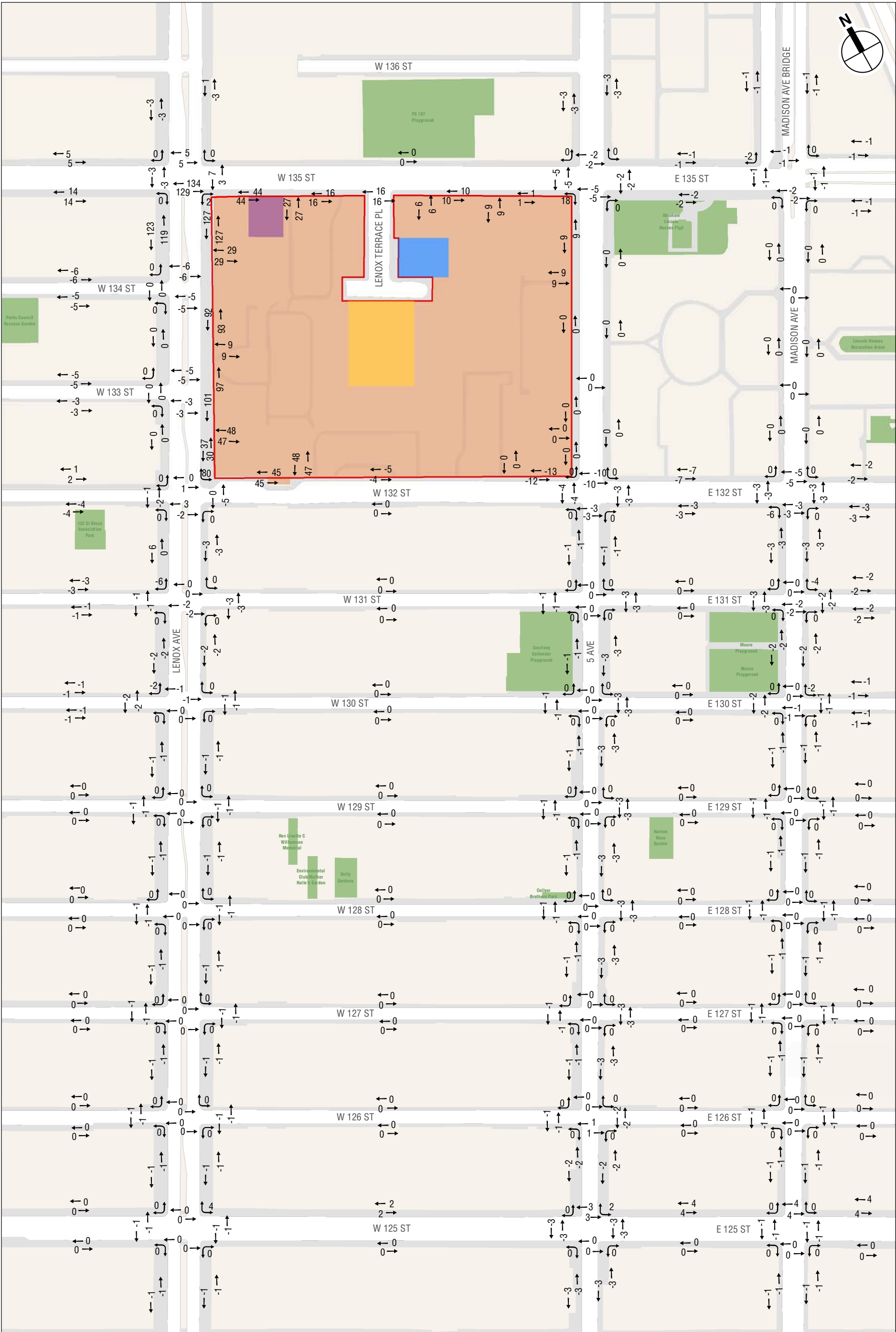
There are numerous bus routes with stops near the rezoning area, including the Bx33, M1, M2, M7, and M102 bus routes. As shown in **Tables 3 and 4**, project-generated peak hour bus trips for Phase 1 and the 2026 full build would exceed the *CEQR Technical Manual* analysis thresholds. The most likely travel routes to and from the rezoning area, prevailing travel patterns, commuter origin-destination (O-D) summaries from the census data, and the anticipated locations of site access and egress were examined to develop bus trip assignment patterns. Based on these considerations, no single bus route would exceed the



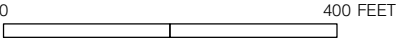
- Rezoning Area
- Potential Development Site
- Proposed Development Site
- City-Owned Site
- Projected Future Development Sites



