

Appendix I
Responses to Comments Received on the
NYU Core Draft Scope of Work

(Appendix I is new to the FEIS)

Responses to Comments Received on the NYU Core Draft Scope of Work

A. INTRODUCTION

This document summarizes and responds to comments on the Draft Scope of Work (Draft Scope), issued on April 22, 2011 for NYU Core (the Proposed Actions). Oral and written comments were received during the public hearings held by the New York City Department of City Planning (DCP) on May 24, 2011. Written comments were accepted through the close of the public comment period, which ended June 6, 2011. Appendix J contains the written comments received on the Draft Scope.

Section B lists the elected officials, community board representatives, organizations, and individuals that provided relevant comments on the Draft Scope. Section C summarizes relevant comments and responds to summarized comments. The summarized comments 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 Draft Scope. Where more than one commenter expressed similar views, those comments have been grouped and addressed together.

B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT SCOPE OF WORK

ELECTED OFFICIALS

1. Margaret S. Chin, New York City Councilmember, written comments dated May 24, 2011 (Chin)
2. Brian Cook on behalf of Manhattan Borough President Scott M. Stringer, oral comments dated May 24, 2011 (Stringer)
3. Thomas Duane, New York State Senator, written comments dated May 24, 2011 (Duane)
4. Deborah J. Glick, New York State Assemblymember, written comments dated May 24, 2011 (Glick)
5. Laura Morrison, on behalf of New York State Senator Thomas Duane, oral comments dated May 24, 2011 (Duane)
6. Jerrold Nadler, United States Congressman, written comments dated May 24, 2011 (Nadler)
7. Lisa Parson, on behalf of New York State Assemblymember Deborah J. Glick, oral comments dated May 24, 2011 (Glick)
8. Kate Smith, on behalf of Congressman Jerrold Nadler, oral comments dated May 24, 2011 (Nadler)

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9. Scott M. Stringer, Manhattan Borough President, written comments dated May 24, 2011 (Stringer)
10. Matt D. Viggiano, on behalf of City Councilmember Margaret S. Chin, oral comments dated May 24, 2011 (Chin)

COMMUNITY BOARDS

11. Tobi Bergman on behalf of Community Board No. 2 Manhattan, oral comments dated May 24, 2011 (CB2)
12. Community Board No. 2 Manhattan, written comments dated May 24, 2011 (CB2)
13. Terri Cude on behalf of Community Board No. 2 Manhattan, oral comments dated May 24, 2011 (CB2)
14. David Gruber on behalf of Community Board No. 2 Manhattan, oral comments dated May 24, 2011 (CB2)
15. Robert Riccobono on behalf of Community Board No. 2 Manhattan, oral comments dated May 24, 2011 (CB2)

ORGANIZATIONS

16. 505 LaGuardia Place Board of Directors, written comments dated May 24, 2011 (505 LaGuardia Place)
17. AIA New York Chapter, written comments dated May 24, 2011 (AIA NY Chapter)
18. American Planning Association, New York Metro Chapter, written comments dated May 24, 2011 (APA NY Metro)
19. Dick Anderson on behalf of New York Building Congress, oral comments dated May 24, 2011 (NY Building Congress)
20. Alison Beha on behalf of New Yorkers for Parks, oral comments dated May 24, 2011 (New Yorkers for Parks)
21. Rick Bell on behalf of New York Institute of Architects AIA New York Chapter, oral comments dated May 24, 2011 (AIA NY Chapter)
22. Andrew Berman on behalf of Greenwich Village Society for Historic Preservation, oral comments dated May 24, 2011 (GVSHHP)
23. Raymond Cline on behalf of Bleecker Area Resident and Merchant Association oral comments dated May 24, 2011 (Bleecker Area R&M Assoc.)
24. Community Action Alliance on NYU 2031, written comments dated May 24, 2011 (CAAN2031)
25. Concerned Residents of Washington Square Village, written comments dated June 2, 2011 (Washington Square Village)
26. Jennifer Falk on behalf of Union Square Partnership, oral comments dated May 24, 2011 (Union Square Partnership)
27. Greenwich Village-Chelsea Chamber of Commerce, written comments dated May 24, 2011 (Greenwich Village-Chelsea Chamber of Commerce)
28. Aileen Gorsuch on behalf of The Municipal Art Society, oral comments dated May 24, 2011 (MASNYC)

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29. Elaine Hudson on behalf of the Mercer Street Block Association, oral comments dated May 24, 2011 (Mercer Street Block Assoc.)
30. Tony Juliano on behalf of Greenwich Chelsea Chamber of Commerce, oral comments dated May 24, 2011 (Greenwich Village-Chelsea Chamber of Commerce)
31. Stephen Lefkowitz of Fried, Frank, Harris, Shriver & Jacobson LLP on behalf of LaGuardia Corner Garden, Friends of LaGuardia Place, Lower Manhattan Neighbors Organization, and Mercer-Houston Dog Run Association, written comments dated May 31, 2011 (Lefkowitz)
32. Stephen Lefkowitz of Fried, Frank, Harris, Shriver & Jacobson LLP on behalf of LaGuardia Corner Garden, Friends of LaGuardia Place, Lower Manhattan Neighbors Organization, and Mercer-Houston Dog Run Association, oral comments dated May 24, 2011 (Lefkowitz)
33. Mercer Street Block Association, written comments dated May 24, 2011 (Mercer Street Block Assoc.)
34. Municipal Art Society of New York, written comments dated May 24, 2011 (MASNYC)
35. Howard Negrin, President, Washington Place Block Association
36. Howard Negrin on behalf of Washington Place Block Association, oral comments dated May 24, 2011 (Washington Place Block Assoc.)
37. New York Building Congress, written comments dated May 24, 2011, (NY Building Congress)
38. New Yorkers for Parks, written comments dated May 24, 2011 (New Yorkers for Parks)
39. Regional Plan Association, written comments dated May 24, 2011 (RPA)
40. Nicolas Ronderos on behalf of the Regional Plan Association, oral comments dated May 24, 2011 (RPA)
41. Martin Tessler on behalf of Community Action Alliance NYU 2031 Development, oral comments dated May 24, 2011 (CAAN2013)
42. Union Square Partnership, written comments dated May 24, 2011 (Union Square Partnership)
43. Washington Place Block Association, written comments (undated) (Washington Place Block Assoc.)

INTERESTED PUBLIC

44. Eileen Ain, written comments dated May 23, 2011 (Ain)
45. Gwen Akin, written comments dated May 23, 2011 (Akin)
46. Leslie Alexander, oral comments dated May 24, 2011 (Alexander)
47. Paolo Alippi, written comments dated May 21, 2011 (Alippi)
48. Ann Warren Arlen, oral comments dated May 24, 2011 (Arlen)
49. Ann Warren Arlen, written comments dated May 24, 2011 (Arlen)
50. Faye Armon, written comments dated May 24, 2011 (Armon)
51. Howard Bader, oral comments dated May 24, 2011 (Bader)
52. Annie Balliro, oral comments dated May 24, 2011 (Balliro)

53. Annie Balliro, written comments dated May 22, 2011 (Balliro)
54. Annie Balliro, written comments dated May 8, 2011 (Balliro)
55. Pamela Brown, written comments dated May 27, 2011 (Brown)
56. Alec Brownstein, written comments dated May 23, 2011 (Brownstein)
57. Steven Burden, written comments dated May 23, 2011 (Burden)
58. Laura Burdick, oral comments dated May 24, 2011 (Burdick)
59. Barbara Cahn, written comments dated May 27, 2011 (Cahn)
60. Judith Callet, written comments dated May 24, 2011 (Callet)
61. Judith Callet, oral comments dated May 24, 2011 (Callet)
62. Raymond Cline, written comments (undated) (Cline)
63. Terese Coe, written comments dated April 14, 2011 (Coe)
64. Terese Coe, written comments dated May 20, 2011 (Coe)
65. Moschell and Jeremy Coffey, written comments dated May 23, 2011 (Coffey)
66. Patricia Colorio, written comments dated May 23, 2011 (Colorio)
67. Terri Cude written comments (undated) (Cude)
68. Constance Dondore, written comments dated May 24, 2011 (Dondore)
69. Constance Dondore, oral comments dated May 24, 2011 (Dondore)
70. Janis Donnaud, written comments dated May 31, 2011 (Donnaud)
71. John T. Doyle, written comments dated May 20, 2011 (Doyle)
72. Marianne Edwards, oral comments dated May 24, 2011 (Edwards)
73. Laurel Elliott, written comments dated May 23, 2011 (Elliott)
74. Mark Fiedler, oral comments dated May 24, 2011 (Fiedler)
75. Michael R. Fisher, written comments dated May 25, 2011 (Fisher)
76. Dennis Geronimus, written comments dated March 23, 2011 (Geronimus)
77. James Gibbs, written comments dated June 2, 2011 (Gibbs)
78. Lisa Goldberg, written comments dated May 30, 2011 (Goldberg)
79. Beth Gottlieb, oral comments dated May 24, 2011 (Gottlieb)
80. Crista Grauer, written comments dated May 20, 2011 (Grauer)
81. Kathryn Grooms, written comments dated May 23, 2011 (Grooms)
82. Amy Harlib, written comments dated May 20, 2011 (Harlib)
83. Amy Harlib, written comments dated June 1, 2011 (Harlib)
84. Ellen Horan, oral comments dated May 24, 2011 (Horan)
85. Ellen Horan, written comments dated May 23, 2011 (Horan)
86. Ellen Horan, written comments dated May 23, 2011 (Horan)
87. Ellen Horan, written comments dated May 23, 2011 (Horan)
88. Ellen Horan, written comments dated May 23, 2011 (Horan)
89. Allan A. Horland, M.D., oral comments dated May 24, 2011 (Horland)
90. Allan A. Horland, M.D., written comments dated May 24, 2011 (Horland)
91. Emily B. Howell, written comments dated May 25, 2011 (Howell)

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92. Saad Jallad, written comments dated May 23, 2011 (Jallad)
93. Randy Jones, written comments dated May 31, 2011 (Jones)
94. Miriam Kaplan, oral comments dated May 24, 2011 (Kaplan)
95. Miriam Kaplan, written comments dated June 6, 2011 (Kaplan)
96. Roger Kim, written comments dated May 29, 2011 (Kim)
97. Maryanne Kuzniar, written comments dated May 27, 2011 (Kuzniar)
98. Rita Lee, oral comments dated May 24, 2011 (Lee)
99. Peter Liberman, written comments dated June 6, 2011 (Liberman)
100. Peter Liberman, oral comments dated May 24, 2011 (Liberman)
101. Linda Lusskin, written comments dated May 20, 2011 (Lusskin)
102. Judy Magida, oral comments dated May 24, 2011 (Magida)
103. Rhoma Mostel, written comments dated May 27, 2011 (Mostel)
104. Rhoma Mostel, oral comments dated May 24, 2011 (Mostel)
105. Rhoma Mostel, written comments dated May 23, 2011 (Mostel)
106. Dan Oberlander, written comments dated May 23, 2011 (Oberlander)
107. Cy O'Neal, written comments dated June 6, 2011 (O'Neal)
108. Janice Pargh, written comments dated May 23, 2011 (Pargh)
109. Robert B. Plutzker, written comments dated June 6, 2011 (Plutzker)
110. Milton Polsky, oral comments dated May 24, 2011 (Polsky)
111. Carlos Ponce, written comments dated May 31, 2011 (Ponce)
112. Barbara Quart, written comments (undated) (Quart)
113. Barbara Quart, oral comments dated May 24, 2011 (Quart)
114. Janice Quinn, oral comments dated May 24, 2011 (Quinn)
115. Sylvia Rackow, oral comments dated May 24, 2011 (Rackow)
116. Sylvia Rackow, written comments dated May 24, 2011 (Rackow)
117. Sylvia Rackow, written comments dated May 22, 2011 (Rackow)
118. Benita Raphan, written comments dated May 23, 2011 (Raphan)
119. Necia Refes, written comments dated June 1, 2011 (Refes)
120. R. Rennert, written comments dated March 21, 2011 (Rennert)
121. Carl Schnedeker, written comments dated May 31, 2011 (Schnedeker)
122. Lee Schwartz, oral comments dated May 24, 2011 (Schwartz)s
123. Claudia Silver, written comments dated May 29, 2011 (Silver)
124. Daniel Simon, oral comments dated May 24, 2011 (Simon)
125. Daniel Bowman Simon, written comments dated May 24, 2011 (Simon)
126. Susan Taylorson Ziff, written comments dated June 4, 2011 (Taylorson Ziff)
127. Dianne Travis, written comments dated June 2, 2011 (Travis)
128. Unsigned, written comments received (Unsigned)
129. David Weiner, oral comments dated May 24, 2011 (Weiner)
130. Suzanne Weinstock, written comments dated May 26, 2011 (Weinstock)

- 131. Julia Whalen, written comments dated May 23, 2011 (Whalen)
- 132. Jeanne Wilcke, written comments dated May 16, 2011 (Wilcke)
- 133. Katherine Wong, written comments dated June 2, 2011 (Wong)
- 134. Charles Wooten, written comments dated May 25, 2011 (Wooten)
- 135. Calvert Wright, written comments dated May 25, 2011 (Wright)
- 136. Rachel Yarmolinsky, oral comments dated May 24, 2011 (Yarmolinsky)
- 137. Elyn Zimmerman, written comments dated May 24, 2011 (Zimmerman)

C. COMMENTS AND RESPONSES

GENERAL/PROJECT DESCRIPTION

Comment 1: I am pleased to see that all new construction will be held to LEED Silver standards, but as a leading center for learning and research, I urge NYU to set the bar even higher by exploring the highest level of sustainable practices possible. Further, as LEED ratings can be achieved through improvements in multiple environmental categories, it is important that the University provide a plan outlining specific anticipated sustainable practices. (Stringer)

Please provide a detailed plan of the methods that will be used to achieve LEED Silver status. (CB2)

All new buildings should achieve LEED Gold standards. (APA NY Metro, CB2)

A more significant push for sustainability assurance at the building, block, and neighborhood level should be provided, with more significant requirements for energy efficiency. (APA NY Metro)

The NYU Core project should incorporate the State and City Green guidelines for Site Management—Landscape and Roof Design, Alternative Transportation; Water Conservation—Management, Reduction, Innovative Technologies, Water-Efficient Practices; Energy Efficiency—Maximize Efficiency, Use Renewable Energy and Green Power Sources; Conservation of Materials and Resources—Store and Collect Recyclables, Perform Construction Waters and Resource Reuse, Use Local/Regional Materials and Renewable and Rapidly Renewable Materials, Forest Management, CFC Elimination; and Enhance Indoor Environment Quality—Indoor Air Quality, Use Low-Emitting Materials, Controllability of Systems, and Lighting and Daylighting. (Horan)

Considering the height of some of the projected buildings, has NYU studied the installation of solar power and rooftop gardens? (CB2)

Response: As described in the Draft Scope of Work (Draft Scope) and as clarified in the Final Scope of Work (Final Scope, collectively the Draft and Final Scope), the proposed project would incorporate a number of sustainable design measures that would reduce energy consumption and GHG emissions, including measures to be

incorporated in order to achieve at least the LEED Silver certification required by the *NYU Sustainable Design Standards and Guidelines*. In addition, NYU plans to utilize energy produced by the existing cogeneration facility operating at 251 Mercer Street, which would service the heating and cooling needs of several project buildings.