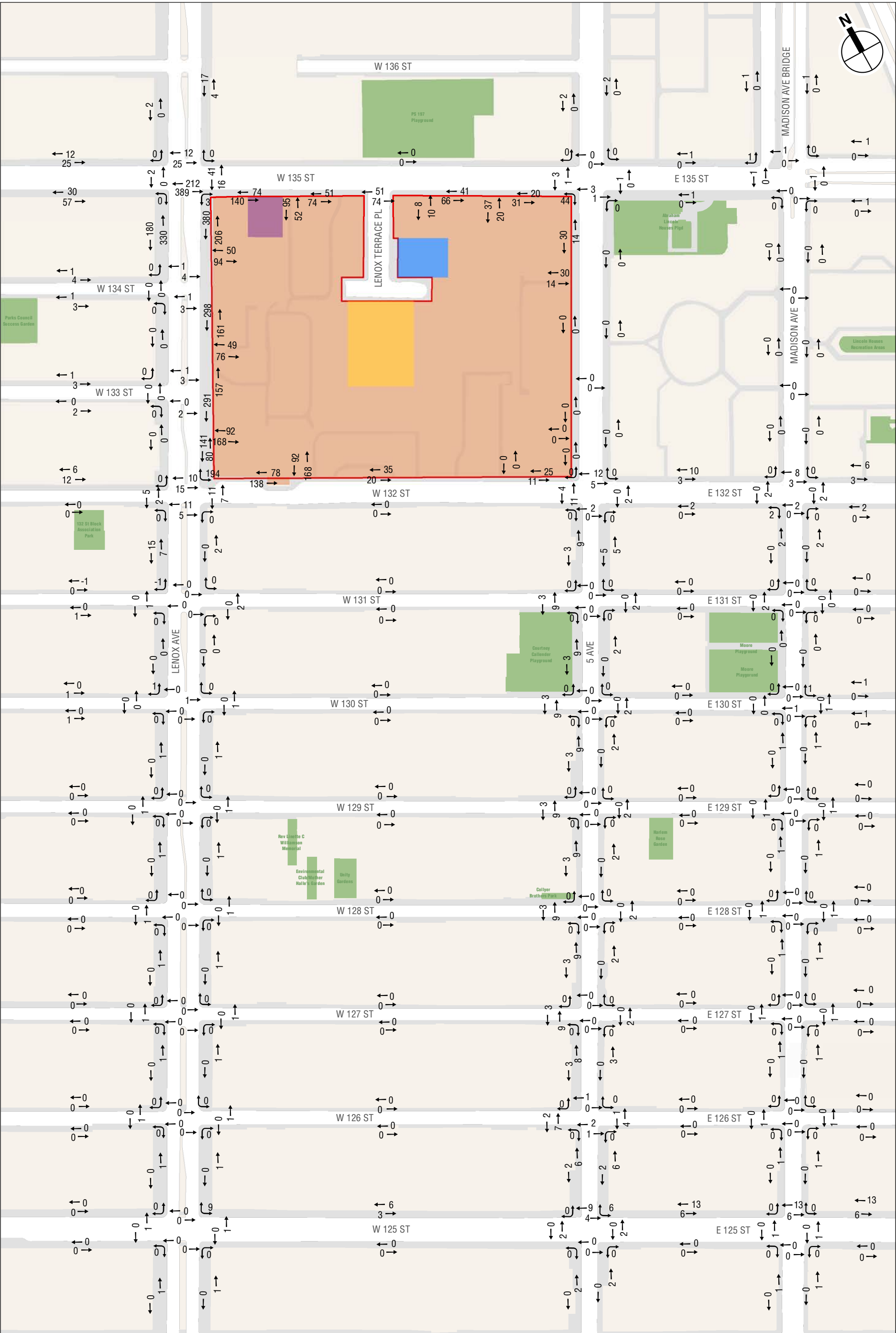
2023 Phase 1 Incremental Pedestrian Trips
Weekday AM Peak Hour
Figure 11



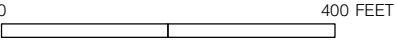
- Rezoning Area
-
- Potential Development Site