CEQR analyses of issues such as energy, GHG Emissions, solid waste and sanitation services, and water and sewer infrastructure will describe the analytical assumptions used to estimate the proposed project's energy consumption, solid waste production, and water usage and flows. Many of the analyses tend to be conservative because they apply CEQR usage ratios that do not reflect the environmental benefits of sustainable design features being contemplated by NYU. The EIS will outline specific sustainability commitments that have been identified by NYU; other sustainability measures would be developed as the buildings are designed.

Comment 2: Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on existing and prospective non-NYU residents on and near the project blocks. (CB2)

Response: The EIS will study the potential environmental effects of the proposed project on existing and projected future residential populations, including NYU and non-NYU residents, on and near the project blocks. Each environmental analysis reported in the EIS will follow *CEQR Technical Manual* guidelines in determining the populations and study areas that are appropriate.

Comment 3: NYU's proposal includes the re-cladding of the ground floor and second floor of the Washington Square Village apartment buildings to add transparency. This seems to indicate a change of use on these floors. Please describe in detail the purpose of recladding and study the potential impacts to current tenants, especially possible displacement. (CB2)

NYU's Draft Scope states under the proposed actions that the bottom two floors of Washington Square Village may become retail. Please provide details of what will happen to the current residents on these floors. (CB2)

No details have been provided as to changes in the bottom floors of Washington Square Village. (AP NY Metro)

Response: In response to public comments on the Draft Scope, the Final Scope provides updated information on NYU's proposed reprogramming and re-cladding of the ground floors of Washington Square Village apartment buildings; additional description will also be provided as part of the DEIS.

NYU's proposal within the Proposed Development Area includes the re-cladding of the ground floor of the Washington Square Village apartment buildings, as well as reprogramming and re-configuring of the ground floors and

the basements. Re-cladding would be limited to the ground floor of the buildings, not the ground and second floors as described in the Draft Scope. Re-cladding the ground floors would activate and complement the new publicly accessible landscaping on the North Block adjacent to these buildings. Ground floor activation by means of re-cladding and transparency has been done in other buildings in the Washington Square campus, such as Gallatin School on Washington Place.

As discussed in the Final Scope, while specific uses have not been identified, for purposes of analysis it is assumed that in the future with the Proposed Actions the reprogrammed ground floors at Washington Square Village would contain an estimated 4,583 square feet of new academic uses, 9,312 square feet of university-related retail, and a 5,814-square-foot loading bay east of the garage entry on West Third Street. Together with separate emergency egress stairs for the subsurface development, certain areas within the Washington Square Village ground floor would require reconfiguration to accommodate the new program (the existing lobbies would remain). Reprogramming would enable ground floor uses that are compatible with the ground floor uses envisioned for the LaGuardia and Mercer Buildings and surrounding streets, and the gardens, lawns, and play areas connecting the development.

The ground floors of the Washington Square Village apartment buildings currently include 25 residential dwelling units (including 21 NYU-affiliated units, 3 rent stabilized units, and 1 vacant unit) and a day care center which accommodates between 30 and 40 children. These existing users, if they require relocation, would be relocated within the Washington Square Village buildings or into other NYU properties.

Comment 4: The plan calls for dissolving the current Large Scale Residential Development (LSRD) on the southern superblock in the Proposed Development Area, and replacing it with a Large Scale General Development Special Permit (LSGD) that covers both the northern and southern superblock. We have not been able to determine from the Draft Scope the purpose of the LSGD, so it is difficult to comment. The plans are undefined and vague, and sorely lacking in specific detail, so how can we responsibly evaluate the impact of the entire project? We are especially concerned that the boundaries have not yet been determined, that the area covered is too large, and that the development would take place in two distinct phases over 20 years. (CB2)

Clearly the Zoning Resolution requires amendment if NYU is to get a GLSD for the two superblocks. We require that NYU provide full and complete particulars of all planned amendments to the Zoning Resolution and any other planned changes, modifications or additions to existing legislation. Furthermore, we are of the opinion that any such changes in the definition of a GLSD or the formulation of some other kind of Development would be counter to the intent

and purpose of the Zoning Resolution as it would facilitate the violation of the goals of the Zoning Resolution. (Kaplan)

The details of the Large Scale General Development (LSGD) Special Permit are an essential part of this proposal. The Draft Scope of Work does not properly describe the LSGD. These details must be the basis of study for all impacts and environmental consequences. Please provide the precise boundaries of the LSGD and describe the waivers and/or Zoning Resolution text amendments (may include height and setback waivers and potentially floor area and open space redistribution across zoning lot boundary lines, and court and location of use regulations) that will be needed. (CB2)

I would like to better understand the different land use changes that are being sought, the rationale for these changes, and precisely the amendments that are being sought to the Zoning Resolution. (Chin)

Response: The Draft Scope provided a level of detail that was adequate for purposes of identifying the environmental issues and methodologies for CEQR review, and for public review of the proposed methodology. The Final Scope provides additional detail on the Proposed Actions, and the information requested in this comment will be provided in the DEIS. Chapter 1, “Project Description” of the DEIS will further articulate the Proposed Actions, including the amendments that are being sought to the Zoning Resolution. In addition, Chapter 1 will identify the location of the LSGD boundaries.

Comment 5: I was dismayed to learn that NYU’s commitment to donate space for a school did not extend to providing physical space and had an expiration date as indicated in their Draft Scope of Work. Providing space for a school means more than just giving the dirt patch. Children need a building for their desks and seats to learn. The University needs to live up to its commitment and come back to this community with a proper alternative that includes a core and shell for the school. (Stringer)

Regarding Public Authorities Law Site Selection by the NYC School Construction Authority (SCA), our district, like so many in the city, is struggling with a shortage of public school seats at the kindergarten, elementary, and middle school levels. This proposed facility could create 600-800 seats and therefore it is an element of the plan that is very interesting to us. However, the description of the process by which property would be made available to the SCA is disconcerting both because it is vague, and because it seems to be a great promise without a guarantee. First, it is unclear what kind of school our district needs to meet projected populations in 10 to 20 years, or even if such an assessment will be available to us during this ULURP process. Second, we have no assurances that SCA even wants this property, or if they have the resources in their capital plans to be able to develop it. And third, the Draft Scope of Work states that if SCA is not ultimately willing or able to take over the site, then it

will revert to NYU. This is of grave concern. If there are no specific guarantees at the time of ULURP, then all the possible alternatives for this site must be studied. (CB2)

NYU should ensure that its offer of 100,000 square feet for a public school will not be retracted if SCA does not have the funds to build the school by a certain date. (Nadler)

Analyze and offer specific details as to how NYU is arriving at the 100,000 sq ft figure for a public school. (CB2)

Analyze the amount of outdoor space a state-of-the-art school would have and where it is best placed based on the grade-levels included. Per open space requirements, analyze if there is enough open space on the rooftop of the donated shell and core for a public school, and the appropriateness of a rooftop play yard. (CB2)

Analyze what protections the community has that a public school will actually be built, that SCA wants and can afford the space, and that the space will not revert back to NYU under any circumstances. Provide information on how the community will retain this mitigation even if DOE/SCA does not want to, or have the funds to, build the school. The DEIS states that NYU will utilize this land if a public school is not built. What would be built there is currently unspecified. NYU's Scope must provide alternatives that retain community ownership and use of this land promised by the University to the community. (CB2)

Analyze school completion timing. When would the school be completed, and will that coincide with the community's needs? Analyze viable mitigations if it is proven the community needs a school now. The school is a deferred benefit, so what will NYU do for the community in the meantime? (CB2)

Response: As described in the Draft and Final Scope, NYU will make space available to the New York City School Construction Authority (SCA) for the provision of an approximately 100,000-square-foot public school. As specified in the Final Scope, if SCA does not proceed with the development of a public school by 2025, NYU would build and utilize the 100,000-square-foot space for its own academic purposes. Section F of Chapter 20, "Construction Impacts" of the DEIS describes the rationale for the 2025 expiration date for the SCA option.

Comment 6: Analyze the actual costs for NYU to provide both the "Shell and Core" for a public school. Are there differences in costs between an Elementary School, Middle School and/or High School? (CB2)

Analyze as an alternative to donating space within the core the costs of NYU financially supporting the purchase and construction of a new public school

outside of the core. (e.g., 75 Morton Street which could potentially be used for both Middle and High School, Grades 6-12.) (CB2)

Analyze the costs of NYU donating space for a community center in existing or yet-to-be constructed NYU buildings. (CB2)

Response: The requested analyses are not within the scope of a CEQR environmental review.

Comment 7: Important is the information about the future of 15 Washington Place. From NYU's Draft Scope of Work, we know that 15 Washington Place is one of the five sites proposed for commercial ground floor development if the requested zoning change is approved. We also know, from p. 23, that even without the zoning change, NYU plans a renovation and building addition that would convert the approximately 74,000 sf residential building into a 129,000 sf academic building. Yet NYU's draft scope also states, under the heading Socioeconomic Conditions: Direct Residential Displacement, that the proposed actions would not directly displace any residents from the project site. How can you convert 15 Washington Place into an academic building, either with or without a commercial storefront, unless you displace the residents? 15 Washington Place is the only building located within the total scope of the proposed actions, actually within the 2031 plans, where residents will be displaced. (Dondore)

The greatest concern for my office is the direct displacement of residents in the *Future Without the Proposed Actions* scenario. Under this portion of the plan with the changes sought by NYU, residents along Washington Place are in danger of losing their homes. The conversion of 15 Washington Place in the Commercial Overlay Area into an academic building nearly twice the size demands the study of alternatives regardless of their proposed actions. Essentially the community is being asked to accept their zoning changes or risk having out constituents lost their homes. I urge NYU to examine alternatives to this prospect. (Chin)

Provide clear information on plans for 14 and 15 Washington Place and any indirect residential displacement or attrition plans. (CB2)

Response: As described in the Draft Scope and clarified in the Final Scope, the Proposed Actions would not result in the direct displacement of any residents from 15 Washington Place. For analysis purposes, it is assumed that in the future without the Proposed Actions (i.e., the future condition assuming that none of the discretionary approvals proposed as part of the proposed project would be adopted), NYU may ultimately redevelop 15 Washington Place as an academic building (this redevelopment option for 15 Washington Place is permitted under current zoning and is not dependent on the proposed C1-5 overlay). The Proposed Actions simply allow for the inclusion of ground-floor retail—rather

than ground-floor academic uses—within this new building. Therefore, the Proposed Actions (specifically, the action that would permit the C1-5 overlay) would not in itself facilitate the direct displacement of residential uses; any direct residential displacement that would result from NYU’s planned redevelopment of 15 Washington Place is not attributable to the Proposed Actions. Indirect residential displacement attributable to the Proposed Action will be analyzed in the DEIS.

Comment 8: I am confused by the statement under the heading Project Description on p. 4 of the Draft Scope of Work that the Commercial Overlay Area ... "is generally characterized by NYU academic and dormitory buildings, as well as four non-NYU residential buildings." Omitted from this description are the two residential buildings owned by NYU: 14 and 15 Washington Place. Why have they been omitted? Are they considered dormitories? They house a number of community residents and are a crucial part of the mix of residential, academic, and commercial elements that lend our neighborhood its character. (Dondore)

Response: While the intention of the language in Draft Scope was to “generally” describe the overall character of the Commercial Overlay Area, the analyses in the DEIS, as necessary, will account for all specific uses (including the residential uses at 14 and 15 Washington Place that include both NYU affiliates and non-affiliates), that could be affected by the Proposed Actions. See also the response to Comment 7.