 Proposed Development Site Projected Future Development Sites

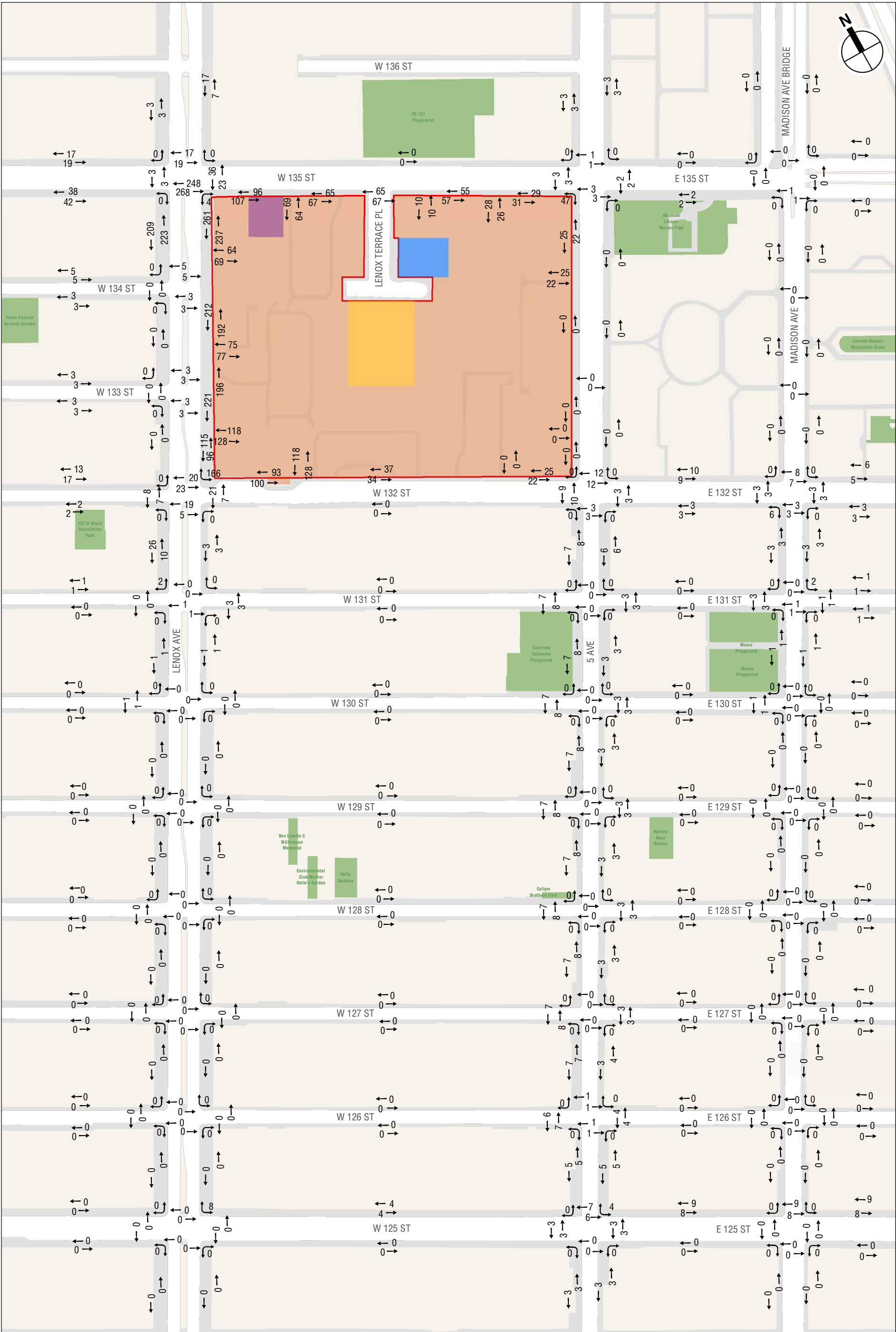
2023 Phase 1 Incremental Pedestrian Trips
Weekday Midday Peak Hour
Figure 12



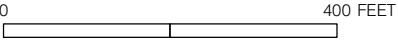
- Rezoning Area
-
- Potential Development Site

 Proposed Development Site Projected Future Development Sites

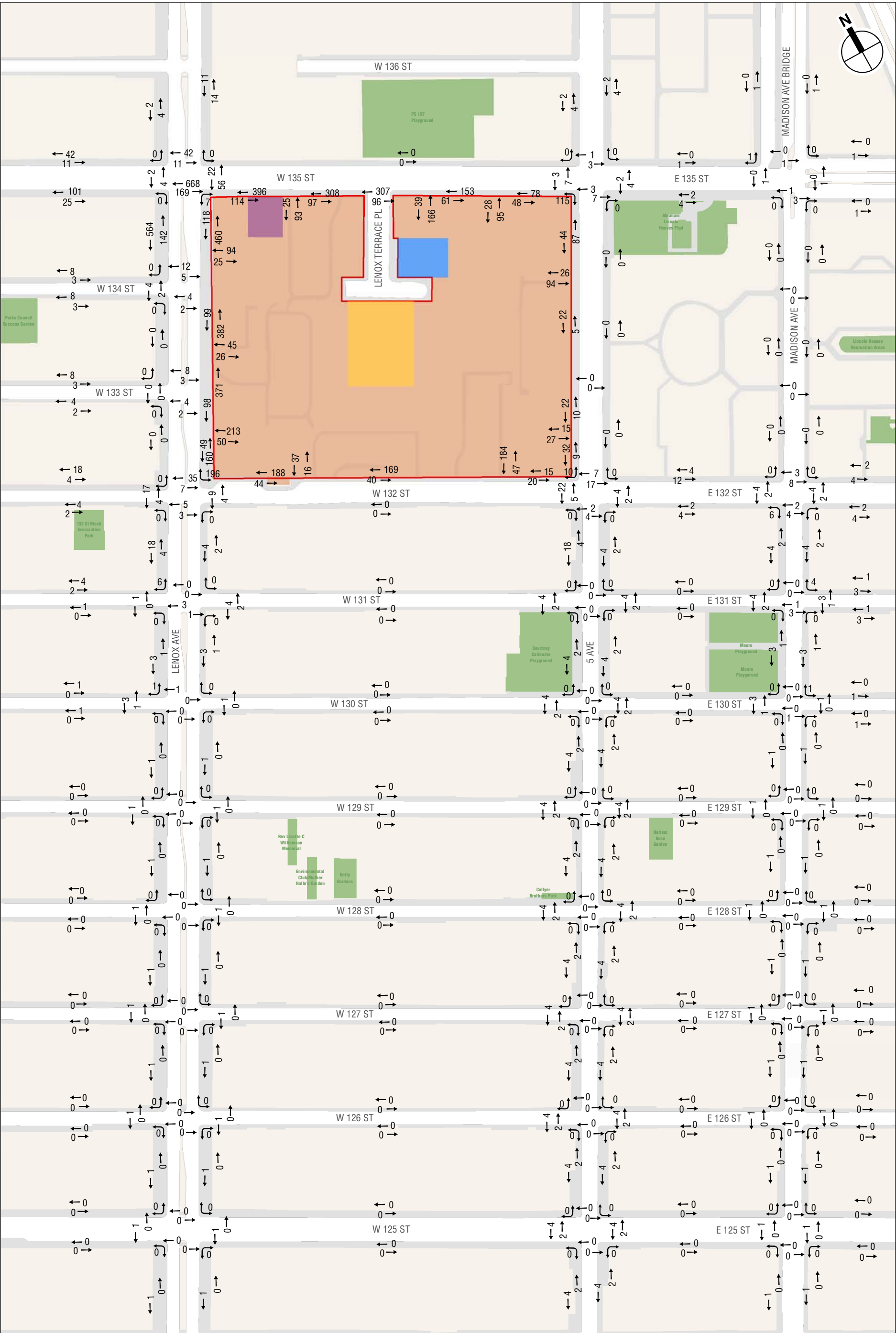
2023 Phase 1 Incremental Pedestrian Trips
Weekday PM Peak Hour
Figure 13