Comment 9: I am also very much against the use of the Key Park area space to build a 4-story "temporary" gym that will increase the noise, traffic, and pollution for all the residents during the time of building as well as destroying one of the few good children's playgrounds north of Canal Street and south of 4th Street. (Taylorson Ziff)

Describe the proposal for and location of the proposed "temporary gymnasium" in the Northern Superblock, its impacts on existing open spaces and the expected schedule for the construction and demolition of this structure. (Lefkowitz)

Response: The EIS will include a description of the temporary gym, including a rendering, and the gym will be assessed for its potential to generate significant adverse environmental impacts. The EIS will also describe relocation plans for the Washington Square Village Playground (which the commenter refers to as “Key Park”) while the temporary gym is in operation.

Comment 10: Report on how access to and egress from the proposed "temporary gym" will be achieved, especially by busloads of visiting basketball and volleyball teams, since there is no streetside access from Mercer Street and the porticos limit the height of the vehicles that can enter the “Greene Street” N/S roadway. (CB2)

Report on the uses of the "temporary gym." As this facility will be smaller than the existing Coles, will it be more of a field house than a gym? Will any community uses even be possible? Report on how the community's access to the gym facilities will be coordinated with student access and analyze how NYU can provide increased access to the community to the "temporary gym" and, eventually, the permanent gym facility. (CB2)

Response: Information about access to the temporary gym will be provided in the EIS. See also the response to Comment 9.

Comment 11: Regarding the demapping and disposition of City-owned land, for many years, CB2 has asked New York City to transfer the open space strips bordering La Guardia Place and Mercer Street from the Department of Transportation to the Parks Department. Recently we passed another resolution asking for this transfer, and received the support of all of our elected officials. NYU has defaulted through the years on agreements with the City and the community to create and maintain public open space. It makes no sense that one of the proposed amenities of the project is to take public parkland away from the public and instead offer access to space the community already has access to but will now be surrounded by buildings, and to deprive an entire generation of access to parks and playgrounds. We question whether there is an Open Space Ratio requirement that is not met without this action. (CB2)

Regardless of how well NYU preserves the quality and public accessibility of these facilities, NYU ownership will bring to an end the community organization and activity that has developed to support and manage them. This will be a tremendous loss to the community in terms of civic engagement and social capital, but it is one that might have been overlooked given everyone's concern over the potential loss of the facilities themselves. (Lieberman)

Response: Based on public comments on the Draft Scope and in coordination with the lead agency, NYCDOT, DPR, and NYU, as described in the Final Scope, the Proposed Actions include changes to the City Map demapping four areas within the mapped rights-of-way of Mercer Street, LaGuardia Place, West Third Street, and West Fourth Street. Two of the demapped areas (LaGuardia Place between Bleecker and West Third Street, and Mercer Street between Bleecker and West Third Streets) will be mapped, in the above-grade portions, as City parkland. Other portions of those demapped areas, including the below-ground space under the new parkland, will be disposed to NYU, along with easements in other portions. See also the response to Comment 105.

Comment 12: The proposed project doesn't look like Greenwich Village, but more like Midtown; there is no green space, no mature trees, no cherry trees, no gardens. (Schwartz)

Response: The EIS will provide detailed description and analysis of the amounts and types of open spaces (in Chapter 5, “Open Space”), including description of planned flora (in Chapter 9, “Natural Resources”) resulting from the Proposed Actions.

Comment 13: Design and use requirements should be memorialized (e.g. with the City) to ensure that the planned open spaces and public school remain a resource for both the city and university. (APA NY Metro)

Response: The proposed project’s design and use requirements would be set forth in the large-scale general development (LSGD) special permit.

Comment 14: What is the maintenance plan for the upkeep of the properties? (Rackow)

Response: NYU is responsible for the maintenance of its own properties, including NYU-owned open spaces. To the extent known, the EIS will describe specific maintenance plans, if any, associated with the maintenance of City-owned open spaces. See also the response to Comment 115.

Comment 15: This project proposes too much density for this area. (Bader, Cahn, GVSHP, Horland, Kaplan, Quart, Rennert, Schwartz, Weiner, Yarmolinsky²) We will lose trees, light, common space, and all the things that make the Village the Village. (Bader, Brown, Magida, Schwartz)

Response: As provided in the Draft and Final Scope, the EIS will assess the potential environmental effects of the density of the proposed project—including the bulk of the project buildings and the population of residents and other users of the proposed buildings. Density is an analytic factor in many of the environmental issue areas under CEQR, and therefore will be considered throughout the EIS.

Comment 16: Concerned Residents of Washington Square Village oppose the building of the two massive NYU buildings within the current Washington Square Village Complex because the Garden, Children’s Playground, and Garage will be destroyed. (Washington Square Village)

Response: Comment noted. Chapter 5, “Open Space” of the EIS will analyze the effects of the displacement of the open spaces referenced by the commenter, and Chapter 7, “Historic and Cultural Resources” will analyze the effects of the proposed changes to the North Block on the Washington Square Village complex as an historic resource.

Comment 17: Lifting zoning requirements to preserve open space in one of the most park-starved areas in New York City, changing residential zoning to commercial, transferring public land to a private institution, and removing urban renewal deed restrictions, as NYU is requesting, would be just plain wrong. (Balliro, Rennert)

Response: As reflected generally in the Draft Scope, and further clarified in the Final Scope, the EIS will assess the potential environmental effects of the Proposed Actions, including proposed zoning changes, changes to the City Map, and removing existing restrictions, among others.

Comment 18: There is no single institution more important to our neighborhood than New York University. That is why we strongly support the university's NYU-2031 expansion plan, which would be the largest private investment to occur in the city over the next two decades. (Greenwich Village-Chelsea Chamber of Commerce)

We are pleased to offer our support today for New York University's ambitious and important NYU 2031 expansion plan. (NY Building Congress, Union Square Partnership)

RPA wants to express its support for the NYU Core project given this institution's importance to the economy and life of the city and region. As stated in the DEIS scope of work, NYU is one of the 10 largest employers in the city and its Washington Square campus accounts for more than 24,000 jobs and \$2.25 billion in economic output to the city. The proposed 2.5 million square feet of development will accommodate its expected growth in the Village area maintaining this critical mass of activities. (RPA)

Response: Comment noted.

Comment 19: The required environmental review is an important part of the process. And we strongly believe that all voices should be heard, so that in the end the best possible plan moves forward. But we want to be clear that we think that a plan should go forward, because as you listen today, we want you to think about the neighborhood, not only just Greenwich Village, but also Union Square, and the City as a whole. We believe that NYU's expansion will be another important boost to our City and the benefits that it will bring will be great. (Union Square Partnership)

Response: Comment noted.

Comment 20: This project will ensure that NYU is able to keep its forecasted growth at its current location where it makes sense for the institution to expand. The proposed project allows the University to increase its existing facilities by building on its historic presence in the area without taking new land for development through the proposed Zoning Map changes and Large Scale Development Special permit. This plan achieves this balance by protecting the integrity and fabric of historic communities by not encroaching on them. (RPA)

Response: Comment noted.

Comment 21: It is critical to the University community that adequate space for simple physical activity and a promotion of wellness be accessible, be centrally located and nearby to the main academic core. (Quinn)

Response: Comment noted.

Comment 22: NYU's expansion plan will provide a major shot in the arm to our economy-not just our neighborhood, but the entire city. And given the economic difficulties of the last few years, we certainly need all the economic stimulus we can get. (Greenwich Village-Chelsea Chamber of Commerce)

NYU's proposed expansion is a critical response to changes in the City's economy and the world's economy. The Bloomberg Administration has made important efforts to move the City away from a heavy reliance on the financial sector to more diverse, knowledge-based industries such as medicine, technology, higher education and the arts. NYU and its sister universities are incubators for much of the talent that ends up entering and then leading these industries. Our universities are therefore critical links in the cycle of education, innovation and economic development. (NY Building Congress)

The future of New York relies on the need to balance and house our key economic activities such as NYU within an urban environment in which there are spatial and other constraints for development. We need to work together to ensure that we are able to continue to make New York a vibrant and attractive place for all. (RPA)

There is no doubt that NYU's presence, with its 2,500 students right around Union Square Park and 4,000 students in the immediate area, adds to the great strength, and vitality of both the Union Square community and its economy. NYU's students, employees, and the institution itself spend not only an enormous amount financially in the District, but that they are also great contributors, and that they are part of the fabric of what makes Union Square great. (Union Square Partnership)

Response: Comment noted.

Comment 23: The Scope of Work must include the financial impact on the taxpayer, such as monies, tax credits, and abatements, loan funding or guarantees, including, most important, monies from NY State and NY City and/or their representative agencies. (Wilcke)

Response: The Draft and Final Scope describe all actions required to facilitate the proposed project, including any potential public funding or financing approvals associated with the proposed project.

Comment 24: The project should include a vegetable garden in the gated grass area behind Silver Towers in the area facing Houston Street between Mercer Street and LaGuardia Place. (Simon)

Response: Comment noted.

PURPOSE AND NEED

Comment 25: On what grounds does NYU justify taking the open space away from the North Block buildings? (Kaplan)

Response: Based on public comments on the Draft Scope and in coordination with the lead agency, NYCDOT and DPR, as detailed in the Final Scope, the Proposed Actions have been amended to reflect that in the future with the Proposed Actions, the above-grade surface of the Mercer Street and LaGuardia Place Strips (the unimproved portions of Mercer Street and LaGuardia Place owned by the City that are under the jurisdiction of the NYCDOT) on the North Block would be mapped as parkland and continue to be owned and controlled by the City, while the below-grade volume would be disposed to NYU. Chapter 5, “Open Space and Recreational Facilities” of the EIS will assess the potential effects of the displacement of private open spaces and the proposed reprogramming of public open spaces. See also the response to Comment 126.

Comment 26: Why would NYU want to build more commercial space? They should support the commercial activity already on Eighth and Sixth Avenues. (Lee)

CB 2 questions the appropriateness of a Commercial Overlay district that faces Washington Square Park. Please provide an analysis of a Reasonable Worst-Case Development Scenario (RWCDS) as to the impacts of potential retail on the eastern boundary of the park. (CB2)

Response: The EIS will describe the purpose and need for the proposed commercial space in the Proposed Development Area and the projected commercial space in the Commercial Overlay Area. The commercial space will be assessed for all relevant areas under CEQR, including land use, socioeconomic conditions, and neighborhood character.

Comment 27: Explain why, given past proposals by NYU to thoroughly commercialize Washington Place the center of the proposed commercial overlay—the university in the future would not add additional commercial space to the proposed 24,000 square feet if the CI-5 designation is approved. (Washington Place Block Assoc.)

In the Commercial Overlay Area, the Draft Scope of Work refers to NYU’s desire to maintain current (academic) second-floor uses, and says that they intend to convert no more than 23,236 square feet to ground-floor retail. We

should know the impacts of the maximum that would be allowed if the area was rezoned to C1-5. (CB2)

The proposed Commercial C1-5 Overlay District does not include a complete build out for the full amount possible of retail space. Please provide an analysis of the Reasonable Worst-Case Development Scenario (RWCDs) for the C1-5 overlay, east of Washington Square Park. (CB2)

Response: As described in the Draft and Final Scope, for purposes of CEQR analysis a Reasonable Worst-Case Development Scenario (RWCDs) was developed for the Commercial Overlay Area that considered physical criteria—as well as NYU’s desire to retain all existing second-floor uses and certain critical ground-floor uses as non-retail institutional uses—in determining the maximum potential incremental commercial development that could reasonably be expected to result from the Proposed Actions. As shown in Table 5 of the Final Scope, the RWCDs for the Commercial Overlay Area assumes that up to 23,236 of ground-floor retail uses would be developed in a total of six buildings within the Commercial Overlay Area. Figure 13 of the Final Scope identifies the projected sites where the analysis assumes ground-floor retail uses would occur.

With respect to potential second-floor commercial uses, it was found that very few of the buildings in existing commercial zoning districts surrounding the Commercial Overlay Area contain second-floor retail uses, and second-floor non-retail commercial uses are present only in commercial buildings. Based on these considerations, it is highly unlikely that the Proposed Actions would result in conversion of second-floor uses to commercial.

There are several instances where a building was determined to be potentially well-suited for ground-floor retail, but would not be converted because NYU wishes to retain the existing ground-floor use. These include instances in which the ground floor space is needed as an entrance/common area for academic or dormitory uses above the ground floor, and where the ground floor serves a critical function as classroom, performance and/or gallery space.

Comment 28: If NYU needs to continue expanding, they should be encouraged to do it in areas of the City that need and want the development, and not in the already vibrant, busy, historic village. (Bader, Gibbs, Yarmolinsky2)

NYU’s goals must work within the context of an existing neighborhood. To further this objective, the lower Sixth Avenue and Hudson Square manufacturing zones should be reconsidered for expansion if NYU truly wishes to have most of its facilities within a 10-minute walk. (APA NY Metro)

There are other options so close by that are already zoned for just the type of growth that NYU seeks, and that welcome NYU with open arms—we ask that NYU expand their reach rather than overwhelm one overburdened neighborhood. (CAAN2031)

There are communities that would gladly accept the development NYU is proposing and can provide the kind of commercial uses that their students desire. (Chin)

Response: As explained in the Final Scope, the EIS will describe the purpose and need for the Proposed Actions and the basis for the site selection.

Comment 29: I support NYU's thoughtful use of Washington Square and its clear need to enhance some of its very aging facilities. (Quinn)

Response: Comment noted.

Comment 30: NYU needs to provide additional evidence of their need for a 50 percent expansion of space in 25 years. While details about which departments are recommended for which locations are understandably in flux for such a long-term plan, the overall demand for such extensive expansion deserves additional explanation. (APA NY Metro, CB2, Washington Place Block Assoc.)

Response: Based on public comments on the Draft Scope, the Final Scope contains additional information on the purpose and need for the Proposed Actions. The purpose and need for the Proposed Actions also will be discussed in Chapter 1, "Project Description," of the EIS.

Comment 31: The statement of purpose and need for the proposed project should clearly outline which academic departments located in NYU's academic core are experiencing the most growth and will benefit from the proposed expansion. NYU's 2031 expansion plan aims to create a comprehensive citywide approach to accommodate expected growth, however there are no specifics included in the Draft Scope of Work outlining which academic departments will relocate from the NYU core campus to other parts of the city. The EIS should attempt to disclose which academic departments currently located within the academic core will relocate to other parts of the city, such as NYU's Health Corridor or its Brooklyn campus. This information will provide a greater sense of the institutional need for additional space within NYU's academic core and will provide the information needed to determine if there are more feasible alternatives. (MASNYC)

Response: Based on public comments on the Draft Scope, the Final Scope provides additional detail on the purpose and need for the Proposed Actions, as will Chapter 1, "Project Description," of the EIS.

Comment 32: A significant part of the justification for the expansion is the dire need for additional academic space, especially when compared with the space provided by universities of the same stature. However, the university's argument becomes weakened with the inclusion of a hotel as part of early phases. We would have

expected the addition of residential and academic spaces as the first priority and the hotel dilutes that effort. Additionally, a university hotel tends to insulate the university by supplying all of their needs themselves, as opposed to relying on the community to provide some of those requirements and thereby fostering a higher level of interaction. (APA NY Metro, Kaplan, Washington Place Block Assoc.)

Response: Based on public comments on the Draft Scope, the Final Scope includes, and the DEIS will include, additional information on the purpose and need for uses in the project program.

Comment 33: NYU has the same need to expand. As an urban campus, NYU is perennially challenged by space constraints. To remain competitive with the nation's leading universities, NYU must provide facilities that attract the best and brightest minds and facilitate learning. NYU has identified locations close to its Washington Square home, as well as in downtown Brooklyn and Governors Island, where it plans to build enough space to accomplish these goals. (NY Building Congress)

Response: Comment noted.

ANALYSIS FRAMEWORK

Comment 34: The EIS should also contain analysis not only of NYU's proposed plans, but of the maximum possible development allowable under the proposed rezoning. (Glick)

In regard to the reasonable worst-case development scenario (RWCDS), NYU bases its calculations on the scale of development it is proposing, which is not the maximum square footage and height allowed under the changes that NYU seeks. If the proposed actions are approved, NYU will be able to initiate future development up to the allowable amount under these changes. Therefore, the RWCDS should be based on the maximum allowable development under the proposed actions, rather than simply studying the impacts based on NYU's proposed development. (Nadler)

The EIS should measure the impact of any and all developments which could result from the rezoning NYU is requesting, not simply the developments they now say they will construct if the rezoning is approved. (Ain, Alippi, Coe, Donnaud, Doyle, Elliott, Fisher, Goldberg, Grauer, GVSHP, Harlib, Jones, Lusskin, Pargh, Plutzker, Ponce, Refes, Schnedeker)

We are especially interested in an analysis of any potential community facility bonus or development rights currently available in the superblocs, any additional commercial square feet that could be built in the C1-5 overlays in the superblocs, and any potential for further residential or community facility

development. Such an analysis should include the reasons limiting such development. As part of understanding all the implications of the “no-action” scenario, we insist on a more complete analysis of the “Reasonable Worst Case Development Scenario” (RWCDS). Throughout the report, the University refers to its ‘intentions’ when defining the parameters of studying the RWCDS. This is unacceptable. NYU must always look at the maximum potential development and change allowed under the actions they are requesting. (CB2)

The EIS should include a scenario that studies the potential for maximum residential density. This should be considered in light of the proposed zoning changes which would increase residential FAR from 3.44 FAR to 6.02 FAR. This increases the potential for the development of residential density significantly more than is specified in the current Draft Scope of Work. This maximum residential scenario should be discussed both in terms of maximum square feet as well as the total number of units that could be developed. Including a residential maximum density scenario as part of the RWCDS framework will better capture the range of development that may occur on the project site and will better determine how the surrounding neighborhood could be affected by the project. (MASNYC)

Based on documents from City Planning it appears that there may be additional unused development rights available in the Proposed Development Area. The “No Action Alternative” should be fully explored. Please provide a detailed description of the maximum “as-of-right” build-out (including development allowed by Special Permit) allowed under the current zoning, and the anticipated impacts. The “No Action Alternative” in the Commercial Overlay District should also include the maximum “as-of-right” build-out. NYU has noted the potential for additional construction in this area. (CB2)

Response: As described in the Draft and Final Scope, the LSGD special permit approvals would specify maximum ranges of floor areas by land use for the Proposed Development Area (which could differ from the maximum permitted under zoning), and the “reasonable worst-case development scenarios” (RWCDS) were developed based on those maximum amounts. Each of these RWCDS will be formulated to represent the scenario that could result in the maximum potential impacts from the proposed project in the affected technical area. Several categories of technical analysis in the EIS will be analyzed using this approach, where such a RWCDS would result in potential impacts greater than those generated by the Illustrative Program currently contemplated by NYU.

Comment 35: As part of the Reasonable Worst Case Development Scenario, please study the maximum allowable development in the event that the NYC SCA decides not to pursue a public school on the current Morton Williams supermarket site. (CB2)

Response: As described in the Draft and Final Scope, NYU anticipates making space available to the New York City School Construction Authority (SCA) for the

provision of an approximately 100,000-square-foot public school. As specified in the Final Scope, if SCA does not proceed with the development of a public school by 2025, NYU would build and utilize the 100,000-square-foot space for its own academic purposes. The RWCDs used in the EIS analysis will assume that the 100,000 square feet is NYU academic space if that has a greater potential for significant adverse environmental impact. Section F of Chapter 20, “Construction Impacts” of the DEIS will describe the rationale for the 2025 expiration date for the SCA option.

Comment 36: Study the impact and the demographics of adding 2,000 more residents to Tract 5501 (which currently has under 5,000 residents). (Mercer Street Block Assoc., Yarmolinsky11) Study the impact of adding more than 1,200 freshman students into Tract 5501. (Mercer Street Block Assoc., Yarmolinsky11)

The proposed project could add up to 1,750 college freshmen and roughly 1,000 added faculty family residents. This is just the increase in residents: it is also important to estimate the impact of the additional employees, students, transient hotel guests, and other visitors utilizing the proposed primary school, hotel, gym, and other academic facilities. (505 LaGuardia Place)

Response: The Final Scope provides that the EIS analysis will follow *CEQR Technical Manual* guidelines in considering the potential for significant adverse environmental impacts due to project-generated populations, including students, faculty, residents, employees, and visitors to the project site.

Comment 37: The Draft Scope outlines a baseline of the year 2021 in the “Future Without the Proposed Actions,” and refers to two as-of-right projects in the Commercial Overlay Area. We think it is more appropriate to analyze the plan in the entire Project Area as of 2031, when the University expects to complete all of their proposed development. This will allow a more accurate comparison of the two scenarios, and facilitate a better understanding of the impacts. (CB2)

Response: As specified in the Draft and Final Scope, the EIS will consider conditions With and Without the Proposed Actions as a result of development in the Proposed Development Area and the Commercial Overlay Area for two future analysis years, 2021 (an interim year) and 2031 (the expected year of completion of the proposed project).

Comment 38: Describe HPD deed restrictions on the Superblocks that will be eliminated under the proposal and, as an alternative, the continuation of such deed restrictions under the "no build" scenario. (Lefkowitz)

Response: The EIS Chapter 2, “Land Use, Zoning, and Public Policy,” will describe the HPD deed restrictions and the potential environmental effects of eliminating those deed restrictions. The analysis will compare the future condition with the

Proposed Actions (i.e., the deed restrictions are eliminated) against the future without the Proposed Actions (i.e., the continuation of such deed restrictions until 2021, when they will expire in the Proposed Development Area).

Comment 39: In terms of future projects, the map of projects provided by NYU does not include all of the proposed projects in the Hudson Square Area. A list of these projects will soon be available as part of the Draft Scope of Work for the pending Hudson Square Rezoning, and should be included. (CB2)

Response: A “map of projects” was not provided as part of the Draft Scope. However, as described in the Draft Scope and Final Scope, the EIS analyses will account for background (planned) projects where appropriate. The list of planned projects to be used for the EIS analysis will be reviewed by DCP, and Community Boards 2 and 3 will be provided opportunity to comment on the list of planned projects. Depending on the relevant study area for a particular technical analysis, any planned projects associated with the Hudson Square Area or zoning actions that have been deemed appropriate for inclusion in the EIS by DCP, will be accounted for.

Comment 40: We would like to see the Final Scope take into account both regional and local impacts when defining the study areas for each CEQR category.

NYU describes the Washington Square Campus as the Hub of a Global Network University. “Each of the main global academic portals must have a home base at the Core that serves as a gateway for faculty, students, and the wider public. Thus, even NYU’s plans that disperse its facilities at locations remote from the Washington Square campus burdens the Washington Square campus with additional space demands.” This describes a major expansion of a regional facility. Many of the categories for study should therefore consider the impacts in a wider context.

At the same time, the bulk and density of the proposal will have intense impacts on the immediate Project Area. As provided for in the *CEQR Technical Manual*, some categories should also identify subareas for study. The current residents of the two superblocks will be the people who are most affected by the increased height, bulk, density and change of use. A ¼- or ½-mile study area radius could significantly dilute the potential impacts on open space, noise, air quality, and traffic, to name a few categories. (CB2, Mercer Street Block Assoc.)

A project of this scope warrants a degree of analysis that will examine its impacts not only on the local area, but on the region as a whole. In the near future Lower West Side of Manhattan will be the site of a number of large scale construction projects, including the work on the Holland Tunnel, Catch Basin Reconstruction, the replacement of trunk water mains on substantial stretches of Hudson Street and Lafayette Street. The University’s plans and their impact on

traffic and quality of life must be taken in context of the combined impact of these projects, all of which will be underway before NYU begins its Core Project. In light of this, I ask that the EIS contain not only analysis of the local effects of NYU's plans, but a regional analysis as well to ascertain the effects of their plans on Lower Manhattan as a whole. (Glick)

The scoping area should very importantly review the impact on the area within the few blocks radius of the Washington Square/Bleecker Street/3rd Street/LaGuardia Place vicinity. The immensity and density of this plan within such a few blocks radius in a neighborhood of great history, prominence, tourism and residential living is without precedent. The impact of NYU's dense and one-of-a-kind plan requires a study area within a study area approach. (Wilcke)

Response: The EIS analysis applies the 2010 *CEQR Technical Manual* guidelines in delineating study areas appropriate for analysis. Under CEQR, study areas are meant to capture the areas where significant adverse impacts are most likely to occur. For several environmental issue areas, this includes 400-foot or ¼-mile study areas that focus on the effects within the more immediate neighborhood. Other analyses, such as open space and traffic, examine a broader area because the potential effects of the project extend beyond the immediate neighborhood. Beyond these study areas, other factors play a much heavier role such that the effects of the project on more remote areas are not expected to be significant.

Comment 41: It does not seem that limiting the EIS to Tract 55.01 and Tract 59 would result in “segmentation.” (Mercer Street Block Assoc.)

Response: The EIS uses *CEQR Technical Manual* guidelines to determine the appropriate study area for each category of analysis. See also the response to Comment 59.

LAND USE, ZONING, AND PUBLIC POLICY

LAND USE

Comment 42: Of the many proposed actions being sought by NYU changes to the land uses in the area and the current zoning will create the most visible and tangible impacts. Changing the current zoning would, in effect, create something akin to spot rezoning. The proposed action would carve out the two superblocks and put in place a zoning that is more likely to be seen in other communities to the north that are denser and taller in character. In addition, this would provide the opportunity for more commercially based uses in an area that has historically been residential with only light commercial uses. I would urge NYU to study the impacts of changing the zoning here. A hotel use is more traditionally located in areas that are more mixed use in character. Understanding what impacts that will have in a residential community may show that there is a

negative impact that erodes the character of the neighborhood so valued by NYU. In the interest of the community, an overlay district might provide a better alternative which would enable replacement of the Morton Williams supermarket and provide for enhanced commercial opportunities in which the university is interested. Further, another factor to study would be what the annual cost to housing the guests expected to visit NYU in the surrounding hotels versus building their own facility. (Chin)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on the balance of non-university residential and retail to NYU residential, offices, gym, retail, hotel and dormitory in the project area and adjacent buildings. (CB2, Cude, 505 LaGuardia Place)

Response: The Final Scope provides that the EIS analysis in Chapter 2, “Land Use, Zoning, and Public Policy,” will evaluate whether the proposed rezoning of the Proposed Development Area and of the Commercial Overlay Area could result in significant adverse impacts. In addition, Chapter 19, “Neighborhood Character,” will examine the potential effects on the character of the neighborhood when considering the project-generated effects of the rezoning, increased density and changes in land uses. However, estimating the annual cost of housing guests expected to visit NYU in surrounding hotels versus the cost of developing the proposed University-oriented hotel is not within the scope of a CEQR analysis, and is not necessary in order to determine the proposed hotel’s potential for significant adverse environmental impacts.

Comment 43: Study the impact of building a commercial hotel in a residential block. (Mercer Street Block Assoc.)

Response: The EIS will examine the potential for significant adverse impacts resulting from the introduction of new uses, such as a University-related hotel, on the superblocks. See also response to Comment 42, above.