- Rezoning Area
-
- Potential Development Site

 Proposed Development Site Projected Future Development Sites

2023 Phase 1 Incremental Pedestrian Trips
Saturday Peak Hour
Figure 14



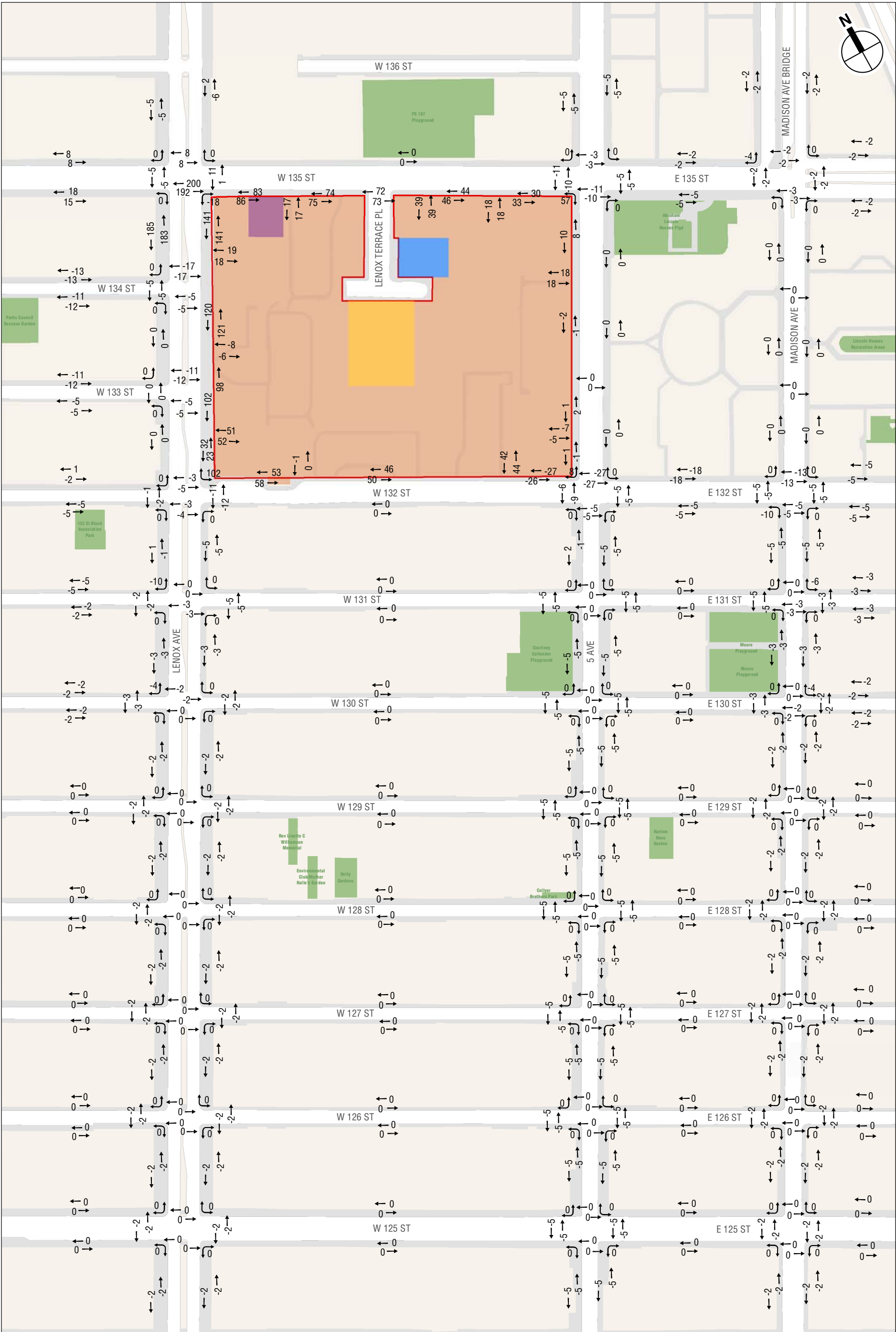
- Rezoning Area
-
- Potential Development Site