Comment 44: Study the impact of building two office buildings in the middle of a residential complex of 1,292 units. (Mercer Street Block Assoc., Yarmolinsky11)

Response: As described in the Draft and Final Scope, the EIS will study the potential environmental effects of the Proposed Actions, which would result in the introduction of a temporary gymnasium facility, two permanent NYU buildings—the proposed Mercer Building, and the proposed LaGuardia Building—and below-grade academic space between the two buildings on the North Block.

Comment 45: Analyze the appropriateness of housing an undergraduate college dormitory above a public school. What are the School Construction Authority (SCA) and Department of Education protocols? Provide a clear description of the proposed

school building, and information as to how the SCA and NYU will coordinate construction. (CB2)

What are the potential hazards to primary school children attending school in such close proximity to college freshmen who are young adults living on their own for the first time? (505 LaGuardia Place)

Response: The potential effects of the proposed adjacent land uses (dormitory and public school) will be assessed in Chapter 2, “Land Use, Zoning, and Public Policy” of the EIS. A description of the proposed public school will be provided in the EIS. As described more fully in the Final Scope, NYU anticipates making space available to the New York City School Construction Authority (SCA) within the proposed Bleecker Building for the provision of an approximately 100,000-square-foot public school. The details of how construction would be coordinated between SCA and NYU are not available at this time. If SCA does not commit to proceed with the development of a public school on the project site by 2025, NYU would build and utilize the 100,000-square-foot space for its own academic purposes

Comment 46: What is the effect of the decrease of diversity among neighborhood institutions and the effect of a monopoly on existing land uses if it is given over to a single institution? (Mostel)

Response: The EIS will include an assessment of the project’s impacts on land use, demographics, and neighborhood character.

Comment 47: RPA believes that building through infill in the existing superblocks where NYU is already located makes sense and will reduce pressure on its piecemeal and scattered development around the Village. By concentrating development in these parcels the project balances the need to accommodate NYU’s growth and preserves the neighborhood. The proposed de-mapping and city disposition of portions of LaGuardia and Mercer Streets are necessary actions to make sure that the development plans succeed and are architecturally coherent. (RPA)

Response: Comment noted.

ZONING

Comment 48: Changing the zoning also changes allowable uses. Would an overlay allow NYU to achieve the same goal? What are the differences in allowable use groups between a C1-5 overlay and a C1-7 overlay? The impacts associated with changing these two blocks from an R7-1/C1-5 to a C1-7 could drastically alter the character of the built environment in this area. In addition, such a change could potentially overburden the area with a significantly denser development than anything found elsewhere in the general area. (Chin)

Regarding the change in Zoning in the Proposed Development Area, the plan calls for a blanket re-zoning of the Proposed Development Area from R7-2 to C1-7. Our community is generally comprised of low-scale and low-density neighborhoods, and the existing R7-2 designation is one of the largest zoning envelopes in our district. The height and bulk allowed by a C1-7 (an R8 equivalent) zoning may be appropriate in midtown or downtown, but not in the historic core of Greenwich Village. Further, most of the uses being proposed in this area are allowable under the community facility bonus, and we have not heard an adequate explanation as to why their goals could not be accomplished with targeted commercial overlays. A hotel is a possible exception, but we are not convinced that a hotel is central component to the stated goal of ‘decompressing’ the core in order to maintain academic excellence. (CB2, Kaplan)

Changing the effective residential zoning of the two superblocks would contravene the goals of Residential Districting. How can NYU justify a request that would violate the stated purposes of zoning? (Kaplan)

Response: As reflected in the Final Scope, Chapter 2, “Land Use, Zoning, and Public Policy,” of the EIS will assess the potential environmental effects of the proposed rezoning. As such, the analysis in the EIS will provide a description of both the current R7-2 zoning (including the areas with a C1-5 overlay along LaGuardia Place on the two superblocks in the Proposed Development Area) and the proposed C1-7 zoning, and analyze the effects of the proposed change.

Comment 49: Regarding the change of zoning in the Commercial Overlay Area east of Washington Square Park, we do not accept this goal as a rationale for rezoning six square city blocks. The existing retail uses are grandfathered, and are more than adequate to serve the needs of the community. The area is surrounded by important commercial corridors, including Broadway, Lafayette, Eighth and Bleecker Streets. Currently, there is a great deal of empty retail space in and around the area. Therefore the impacts of this action must be carefully considered. The Draft Scope of Work says that the University has intentions to develop retail in only five locations. This change could easily be accomplished by applying for Special Permits, rather than go to the extreme of an areawide rezoning. (CB2)

Why rezone the Commercial Overlay Area? Why not ask for special permits that would accomplish the same goals and allow for bringing in currently non-compliant retail uses into compliance rather than changing the current zoning overlay. (Chin)

I second the request made by Manhattan Community Board 2 that studies be performed to provide a comparative analysis for a district that retains the current R7-2 zoning district and uses Commercial Overlay District as needed rather than a blanket commercial rezoning for the entire area. (Glick)

Response: Chapter 2, “Land Use, Zoning, and Public Policy,” and Chapter 19, “Neighborhood Character” of the EIS will provide description of the purpose and need for the proposed commercial overlay zone in the Commercial Overlay Area, and will assess the potential environmental effects of this proposed rezoning. Chapter 3, “Socioeconomic Conditions,” will consider the potential for changes in market conditions within the Commercial Overlay Area as a result of the Proposed Actions. However, as detailed in the response to Comment 64, based on *CEQR Technical Manual* guidelines, an assessment of indirect business displacement due to potential retail market saturation (i.e., competition) is not required.

Comment 50: What would the effect of any zoning change be on nearby residential and commercial entities? (Rackow)

Response: As described in the Draft and Final Scope, the EIS will examine the proposed zoning changes’ potential effects on land use, zoning, and public policy and on socioeconomic conditions within a ¼-mile study area.

Comment 51: Please provide an analysis of the current zoning requirements for open space and the open space requirements for the proposed action. Please explain how the proposed demapping of public land impacts the open space requirements. (CB2)

Response: Chapter 2, “Land Use, Zoning, and Public Policy” in the EIS will describe the existing requirements for, and provision of open space on the project site, and will assess the effects on open space requirements of the proposed demapping of public lands. It should be noted that as described in the Final Scope of Work, the Proposed Actions now include the mapping as parkland of the Mercer Street and LaGuardia Place Strips (the unimproved portions of Mercer Street and LaGuardia Place owned by the City that are under the jurisdiction of the NYCDOT) along LaGuardia and Mercer Streets on the North Block.

Comment 52: In terms of Zoning Projects, CB2 notes the proposed Hudson Square Rezoning and pending zoning actions at former St Vincent’s Hospital site. (CB2)

Response: The analyses in the EIS will describe and incorporate the effects of planned projects and rezoning that will occur within the study areas used for analysis.

Comment 53: The EIS should state the specific waivers that will be requested as part of the special permit and the specific Zoning Resolution text amendments. Text amendments in particular should be analyzed in the EIS as they have the potential to affect sites that are not affiliated with this project. Furthermore, any necessary legal documents that will be filed along with proposed actions should be disclosed along with any restrictive declarations under consideration as these

declarations will influence the future use and development of the property. (MASNYC)

Response: This Final Scope of Work provides additional detail on the waivers and text amendments that are being requested as part of the Proposed Actions. In addition, Chapter 1, “Project Description,” of the EIS will identify the specific waivers and text amendments, and explain whether there is potential off-site applicability. Chapter 2, “Land Use, Zoning, and Public Policy” will assess the potential for significant adverse impacts resulting from the Proposed Actions, including waivers and text amendments. The Final Scope provides a description of the Restrictive Declaration that would be recorded for the Proposed Development Area at the time all land use-related actions required to authorize the proposed project’s development are approved.

Comment 54: Will zoning changes allow for the erection of commercial billboards? This has been a source of visual pollution in the zoning districts surrounding us. (505 LaGuardia Place)

Response: The proposed zoning changes would not allow for the erection of commercial billboards. With the proposed rezoning, retail and other commercial uses would be permitted to have signage in compliance with C-1 regulations; C1 areas are mapped in local retail areas throughout the City.

PUBLIC POLICY

Comment 55: The two superblocks in the Proposed Development Area were created under the Title I, Urban Renewal program to provide quality housing for the neighborhood. The plan specified the amount of land that could be covered by buildings, with the understanding that the remaining open space would compensate for the height of the buildings. Because of significant amendments to the plans, the Deed Restrictions are now set to expire 10 years from now, in 2021. Accelerating massive development violates the expectations of the residents and businesses in the area, who have made lifestyle and financial choices based on the terms of these restrictions. (CB2)

There has been impact from long-standing deed restrictions, covenants, and similar agreements that were not adhered to in the past. The scoping document should consider the effect and impact of the lifting of deed restrictions, covenants, and similar on the community. (Wilcke)

The University’s request to lift the deed restriction put in place under the Title I Urban Renewal Program created in 1981 to provide affordable, high-quality housing for the neighborhood is unacceptable and must not be granted. It would also set a dreadful precedent by allowing an agreement made in good faith with City agencies to be abrogated in service of expedience. The University agreed to

the deed restriction and should not be allowed to break that promise because its restrictions are now inconvenient for their development plans. (Glick)

Response: The EIS will assess the potential environmental effects of the Proposed Actions, including the proposed elimination of deed restrictions in order to allow for development on the South Block prior to 2021, when the deed restrictions are set to expire. This assessment will include effects on City public policy.

Comment 56: The Urban Renewal Plan that created the original superblocks, and its subsequent amendments, established a Public Policy that shaped these blocks. This Policy was in effect for 50 years. The proposed action significantly changes the original plan. Please provide a comparative analysis of the requirements of the Urban Renewal Plan, including the Deed Restrictions, and the Proposed Action. (CB2)

Response: Chapter 2, “Land Use, Zoning, and Public Policy,” will examine the potential effects on public policy resulting from the Proposed Actions, including eliminating the deed restrictions that were related to the former Urban Renewal Plan.

Comment 57: The Mitchell-Lama Program that created 505 LaGuardia Place established a Public Policy for affordable housing. Please provide an analysis of the potential impacts, including the potential for indirect displacement that the proposed action may have. (CB2) To what extent does the proposed development challenge NYC’s longstanding policy of maintaining affordable housing, and keeping buildings like 505 in the Mitchel/Lama program? (505 LaGuardia Place)

Response: The EIS will assess the proposed project’s consistency with relevant public policy in Chapter 2, “Land Use, Zoning, and Public Policy,” and will, in Chapter 3, “Socioeconomic Conditions,” follow *CEQR Technical Manual* guidelines to assess the potential for indirect residential displacement.

Comment 58: In terms of Policy Actions, CB2 notes the proposed SOHO BID and the planned expansion of the NoHo BID. (CB2)

Response: These proposed expansions will be considered in the analysis of public policy found in Chapter 2, “Land Use, Zoning, and Public Policy” of the EIS.

SOCIOECONOMIC CONDITIONS

Comment 59: Overall, CB2 asks that NYU provide a separate analysis of the existing demographic conditions in the Sub-Areas directly impacted by the proposed project, specifically Census Tracts 55.01 and 59, and how the proposed changes will affect these Sub-Areas. (CB2)

Response: Chapter 3, “Socioeconomic Conditions” of the EIS will follow *CEQR Technical Manual* guidelines in providing a demographic analysis of the population within ¼-mile of the project site, which includes the population within Census Tracts 55.01 and 59. According to the *CEQR Technical Manual*, distinct sub-areas should be based on recognizable neighborhoods or communities in an effort to disclose whether a project may have disparate effects on distinct populations that would otherwise be masked or overlooked within the larger study area. Census Tracts 55.01 and 59 in isolation do not represent a “recognizable neighborhood” or “community” and therefore, the analysis would not present data on the population within those Census Tracts separate from the broader study area.

Comment 60: Analyze the effect of a more than 300 percent increase in the number of residents on the South Superblock on living conditions for those residing there—both the generally elderly population of 505 LaGuardia Place and the families with small children in the two Silver Towers, as well as the immediate neighborhood including the North Superblock and the residents of the buildings adjacent to and having frontage on both Superblocks. Will changes in living conditions cause indirect residential displacement? (CB2)

Response: The EIS will assess whether the introduction of new residential population in the Proposed Development Area could result in indirect residential displacement within a ¼-mile study area that includes existing residents of the North and South Blocks. The effects of the Proposed Actions on neighborhood demographics will also be addressed in Chapter 19, “Neighborhood Character.”

Comment 61: To what extent will the changing the demographics of the superblocks affect the mix of local retail businesses, with those catering to the influx of college freshmen (nightlife, fast food, chain stores) driving out those catering to seniors and other demographics (supermarkets, pharmacies, quieter restaurants)? (505 LaGuardia Place, Callet)

Response: The assessment of indirect business displacement in Chapter 3, “Socioeconomic Conditions” of the EIS will consider the potential effects of the Proposed Actions on the composition of local retail businesses.

Comment 62: What would be the effect socioeconomically of the lower census counts due to the decreasing permanent resident population and allocation of federal resources to the City? (Mostel)

Response: As clarified in the Final Scope, the Proposed Actions are not expected to directly displace any residential population from the project site. As described in the response to Comment 3, the proposed reprogramming of the ground floors of the Washington Square Village buildings could require the relocation of 24 occupied residential dwelling units (including 21 NYU-affiliated and 3 rent

stabilized non-NYU-affiliated units). The residents of these units would be relocated within the Washington Square Village buildings or into other nearby NYU properties.

Comment 63: Define and establish the boundaries of the neighborhood served by the proposed commercial overlay district and study the role of the proposed commercial overlay in meeting specific unmet neighborhood needs, as per the DCP guidelines regarding C1-5 designations. (Washington Place Block Assoc.)