-
- Proposed Development Site

-
- City-Owned Site

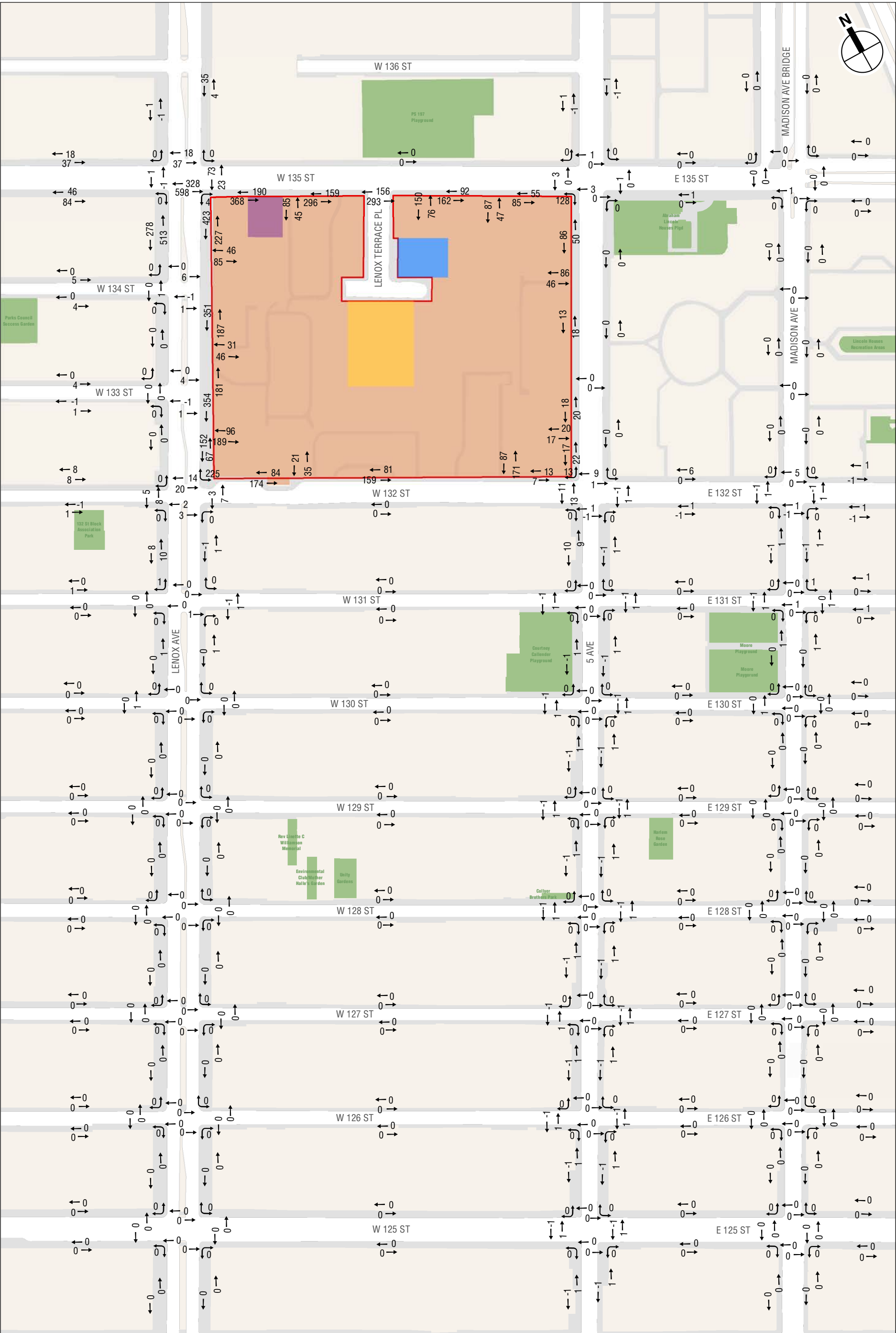
-
- Projected Future Development Sites

0 400 FEET



- Rezoning Area
- Potential Development Site
- Proposed Development Site
- City-Owned Site
- Projected Future Development Sites