Response: The EIS will discuss the purpose of the C1-5 overlay and analyze its potential for significant adverse impacts with respect to land use, zoning, and public policy.

Comment 64: Analyze the potential competition offered existing merchants by the development of new commercial space. (Washington Place Block Assoc.)

Response: As described in the Final Scope, the Proposed Actions would result in the development of up to 117,236 square feet of retail space—including up to 94,000 square feet in the Proposed Development Area (a net increase of 31,093 square feet as compared to existing conditions), and up to approximately 23,236 square feet of new retail space in the Commercial Overlay Area. The total amount of retail space that could be developed—117,236 square feet—would represent less than a 2.6 percent increase in the retail within the ¼-mile study area, and is below the 200,000-square-foot CEQR threshold for assessment of indirect business displacement due to retail market saturation (i.e., due to competition). Therefore, based on *CEQR Technical Manual* guidelines, an assessment of indirect business displacement due to potential competition is not required.

DIRECT RESIDENTIAL DISPLACEMENT

Comment 65: I am specifically concerned with NYU's plan to introduce a Commercial Overlay Area at 15 Washington Place, which will help facilitate the conversion of a 74,000-square-foot residential building into a 129,000 square-foot academic building. The resulting displacement is in contradiction to the Planning Principles my Task Force developed with NYU in 2006. The University agreed to support community sustainability by preserving the existing diverse social and economic character of the neighborhood. It recognized the importance of sustaining affordable housing and local retail. In 2010, the Task Force's Findings and Recommendations reconfirmed these Planning Principles and stated that NYU should avoid displacing existing residential tenants. I therefore urge the University to study the potential impacts of its development on the rent-regulated housing for the community. (Burdick, Cline, Liberman, Stringer)

NYU's Draft Scope states that the proposed action will not directly displace any residents from the project site. However, page 23 of the Draft Scope states that 15 Washington Place will be converted from approximately 74,000-gsf residential into 129,000-sf academic use. Please provide a full explanation of what will happen to 14 and 15 Washington Place and any other locations that will no longer be residential under either without or with the proposed actions, the number of residents affected and what plans are being made to accommodate them. (Cline, CB2, Dondore, Liberman)

Response: As described in the Draft Scope and clarified in the Final Scope, the Proposed Actions would not result in the direct displacement of any residents from 14 Washington Place or 15 Washington Place. In the future without the Proposed Actions, NYU may ultimately redevelop 15 Washington Place as an academic building. The zoning change that is discussed in the Proposed Actions simply allows for the inclusion of ground-floor retail—rather than ground-floor academic uses—within this new building. Because the Proposed Actions would not actually facilitate the direct displacement of residential uses, which would occur with or without the Proposed Actions, any direct residential displacement that would result from NYU's planned redevelopment of 15 Washington Place is not attributable to the Proposed Actions. Similar to 15 Washington Place, 14 Washington Place is identified as a projected development site for ground-floor retail only in the future with the Proposed Actions.

Comment 66: The EIS should study the socioeconomic impact on nearby affordable housing and examine the potential for both direct and indirect displacement of residents. (Nadler)

Response: As described in the Final Scope, the Proposed Actions would not result in significant direct residential displacement impacts; the potential for direct displacement would be well below the 500-resident threshold warranting CEQR assessment. The Draft and Final Scope of Work detail the *CEQR Technical Manual* methodology that will be used to assess the potential for indirect displacement of residents.

Comment 67: What will be the impact of the commercial rezoning on Washington Square Village's ground floors should retail be included in those spaces? Will there be direct displacement of residents? How many residents could be displaced? What indirect impacts will arise from this proposed action? (Chin, Dondore)

Response: As specified in the Final Scope, the assessment of direct business displacement will consider the effects of potential displacement of ground floor uses in Washington Square Village as a result of the Proposed Actions. For more information on NYU's plans for the ground floors of Washington Square Village, please see the response to Comment 3.

With respect to potential indirect impacts, as specified in the Draft Scope and the Final Scope, Chapter 3, “Socioeconomic Conditions” of the EIS will contain an assessment of potential indirect displacement of residents, businesses, and institutions.

Comment 68: Report on rent-stabilized or rent-controlled residents on both the Washington Square Village block and buildings East of Washington Square Park:

- Do added buildings, commercial tenants and/or reduction in open space dedicated to these residents have the potential to reduce the number of these residents?
- Is an overall reduction of this type of residents possible due to the proposed plan? (CB2)

Response: As specified in the Final Scope, Chapter 3, “Socioeconomic Conditions,” will address the potential socioeconomic effects of the potential reprogramming of the ground floors of Washington Square Village. For more information on NYU’s plans for the ground floors of Washington Square Village, please see the response to Comment 3. The EIS assessment of potential indirect residential displacement will follow the assessment methodologies set forth in the Draft Scope and Final Scope and the *CEQR Technical Manual*. If warranted, the assessment of indirect residential displacement will estimate the number of study area households that are afforded rent protection through rent-regulation.

Comment 69: Study potential for and ramifications of displacement of rent-stabilized residents by a not-for-profit University. (CB2, Dondore, Mercer Street Block Assoc.)

Response: As described in the Final Scope, the Proposed Actions would not result in significant adverse direct residential displacement impacts; the potential for displacement would fall well below the 500-resident threshold requiring a preliminary assessment under CEQR. NYU’s proposal for the Proposed Development Area includes the reprogramming of the ground floors and the basements of the North Block’s Washington Square Village apartment buildings. The ground floors of the buildings collectively include 25 residential dwelling units (including 21 occupied NYU-affiliated units, 3 occupied rent stabilized units, and 1 vacant unit). While a specific uses for the ground floors have not been identified, reprogramming could require permanent relocation of some or all of the ground floor residents of the buildings. If relocation is required, NYU would relocate ground floor residents to other dwelling units within the Washington Square Village buildings or into other nearby NYU properties.

INDIRECT RESIDENTIAL DISPLACEMENT

Comment 70: NYU must look at the impact that their expansion will have on indirect displacement of residents in the surrounding area. The proposed development will add a substantial new population. The proposed development will also alter real estate market conditions and put the different population at risk of several different factors. What will the effect on cooperative residents be over that time frame? What will the effect of rising rents on seniors on limited incomes be? These and many other questions must be studied in close detail for our community to understand what the true impact of this project will be. (Chin)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on change in population as NYU students seeking off-campus housing displace existing residents and as long-time residents move rather than being in the middle of NYU students 24/7. (CB2, Mostel)

Response: Chapter 3, “Socioeconomic Conditions” of the EIS will follow *CEQR Technical Manual* guidelines in assessing the potential for significant adverse impacts due to indirect residential displacement. As described in the Draft and Final Scope, the analysis will start with the *CEQR Technical Manual’s* step-by-step preliminary assessment, and if found to be necessary, a detailed analysis will be conducted.

Comment 71: The average incomes of the study population will be skewed by the large influx of non-income generating student populations. The scoping statistics criteria must be changed to incorporate this population in a meaningful way that does not skew the statistics used for Residential Displacement unfairly. A large increase in non-income generating students will result in the criteria never moving beyond Step 1 to Step 2 or Step 3 (as per the Scope of Work) of the assessment of average incomes of study area populations. (Wilcke)

Response: The demographics of students will be considered in the assessment of potential changes to socioeconomic conditions, as the Proposed Actions would introduce student dormitories and potentially faculty residences.

Comment 72: I recommend the EIS include analysis of the proposed development’s indirect effect on the increase in land rents at 505 LaGuardia Place. 505 LaGuardia Place is one of the few remaining Mitchell Lama properties in the area and is an integral part of the diverse housing stock in the Village. The Mitchell Lama has a land lease with NYU and its rent may be adjusted based on the value of the property. The proposed actions will facilitate new construction and will increase the value of the land. The proposed actions, therefore, could have an indirect effect on the affordability levels of the Mitchell Lama. These indirect effects

must be studied and the University should make every effort to ensure it does not cause undo hardship on the residents of 505 LaGuardia Place. (Stringer)

How will the proposed zoning changes affect property values in the development area, and in turn how would these changes affect residential displacement? NYU's DSOW only proposes to investigate the impact on indirect residential displacement of changes in the neighborhood real estate market arising from additional population. But there are other ways in which the plan could affect affordability and social displacement. For example, 505 is a Mitchell-Lama cooperative development project, representing some of the only moderate-income housing units in an extremely expensive area. However, 505's land lease with NYU provides for periodic rent resets, the first occurring in 2014, up to 6 percent on the appraised market value of the vacant land. Thus anything that affects land values will affect affordability. (505 LaGuardia Place)

Will the proposed zoning change affect the market value of vacant land, by affecting the permitted size and density of development on that land? As 505 (like other MitchellLama developments) are financially self-sustaining, any increase in land rent resulting in from zoning changes would require increased maintenance charges to residents. Because Mitchell-Lama program only admits residents with incomes in a limited range significant increases in maintenance charges may be unaffordable to most. Thus, what are the plan's risks for the large-scale displacement of residence and even bankruptcy and termination of a Mitchell-Lama cooperative development project? We feel it is essential that the environmental impact statement address the impact on affordability of the proposed zoning changes. (505 LaGuardia Place, Liberman)

How will any proposed elimination or modification of deed restrictions affect residential displacement, by affecting the market value of property covered by those restrictions? One of the Plan's proposed actions is the "Elimination of New York City Department of Housing Preservation and Development (HPD) Deed Restrictions on Blocks 524 and 533." Yet the DSW makes no provision to investigate the impact of this action on affordability and residential displacement. For example, if the deed restrictions limit what can be built on a property, they also limit the property's market value, which in turn limits future land rent increases for 505 in 2014 and beyond. How might altering any current deed restrictions affect affordability and residential displacement? How many current residents would be financially compelled to leave, and what are the risks of bankruptcy and the dissolution of the 505 Mitchell-Lama cooperative development project? As with the plan's zoning changes, we feel it is essential that the environmental impact statement address the impact of the plan's lifting of deed restrictions on affordability of these proposed changes. (505 LaGuardia Place)

How will any proposed dissolution or emendation of the existing Large Scale Residential Development affect residential displacement? What are the

implications of any proposed dissolution or emendation of the existing Large Scale Residential Development on affordability and residential displacement, including effects caused by changes in the market value of property covered by the existing Large Scale Residential Development? (505 LaGuardia Place, Dondore)

Analyze the effect of increased land rent on the income-limited Mitchell-Lama housing known as 505 LaGuardia Place. A reset of the land lease occurs in 2014, which is within the proposed project period. Will the increased land lease fees cause monthly charges to become too high for some residents, thereby causing displacement?

Study the level of different potential land lease price points on the residents of 505 LaGuardia Place to determine a level that would not result in displacement of existing or undue financial hardship. (CB2)

On the negotiations and final pricing of the Land Lease, analyze the potential effects of the:

- proposed zoning change
- removal of deed restrictions/covenants on the Urban Renewal Plan
- dissolution of the existing LSRD (505 LaGuardia Place, CB2)

Response: As described in the Draft and Final Scope, Chapter 3, “Socioeconomic Conditions” of the EIS will follow *CEQR Technical Manual* guidelines in assessing the potential for the Proposed Actions, to result in increases in property values, and thus rents within the identified study area. NYU’s Lease negotiations with 505 LaGuardia Place are outside the scope of the EIS.

Comment 73: Indirect residential displacement is also of great concern and must be examined closely. The surrounding cooperatives along Mercer Street could face debilitating property value losses through construction phasing that will take nearly 15 years to complete. In that time residents who might have reaped a tremendous benefit from the sale of their units will have to accept lower prices because of the burdens placed on them by years of construction noise and related impacts. (Chin)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on reduction in property values causing vacancies and unsellable apartments both during and after construction, creating a “ghost town” effect. (CB2, 505 LaGuardia Place)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on reduction in perceived value of the neighborhood as added retail creates long-term vacant storefronts or undesirable businesses. (CB2)

Response: Consistent with *CEQR Technical Manual* guidelines, the EIS will not focus on potential increases or decreases in individual property values, but will examine

the degree to which changes in market conditions could result in the potential for indirect residential or business displacement.

Comment 74: Analyze the potential for reduction in property values, causing indirect displacement and/or severe financial consequences to those who own co-operatives or condominiums adjacent to the proposed project area

- during construction
- after streetside green spaces have been transferred to NYU and potentially built on or under
- after transient/community parking spaces have been removed
- reduction in parking and increase in traffic
- when up to 1,750 (per Draft Scope p. 26) young people with no ties or commitment to the neighborhood are added to the area
- when a hotel facility with a transient population as well as 260 faculty residences (per Draft Scope p. 26) are added to the area
- taking into account new shadows cast on these buildings by new NYU structures
- across LaGuardia Place if the LaGuardia Corner Garden plants fail to thrive and/or die as a result of the shadows cast by the proposed building on the supermarket site.
- due to changes in dedicated play space for toddlers and for children up to age 16
- due to the temporary and permanent replacement of playground sites
- due to acquisition of City-owned open space strips (CB2)

Response: See response to Comment 73.

Comment 75: Report on the square foot reduction of non-built space on the entire University Village and Washington Square Village Superblocks, both publicly and privately owned, since the total amount of open space is an important factor in the value of owned as well as rented housing. (CB2)

Response: Chapter 5, “Open Space,” of the EIS will provide detailed estimates of the amounts (total and net) of project-generated parkland and publicly accessible open space and private open space.

Comment 76: Report the number of mature trees that will be destroyed as a result of the proposed plan, and its impact on the value of nearby rental and co-op housing. (CB2)

Response: Based on public comments on the Draft Scope, the Final Scope has been amended to state that Chapter 9, “Natural Resources,” will estimate the number

of trees that would be displaced as a result of construction activities, and will describe NYU's tree replacement strategy. With respect to the potential effects on property values resulting from the loss of mature trees, please see the response to Comment 73.

Comment 77: Analyze the potential for underground water being diverted by the enormous "bathtubs" needed for the underground structures proposed for both Superblocks eroding the foundations of buildings near the Superblocks as well as possible water infiltration on sub-grade apartments and retail, and the potential for these causing a reduction in property values and/or displacement. (CB2)

Response: As discussed in the Draft and Final Scope, Chapter 20, "Construction Impacts," will consider the effects of construction on natural resources. This assessment will include information on how the construction of the proposed buildings would affect underground water flows.

Comment 78: Analyze the potential increase in crime due to the enormous increase in population including young students located at the far southeastern edge of the 6th Precinct, and its effect on property values on apartments in the buildings adjacent to the Superblocks. (CB2)

Response: Estimating potential increases in crime due to a project-generated population is outside the scope of a CEQR environmental review. With respect to population effects on property values, please see the response to Comment 73.

Comment 79: What effect would an increase in narcotics (due to increases in the numbers of students) have on the neighborhood? (Mostel)

Response: This is outside the scope of a CEQR environmental review.

DIRECT BUSINESS DISPLACEMENT

Comment 80: Provide information on any retail facilities that will be removed as a result of this plan, including the existing Supermarket and the stores on the retail strip on the North Superblock, as well as any other existing businesses that will be removed or relocated. (CB2)

Response: Based on public comments on the Draft Scope, the Final Scope states that Chapter 3, "Socioeconomic Conditions," of the EIS will provide information on the retail facilities that would be displaced as a result of the Proposed Actions, and assess the potential for significant adverse impacts resulting from such displacement. The assessment also will describe the planned relocation of certain retail uses.

Comment 81: How would the people, especially seniors, living in the area be affected by the closing and/or possible relocation of the Morton-Williams supermarket, both during construction and after the completion? Would dependence on distant supermarkets be a hardship? (505 LaGuardia Place, CB2)

Provide an analysis of the number of mobility-impaired and elderly people that will be affected by the move of the supermarket, including whether they will lose the independence of being able to reach the supermarket unassisted, and possibly suffer indirect displacement. (CB2)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on loss of independence and quality of life for the area's many elderly residents due to the plan's moving the supermarket farther than they can reach without assistance. (CB2, Mostel, 505 LaGuardia Place)

Response: Based on public comments on the Draft Scope, as described in the Final Scope, Chapter 3, "Socioeconomic Conditions," will assess the potential for significant adverse impacts to socioeconomic conditions resulting from the potential for non-continuous provision of a supermarket on the Proposed Development Area.

INDIRECT BUSINESS DISPLACEMENT

Comment 82: The Scope of Work must include whether the concentration of one large institution (NYU) being the owner/landlord/leaseholder of a significant amount of business/retail space will (a) displace some current businesses and institutions; (b) alter the mix of businesses and services in the community; and (c) alter the mix and diversity of workers (i.e., age, salaries). (Wilcke)

Response: As described in the Draft and Final Scope, Chapter 3, "Socioeconomic Conditions" of the EIS will include an assessment of potential indirect business displacement that considers whether the proposed uses would substantially alter the socioeconomic character of the study area.

Comment 83: Analyze the potential indirect displacement of existing community-oriented retail in favor of stores and other establishments serving the NYU population. (CB2)

Response: Chapter 3, "Socioeconomic Conditions" of the EIS will include an assessment of potential indirect business displacement that considers whether the proposed uses would substantially alter the socioeconomic character of the study area.

Comment 84: Study the impact of the proposed new commercial space on commercial rents and the availability of space in the commercial overlay and surrounding areas. (Washington Place Block Assoc.)

Response: Chapter 3, “Socioeconomic Conditions” of the EIS will include an assessment of potential indirect business displacement that considers whether the proposed uses could result in increased commercial rents in the Commercial Overlay Area and in the broader study area.

Comment 85: Report on the likely increase in food-and-drink establishments in the proposed additional retail to be added under the plan, and the effects of increased alcohol-serving establishments on residents and businesses in the area. (CB2)

Response: Chapter 3, “Socioeconomic Conditions,” of the EIS will describe the types of retail that are anticipated within the Commercial Overlay Area, and their potential effects on the socioeconomic conditions of the area.

Comment 86: Analyze the potential for vacancies in the newly created retail if restrictions on liquor licenses, including both the 200-foot rule from the proposed school and the 500-foot rule from existing establishments, were to prevent new food-and-drink establishments from taking the new spaces. (CB2)

Response: The requested analysis is outside the scope of CEQR.

Comment 87: Study the impact that NYU’s proposed plan to add retail establishments will have upon competition with for-profit retail businesses in the area, and whether NYU will pay property taxes on their commercial operations. (Mercer Street Block Assoc.)

Report on the current retail vacancy rate and analyze the potential effects of adding the proposed maximum retail on existing stores and vacant space on:

- the area east of Washington Square Park including 8th Street - a major retail thoroughfare
- Broadway which is currently zoned for and amply supplied with retail Bleecker Street from Lafayette to Avenue of the Americas
- North/South streets from Houston Street to 8th Street
- The SoHo area from Canal Street to Houston Street (CB2)

Response: As described in the Draft and Final Scope, Chapter 3, Socioeconomic Conditions,” of the EIS will consider the effects of indirect business displacement due to the Proposed Action. See also the response to Comment 64. Any commercial uses resulting from the Proposed Actions would pay property taxes.

Comment 88: Analyze the potential effect of new retail development on whether it would meet unmet needs for residents or compete with existing retail and longstanding iconic neighborhood merchants, and the effect on commercial rents on blocks including:

- Washington Place and Waverly Place
- Bleecker Street
- on and near the Superblocks (CB2)

Response: The EIS will describe the types of retail that would be introduced by the Proposed Actions, and assess their likely effects on the socioeconomic character of the study area, but it will not include an assessment of potential impacts due to retail market saturation (see response to Comment 64, above).

Comment 89: Provide detailed information on the number, size and type of retail establishments that would be added if the proposed zoning were to be approved, both C1-7 on the Superblocks and C1-5 overlay on the area east of Washington Square Park, and analyze the current and future retail market saturation and rents. (CB2)

Response: Chapter 3, “Socioeconomic Conditions” of the EIS will describe the amounts and types of retail that would be developed on the superblocks, and on the projected development sites within the Commercial Overlay Area. The assessment of indirect business displacement will consider the potential for increased commercial rents in the future with the Proposed Actions. However, as detailed in the response to Comment 64, based on *CEQR Technical Manual* guidelines, an assessment of indirect business displacement due to potential retail market saturation is not warranted.

Comment 90: Study the potential effects—including indirect displacement—on nearby established industries and uses such as the manufacturing, retail and arts communities and facilities in SoHo and NoHo. (Coe, CB2, Donnaud, Doyle, Elliott, Fisher, Goldberg, Grauer, Harlib, Jones)

Response: As detailed in the Draft and Final Scope, Chapter 3, “Socioeconomic Conditions” of the EIS will include an indirect business displacement assessment that will consider the potential effects of the Proposed Actions on commercial rents within a ¼-mile area surrounding the project site.

COMMUNITY FACILITIES AND SERVICES

Comment 91: A maximum residential scenario may indicate the need for additional public school analysis. The EIS should include a scenario that studies the potential for maximum residential density. (MASNYC)

Response: As described in the Draft and Final Scope, the EIS will include a scenario that considers the maximum number of residents introduced by the Proposed Actions.

Comment 92: The project will add new families that will impose new burdens on public schools, libraries, and even social services. What will the impact of these new families be? Will local schools be able to absorb influxes of new students generated by new faculty and their families? (Chin, Rackow)

Response: As described in the Draft and Final Scope, Chapter 4, “Community Facilities and Services” of the EIS will follow *CEQR Technical Manual* guidelines for assessment of potential impacts on public schools, libraries, and public daycare facilities (potential effects on the provision of “social services” are not assessed under CEQR).

Comment 93: Study impact of expansion on plans to replace the Children’s Aid Society at the same or an alternate location. (505 LaGuardia Place, CB2)

Response: The Proposed Actions would not result in the direct displacement of the Children’s Aid Society, and therefore the requested analysis is not warranted.

PUBLIC SCHOOLS

Comment 94: NYU’s Environmental Assessment Statement assumes it will not require a detailed analysis of the area’s public schools. This assumption, however, is based on the illustrative program, not the maximum build out. The illustrative program assumes only 105,000 square feet for faculty housing (a residential use) and not the maximum 200,000 square feet actually sought in the application. At 600 square feet per unit, this could result in an additional 333 units and the families and children who will occupy them. (Stringer)

Response: As described in the Draft and Final Scope, the Proposed Actions would result in a maximum of 220,000 square feet of faculty housing resulting in approximately 259 units (assuming an average of 850 square feet per unit), the Proposed Actions are below the *CEQR Technical Manual* threshold for a quantified assessment of impacts on public schools.

Comment 95: The lack of capacity in local schools means that even a modest increase to the public school population strains the existing infrastructure. Every new public school student in this area will be added to an overcrowded classroom or sent to a school outside of his or her neighborhood. The existing statistics on the area's crowded schools and the proposed scale of NYU's project warrant special considerations, and a full study of the impact of the project on the public school system is warranted. Further, as the surrounding schools are simply unable to absorb an additional student, NYU must propose full mitigation for any potential impact. (Stringer, Wilcke)

The issue of school overcrowding has plagued Community Board 2 for years, and the addition of more residents to the neighborhood will only compound the

problem. Schools in Community Board 2 are already at or above capacity, so any development project adding residents to the area should trigger a study of the need for more school seats. (Nadler)

Analyze how increased population will impact CB2 schools. Specifically, how many families will NYU bring to our district as part of the Plan 2031 expansion? The public schools serving the area are already overcrowded. (505 LaGuardia Place, CB2, Horan)

Analyze what is the right level of public school (i.e., Elementary vs. Middle School.) Since Middle School is a district choice and not a zone choice, the need for a Middle School should include an analysis of district wide (D2) enrollment/school seats, but will largely be based on the growing Middle School population in the CB2 zone, and on the fact that parents and students do not have a Middle School choice in CB2. (CB2)

Response: As described in the Draft and Final Scope, as part of the proposed project NYU is offering the SCA approximately 100,000 square feet of community facility space in order for the SCA to develop a public school. As detailed in the Draft and Final Scope and in response to Comment 94, based on *CEQR Technical Manual* analysis thresholds, the proposed project does not warrant a detailed assessment of its impacts on public school capacity.

Comment 96: Analyze the possibility of NYU financially supporting the renovations of P.S. 3 and P.S. 41, which have been, and continue to be, attended by children of NYU faculty, and which are desperately in need of upgraded infrastructures compared to other zoned public schools. One or both of these schools are in need of a larger outdoor play space, a new cafeteria, a separate gymnasium, an elevator, and permanent seating in the auditorium, and so these areas should be included in a cost analysis. (CB2)

Response: The requested analysis is not relevant to assessing the potential for significant adverse impacts of the Proposed Actions with respect to public schools.

FIRE, AMBULANCE, AND POLICE

Comment 97: The proposed actions would not displace any fire or police stations. However, the population added through the number of students, faculty, and their families necessitates that the impact on these service provisions be undertaken. While perhaps not meeting the threshold of “sizable,” it is clear that the addition of a new large population mandates understanding what impact to the services provided from emergency services like the police and fire department will be. (Callet, Chin, Taylorson Ziff, Wilcke)

Can the local police precinct be expected to provide adequate police coverage for an expanded population? The 6th Police Precinct has told us many times that

they are over-burdened with tourism, nightlife, and protection issues. This expansion will have a profound effect not only on the 6th, but on the immediately adjacent 1st Police Precinct. (505 LaGuardia Place, CB2)

Analyze the impact that an additional population of 1,750 young adult students (p.26) who will most likely be freshmen, 260 dwelling units for faculty members (p.26) and constant transient hotel guests will have on the delivery of NYPD services, specifically the already understaffed 6th Precinct, to the rest of the precinct. (CB2)

The ability for local police precincts to accommodate increased patrols, traffic and crime must be assessed and addressed in the scoping. It must be assured that the governmental agencies which handle security and crime are not adversely impacted in performing their functions, which in turn impacts residents, merchants, students, faculty, workers and tourists. (Callet, Wilcke)

The Fire Department must be given the opportunity to weigh in directly. No agency except the Fire Department should speak for it and its assessment of this issue. (Wilcke)

Response: The Draft and Final Scope follow *CEQR Technical Manual* guidelines in determining the level of assessment for fire and police services. The proposed project would not present a “sizeable new neighborhood,” which is the CEQR threshold for EIS analysis. A screening-level assessment will be presented in Chapter 4, “Community Facilities” of the EIS.

Comment 98: The increase in traffic and pedestrian flows should be considered, in particular, as they relate to and impact the response time of essential City services such as the Police and Fire Departments. Emergency response time in Manhattan has declined in recent years. According to New York City statistics, police response times have increased every year since 2007. It now takes an average of 8.4 minutes to respond, which is 90 seconds longer than the response time in 2007. It is critical then for the EIS to study and identify mitigations to increased traffic that may be a further impediment on the delivery of these vital services. (Stringer)

How would access to buildings for ambulance and emergency responders be affected by automobile traffic during construction and operation? How would this affect ambulance response time? (505 LaGuardia Place, CB2)

Response: Please see the response to Comment 97. The proposed project will provide for police, fire, and emergency vehicle access as required by the New York City Department of Buildings requirements. In addition, emergency vehicles can maneuver around and through congested areas because they are not bound by standard traffic controls. Therefore, incremental traffic volumes projected to occur with the Proposed Actions are not expected to significantly affect emergency response times.