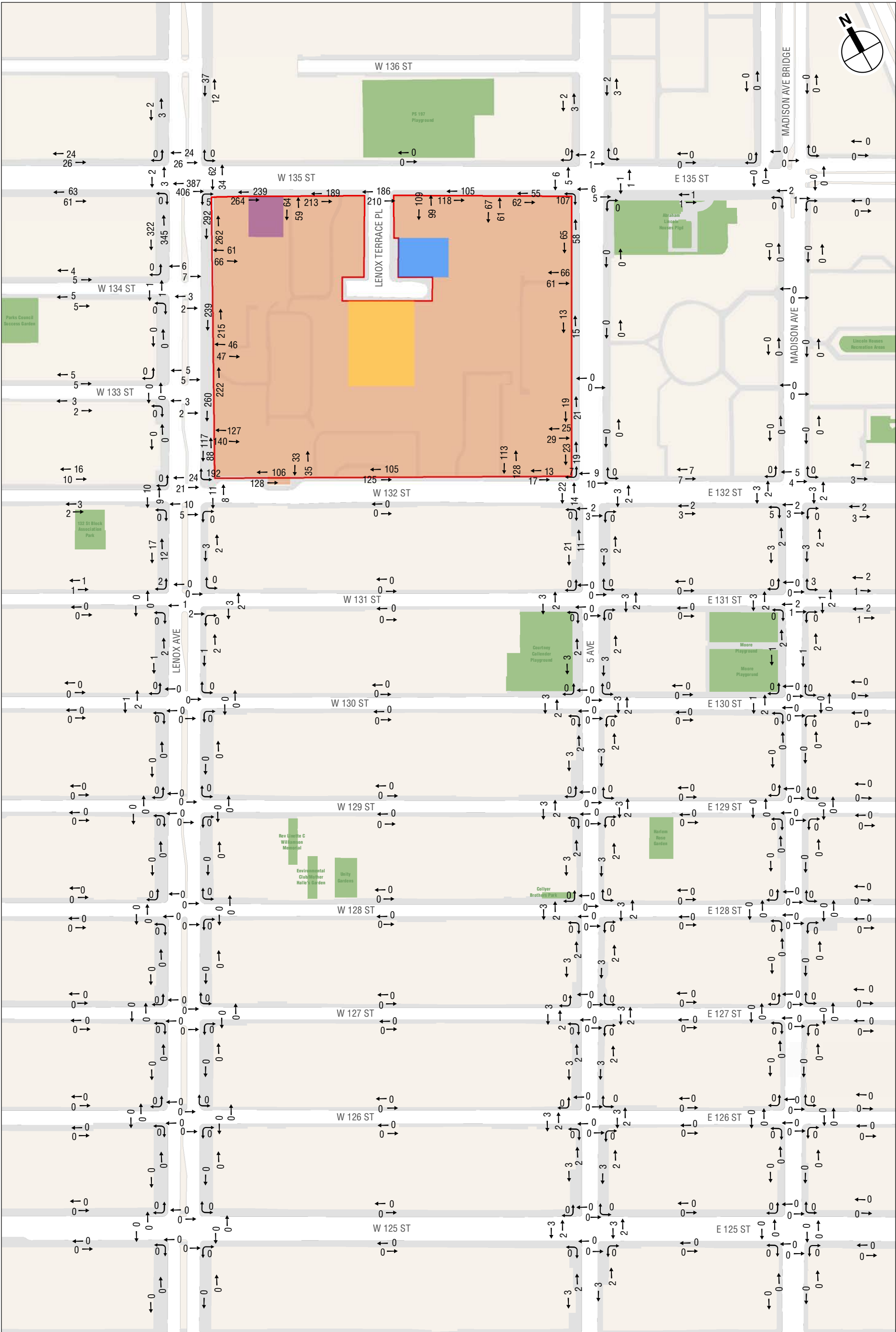
0 400 FEET



- Rezoning Area
- Potential Development Site
- Proposed Development Site
- City-Owned Site
- Projected Future Development Sites

0 400 FEET

2026 Full Build Incremental Pedestrian Trips
Weekday PM Peak Hour
Figure 17

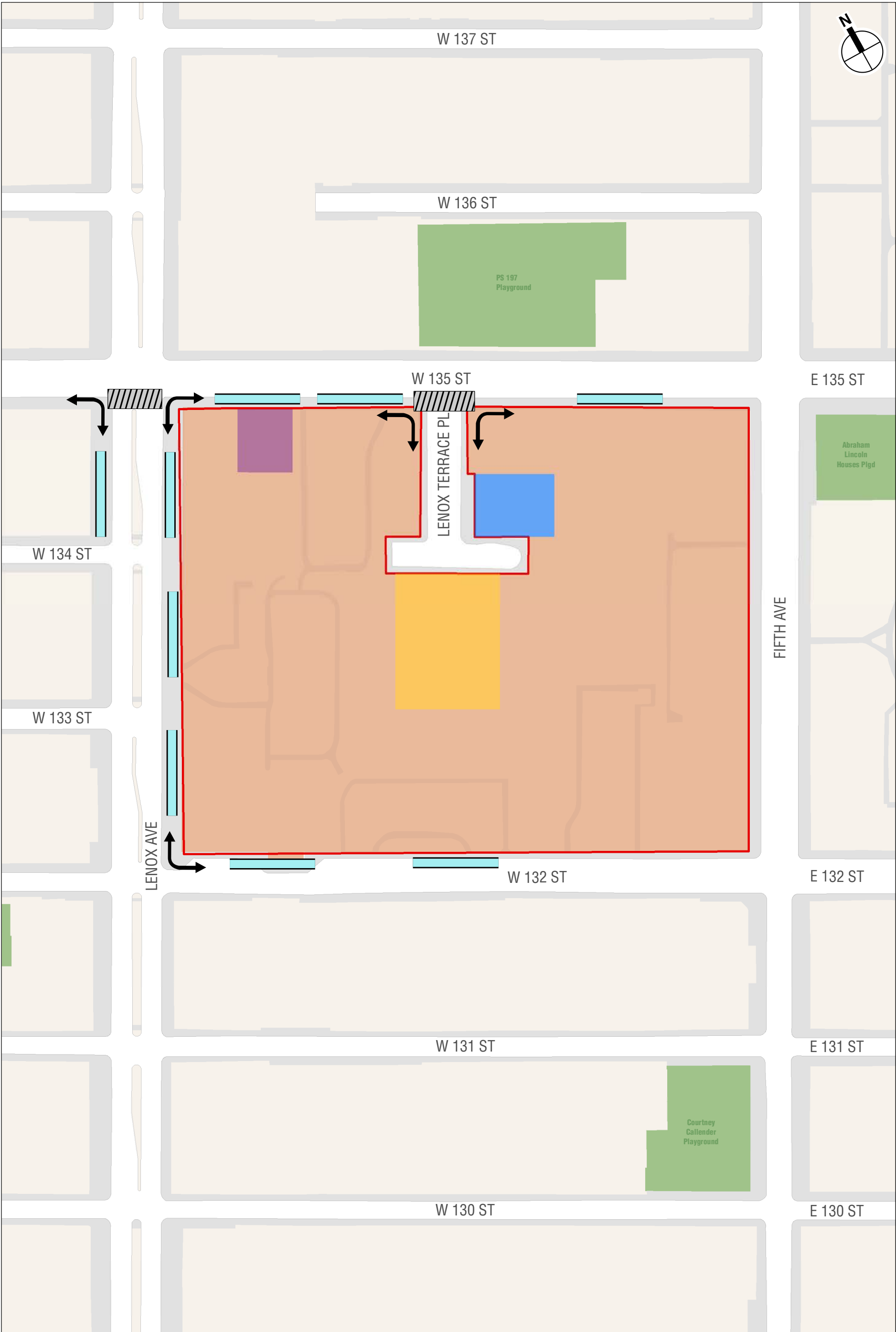


- Rezoning Area
-
- Potential Development Site

 Proposed Development Site Projected Future Development Sites

0 400 FEET

2026 Full Build Incremental Pedestrian Trips
Saturday Peak Hour
Figure 18



Pedestrian Analysis Locations



Corner



Crosswalk



Sidewalk

LENOX TERRACE

Proposed Development Site

Projected Future Development Sites

Potential Development Site

City-Owned Site



Rezoning Area

0 300 FEET

Pedestrian Analysis Locations

Figure 19

Table 6 (cont'd)

Pedestrian Level 2 Screening Analysis Results—Recommended Analysis Locations

Pedestrian Elements	Incremental Pedestrian Trips								Recommended Analysis Locations
	2023 Phase 1				2026 Full Build				
	Weekday			Saturday	Weekday			Saturday	
	AM	Midday	PM		AM	Midday	PM		
134th Street and Fifth Avenue									
East Sidewalk along Fifth Avenue between 134th Street and 133rd Street	0	0	0	0	0	0	0	0	
West Sidewalk along Fifth Avenue between 134th Street and 133rd Street	0	0	0	0	27	-3	31	28	
133rd Street and Fifth Avenue									
North Crosswalk	0	0	0	0	0	0	0	0	
East Sidewalk along Fifth Avenue between 133rd Street and 132nd Street	0	0	0	0	0	0	0	0	
West Sidewalk along Fifth Avenue between 133rd Street and 132nd Street	0	0	0	0	32	3	38	40	
132nd Street and Fifth Avenue									
North Crosswalk	22	-20	17	24	24	-54	10	19	
East Crosswalk	4	-6	2	6	6	-10	0	5	
South Crosswalk	4	-6	2	6	6	-10	0	5	
West Crosswalk	19	-8	15	19	27	-15	24	36	
Northeast Corner	26	-26	19	30	30	-64	10	24	
Southeast Corner	8	-12	4	12	12	-20	0	10	
Southwest Corner	23	-14	17	25	33	-25	24	41	
Northwest Corner	41	-28	32	43	61	-61	47	62	
East Sidewalk along Fifth Avenue between 132nd Street and 131st Street	11	-2	10	12	6	-10	0	5	
West Sidewalk along Fifth Avenue between 132nd Street and 131st Street	14	-2	12	15	22	1	19	32	
South Sidewalk along 132nd Street between Fifth Avenue and Lenox Avenue	0	0	0	0	0	0	0	0	
North Sidewalk along 132nd Street between Fifth Avenue and Lenox Avenue – Eastern Segment	41	-25	36	47	35	-53	20	30	
North Sidewalk along 132nd Street between Fifth Avenue and Lenox Avenue – Middle Segment	49	-9	55	71	209	96	240	230	✓
North Sidewalk along 132nd Street between Fifth Avenue and Lenox Avenue – Western Segment	187	90	216	193	232	111	258	234	✓
131st Street and Fifth Avenue									
North Crosswalk	0	0	0	0	0	0	0	0	
East Crosswalk	4	-6	2	6	6	-10	0	5	
South Crosswalk	0	0	0	0	0	0	0	0	
West Crosswalk	14	-2	12	15	6	-10	0	5	
Northeast Corner	4	-6	2	6	6	-10	0	5	
Southeast Corner	4	-6	2	6	6	-10	0	5	
Southwest Corner	14	-2	12	15	6	-10	0	5	
Northwest Corner	14	-2	12	15	6	-10	0	5	
East Sidewalk along Fifth Avenue between 131st Street and 130th Street	4	-6	2	6	6	-10	0	5	
West Sidewalk along Fifth Avenue between 131st Street and 130th Street	14	-2	12	15	6	-10	0	5	
South Sidewalk along 131st Street between Fifth Avenue and Lenox Avenue	0	0	0	0	0	0	0	0	
North Sidewalk along 131st Street between Fifth Avenue and Lenox Avenue	0	0	0	0	0	0	0	0	
West 135th Street and Lenox Terrace Place									
South Crosswalk	108	32	125	13	402	147	450	395	✓
Southeast Corner	14	-16	7	13	402	147	450	395	✓
Southwest Corner	14	-16	7	13	402	147	450	395	✓
South Sidewalk along 135th Street between Lenox Terrace Place and Lenox Avenue – Eastern Segment	108	32	125	132	405	149	455	402	✓
South Sidewalk along 135th Street between Lenox Terrace Place and Lenox Avenue – Western Segment	191	88	214	203	510	169	558	503	✓

Table 6 (cont'd)

Pedestrian Level 2 Screening Analysis Results—Recommended Analysis Locations

Pedestrian Elements	Incremental Pedestrian Trips								Recommended Analysis Locations
	2023 Phase 1				2026 Full Build				
	Weekday		Saturday	Weekday		Saturday			
	AM	Midday		PM	PM				
West 135th Street and Lenox Avenue									
North Crosswalk	7	10	37	36	53	16	55	50	
East Crosswalk	51	10	57	59	78	12	96	96	
South Crosswalk	534	263	601	516	837	392	926	793	✓
West Crosswalk	4	-6	2	6	6	-10	0	5	
Northeast Corner	88	20	94	95	131	28	151	146	
Southeast Corner	589	275	661	579	922	386	1,026	894	✓
Southwest Corner	538	257	603	522	843	382	926	798	✓
Northwest Corner	41	4	39	42	59	6	55	55	
East Sidewalk along Lenox Avenue between West 135th Street and West 136th Street	12	-2	21	24	25	-4	39	49	
East Sidewalk along Lenox Avenue between West 135th Street and West 134th Street	505	254	586	498	578	282	650	554	✓
West Sidewalk along Lenox Avenue between West 135th Street and West 134th Street	450	242	510	432	706	368	791	667	✓
South Sidewalk along West 135th Street between Lenox Avenue and Adam Clayton Powell, Jr. Boulevard	77	28	87	80	126	33	130	124	
West Sidewalk along Lenox Avenue between West 135th Street and West 136th Street	4	-6	2	6	6	-10	0	5	
North Sidewalk along West 135th Street between Lenox Avenue and Adam Clayton Powell, Jr. Boulevard	37	10	37	36	53	16	55	50	
West 134th Street and Lenox Avenue									
North Crosswalk	9	-12	5	10	17	-34	6	13	
South Crosswalk	5	-10	4	6	6	-10	0	5	
West Crosswalk	0	0	0	0	6	-10	1	2	
Southwest Corner	5	-10	4	6	12	-20	1	7	
Northwest Corner	9	-12	5	10	23	-44	7	15	
East Sidewalk along Lenox Avenue between West 134th Street and West 133rd Street	396	185	459	404	481	241	538	454	✓
West Sidewalk along Lenox Avenue between West 134th Street and West 133rd Street	0	0	0	0	0	0	0	0	
South Sidewalk along West 134th Street between Lenox Avenue and Adam Clayton Powell, Jr. Boulevard	5	-10	4	6	11	-23	4	10	
North Sidewalk along West 134th Street between Lenox Avenue and Adam Clayton Powell, Jr. Boulevard	9	-12	5	10	11	-26	5	9	
West 133rd Street and Lenox Avenue									
North Crosswalk	5	-10	4	6	11	-23	4	10	
South Crosswalk	4	-6	2	6	6	-10	0	5	
West Crosswalk	0	0	0	0	0	0	0	0	
Southwest Corner	4	-6	2	6	6	-10	0	5	
Northwest Corner	5	-10	4	6	11	-23	4	10	
East Sidewalk along Lenox Avenue between West 133rd Street and West 132nd Street	366	67	448	417	469	200	535	482	✓
West Sidewalk along Lenox Avenue between West 133rd Street and West 132nd Street	0	0	0	0	0	0	0	0	
South Sidewalk along West 133rd Street between Lenox Avenue and Adam Clayton Powell, Jr. Boulevard	4	-6	2	6	6	-10	0	5	
North Sidewalk along West 133rd Street between Lenox Avenue and Adam Clayton Powell, Jr. Boulevard	5	-10	4	6	11	-23	4	10	

Table 6 (cont'd)

Pedestrian Level 2 Screening Analysis Results—Recommended Analysis Locations

Pedestrian Elements	Incremental Pedestrian Trips									Recommended Analysis Locations
	2023 Phase 1					2026 Full Build				
	Weekday			Saturday	Weekday			Saturday		
	AM	Midday	PM		AM	Midday	PM			
West 132nd Street and Lenox Avenue										
North Crosswalk	27	1	25	43	42	-8	34	45		
East Crosswalk	25	-5	18	28	13	-23	10	19		
South Crosswalk	20	1	16	24	8	-7	5	15		
West Crosswalk	10	-3	7	15	21	-3	13	19		
Northeast Corner	220	76	237	237	251	71	269	256	✓	
Southeast Corner	45	-4	34	52	21	-30	15	34		
Southwest Corner	30	-2	23	39	29	-10	18	34		
Northwest Corner	37	-2	32	58	63	-11	47	64		
East Sidewalk along Lenox Avenue between West 132nd Street and West 131st Street	4	-6	2	6	6	-10	0	5		
West Sidewalk along Lenox Avenue between West 132nd Street and West 131st Street	27	6	22	36	22	0	18	29		
South Sidewalk along West 132nd Street between Lenox Avenue and Adam Clayton Powell, Jr. Boulevard	2	-8	0	4	6	-10	0	5		
North Sidewalk along West 132nd Street between Lenox Avenue and Adam Clayton Powell, Jr. Boulevard	16	3	18	30	22	-1	16	26		
Note: ✓ denotes pedestrian elements recommended for detailed analysis.										

*