Comment 99: Fire hazards are greatly increased because of apparent removal of the two-way roads crossing the northern superblock and loss of access to the existing fire lanes there, among other reasons. To what extent will NYU study the FDNY's ability to operate during and after construction? In particular: (a) how would fire trucks get to all the existing apartments (in particular, the buildings in the northern superblock given the landscaping around the two proposed "boomerang buildings" and taking of the green strip that is currently the LMNOP play area); and (b) how would access to buildings for ambulance and emergency responders be affected by construction? (CB2)

Analyze the fire access to the middle of Washington Square Village between the proposed extra buildings, playground and superblocks overall. How will the apparent removal of the 2-way roads crossing the northern superblock and loss of access to the existing fire lanes there increase fire hazards? (Callet, CB2)

Analyze how the removal of the N/S roads on the WSV block affect the ability of ambulances to get in, get their patients loaded, and get out. (CB2) What will the effect be on ambulance and other emergency services? (Mostel)

The change of ingress to the Washington Square Village area is of the most immediate importance. Currently there are means in place for the FDNY to combat fires through means of entrance along the LaGuardia Street and Mercer Street sides of Washington Square Village. Under the new site plan those means of access will be changed or eliminated. What will the impact of the new site plan have on emergency service provision? Will there be sufficient means of access available to the FDNY in the event of an emergency? (Callet, Chin, Taylorson Ziff, Wilcke)

Response: The proposed buildings would be subject to New York City fire code, including requirements emergency vehicle access and egress to the project site. The analysis of fire safety under the fire code is not subject to a CEQR analysis. The proposed project would provide access to police, fire, and other emergency vehicles as required by code.

Comment 100: Private NYU security statistics on drug/harassment and other crimes should be given to City and State agencies for assessment of true conditions. There is concern that NYU's private security does not report publicly on all drug and other crimes, keeping its statistics artificially low. (Wilcke)

Response: The information requested is not necessary to determine the potential for significant adverse environmental impacts under CEQR.

HOSPITALS

Comment 101: Analyze how the Proposed Action Plan and increased population will indirectly affect the community's access to services at the planned North Shore-LIJ Center

for Comprehensive Care, which will have limited space and services compared with the full service St. Vincent's Hospital it is replacing. (Callet, CB2) NYU must address the impact of the increase in population without access to a full-service hospital within a reasonable distance or travel time. (Wilcke)

How will the burden on local emergency rooms (diminished by the closing of St. Vincent's) be affected by the added population to the neighborhood? (505 LaGuardia Place, CB2)

Response: As described in the Draft and Final Scope, under CEQR indirect effects on health care services occur only when a "sizeable new neighborhood" is introduced by a project. The proposed project would not introduce a new neighborhood, and therefore, analyses of health care services are not warranted.

CHILD CARE

Comment 102: Analyze the impact on the displacement of the childcare facility, Creative Steps Playgroup on the ground level of WSV, which may be turned into retail, which would physically displace the childcare facility. If Creative Steps Playgroup were to be displaced, how would the displacement be mitigated by NYU? (CB2)

Response: The potential relocation of this institutional use will be discussed in Chapter 3, "Socioeconomic Conditions," of the EIS. According to NYU, the Creative Steps Playgroup, if it were to require relocation, would be located elsewhere within the Washington Square Village buildings or into another NYU property in the area.

LIBRARIES

Comment 103: Analyze how the proposed action plan and increased population will indirectly affect the community's access to its Jefferson Market Library and Hudson Park Library. (CB2)

Response: As clarified in the Final Scope, the EIS will include a detailed analysis of the Proposed Actions' potential effects on library services. The assessment will include the Jefferson Market Library and Hudson Park Library.

OTHER

Comment 104: Analyze the indirect effects that the proposed action plan will have on St. Anthony's Church and any other public places of worship identified to be within the study area. (CB2)

Response: To the extent that places of worship, such as St. Anthony's Church, are located in an EIS study area, the potential environmental effects of the Proposed Actions on the use will be analyzed and disclosed, as appropriate.

OPEN SPACE

Comment 105: How can moving current public space accessible to the community to privately owned public space within the confines of NYU be better for the community? The areas surrounding the proposed design are currently used for parks, children's playground, dog runs, and gardens. There is no benefit to the community to move the area. (Alexander, Unsigned, Taylorson Ziff, Wilcke)

Open space and park areas must be studied for accessibility to the public, including the ease and public knowledge of that accessibility. (Wilcke)

NYU states that its proposal will bring a net increase of publicly accessible space to the superblocks. This calculation is based on acquiring already-public space that the University would then manage. Publicly accessible privately owned open space is qualitatively different than public open space. Transferring public land to a private entity means that the public now relies on the private entity to manage and upkeep the open space (rather than through public funds) and that access to this open space is ultimately at the discretion of the private institution. Because NYU seeks to purchase public land for its own use, even though it will be publicly-accessible, the EIS should study the impact that this change would have on the use, accessibility and quality of this open space. (Nadler)

Review the history of NYU stewardship of public and publicly accessible open space and evaluate the causes of admitted shortcomings. NYU has agreed that it has a poor track record in maintenance, management and operation of public access to open space on their property. While they have stated that they have "turned over a new leaf," the difficulty of enforcement of public access to privately owned public space has been a widespread concern in areas such as urban plazas throughout the city. NYU would have latitude to make unilateral decisions regarding hours of access and other rules affecting campus security and institutional liability. NYU would have control over the look and feel of the open space, potentially affecting the level of public use. Access to open space for freedom of expression could be restricted on privately held land. (CB2)

Provide a full historical review of intentions and agreements regarding all spaces in the project area, including access to the Coles roof, gym, and pool, and also NYU responsibilities to manage and maintain publicly accessible areas. The draft scope asserts that the project will add four acres of new public space. However, no clear evaluation is available of the status of public accessibility to existing private space within the project area. The comparative analysis of lost open space and replacement open space needs to evaluate the number and size of trees, the percentage of hardscape versus natural ground, increased winter shading caused by new buildings and location of open space features as well as decreased availability of summer shade from large trees, and various kinds of seating. (CB2)

Response: As described in the Draft and Final Scope, the EIS analysis in Chapter 5, “Open Space” will follow *CEQR Technical Manual* guidelines in identifying and quantifying existing open space resources and assessing the Proposed Actions’ effects on such resources. The assessment will include direct and indirect analyses, and will consider both quantified and qualitative criteria in determining the potential for significant adverse open space impacts.

As detailed in the Final Scope, the Proposed Actions now include the mapping of the above-grade portions of the DOT strips adjacent to the North Block (i.e., along LaGuardia Place and Mercer Street) as City parkland. Overall, the proposed project includes approximately 3.8 acres of parkland and publicly accessible open space. Any specific measures related to limitations on public access within parkland and publicly accessible open spaces would be described in the EIS.

As described in the Draft and Final Scope, Chapter 20, “Construction Impacts” of the EIS will assess the closure of certain open spaces in coordination with the opening of replacement spaces. It will also evaluate the Proposed Actions’ effects on the loss of street trees, and the Department of Parks and Recreation will be consulted to coordinate the replacement of street trees lost as a result of construction of the project. Based on public comments on the Draft Scope, as detailed in the Final Scope, Chapter 9, “Natural Resource,” will describe NYU’s tree replacement plans for the project site, quantifying the amounts and types of trees that would be displaced as compared to the amounts and types that would be retained and newly-planted with the proposed project.

Comment 106: Retaining the park strips is an important community goal, and as NYU’s expansion plans move forward, creating and maintaining high-quality public open space areas is certainly a top priority. Community District 2 has some of the lowest open space ratios of any neighborhood in the City. In addition, the proposed project area is specifically identified in the *CEQR Technical Manual* as “underserved” in the amount of total open space. The proposed project, may therefore not only affect public open spaces in the neighborhood, but can have significant impacts on the open spaces located on the superblocks. Any open space affected by the University proposal must receive careful consideration of its overall design and usability. (Stringer)

Determine the users of existing public open space and evaluate how the project may reduce the usability of these spaces, detract from their aesthetic qualities or impair their operation. (Kaplan)

The project may result in physical losses of highly used public open space and changes in usability of existing open space, will limit public access to open spaces, will result in increased noise and shadows in public spaces, while also increasing the demand for open space. Therefore, a simple comparison of conditions with and without the project is not sufficient. The direct impacts

require a full assessment under the procedures outlined in the *CEQR Technical Manual*. (CB2)

Response: As described in the Draft and Final Scope, the EIS will include a detailed analysis of the direct and indirect effects of the Proposed Actions on open space resources.

Comment 107: The proposed buildings will surround open space, which has been traditionally accessible to the public. As such, the proposed project has the potential to have significant impacts on the quality of remaining open space on the block. The project should be analyzed for the potential loss of mature trees, shadow impacts, and accessibility. Given the scarcity of open space in the area, any identified impact on the open space must be minimized and receive reasonable mitigations to offset those impacts. (Stringer) What is the effect of the loss of mature trees and plantings on sense of stability and community pride and loss of the sky on general well-being? What is the effect of the loss of historical memory of the seasons and inability of elderly and disabled residents to draw sustenance from mature local trees and from community and other gardens? (Mostel)

Response: The analysis of direct effects on open space will follow *CEQR Technical Manual* guidelines in considering the loss of mature trees, shadows, and accessibility. If significant adverse impacts are identified, the DEIS will include potential mitigation measures.

Comment 108: Other important impacts to study will be:

- What impacts will the loss of the Sasaki Garden, the “key” park, the Washington Square Village Playground, open space strips have on the community residing in the “core” and the surrounding community?
- How will the new users of the parks change the character of the open space that is now available?
- Who will be the primary users of the new open space and what will their impact on the newly created open space be?
- If the new buildings built around the park are academic in use, how will any new open space be portrayed as public if surrounded by campus buildings are utilized primarily by students and faculty? (Chin, Horland)

Response: These issues will be addressed in the direct and indirect effects analyses in EIS Chapter 5, “Open Space.”

Comment 109: How does the population/open space ratio of the neighborhood compare to other areas of the city, before and after the proposed development? (505 LaGuardia Place)

Response: The indirect effects analysis in Chapter 5, “Open Space” of the EIS will estimate open space ratios for current conditions, and for conditions in the future without and with the project in 2021 and 2031. The open space ratios are compared to the City’s guidelines in determining the potential for significant adverse open space impacts.

Comment 110: Community Board 2 Manhattan has a significant dearth of open space; in fact, they have one of the lowest percentages of any community board in Manhattan. Through combination of the north and south superblocks into one project area by using the Large Scale General Development special permit procedure, NYU affectively is allowed to combine the open space requirements for each of the superblocks into one requirement for both blocks. Will this enable the university to transfer open space ration across streets? Thus enabling them to overdevelop one block while claiming that, when taken together, there is ample open space in relation to the amount of height and bulk? (Chin, Wilcke)

Examine the effects of floor area and open space redistributions across zoning boundary lines on pedestrian comfort and orientation and community scale, identity and continuity. (CB2)

Response: The open space requirements under the Zoning Resolution will be discussed in the EIS.

Comment 111: How will the planned primary school affect open space on the southern Superblock? Children need open areas to play during recess, and often congregate in open areas near their school at the end of the school day. What space will be provided for the influx of 600-800 school children on this block? (505 LaGuardia Place) The project will greatly increase the number of NYU visitors in the area as well as the volume of commercial activity in the area, and will create special new open space needs for students of a new elementary school, needs which may be in conflict or competition with the needs of NYU students. (505 LaGuardia Place, CB2)

Response: The EIS analysis in Chapter 5, “Open Space,” will account for open space demands created by residents, workers, and students. As described in the Final Scope, if the SCA develops a public school in the proposed Bleecker building, the rooftop of that building would include play areas for the public school children.

Comment 112: Assess the impact of new retail stores on Washington Square. Currently, there is minimal retail on streets surrounding the park. A commercial overlay in the blocks east of Washington Square Park, including in buildings across the street from the park, will have impacts on the park that require assessment. Depending on the size and type of stores, based on crowds attracted to stores in the nearby Broadway commercial area, substantial crowds may be drawn to these blocks

with significant increases to visitors and pass-through pedestrians. Park use in Washington Square should be compared with park use in Union Square and Madison Square where there is existing adjacent commercial use and park users should be interviewed to assess the potential significance of the commercial overlay. Similarly, the hotel and other commercial uses made possible by proposed C1-7 zoning for inside the project area should be evaluated with regard to impacts on existing and planned open space there. (CB2)

Response: The EIS analysis will follow *CEQR Technical Manual* guidelines to assess the open space demands generated by project-generated user populations.

Comment 113: Describe the existing public and private open spaces on the two Superblocks—uses, users, intensity of use. Under the "no build" scenario, please show the following areas as "Existing Open Space": On the Northern Superblock, "WSV Interior Gardens," "WSV Playground;" On the Southern Superblock, "Silver Towers Tree Grove," "University Village Plaza." Revise existing open space calculations accordingly. (Lefkowitz)

Response: The EIS analysis in Chapter 5, "Open Space," will identify the open spaces that are considered "publicly accessible" and which are considered "private" for purposes of CEQR analysis.

Comment 114: Under the No Build alternative, describe the current operation and maintenance of the open spaces on the Superblocks and the not-for-profit groups that maintain same (LaGuardia Comer Garden, Friends of LaGuardia Place, Lower Manhattan Neighbors Organization, Mercer-Houston Dog Run Association).

Response: The EIS analysis in Chapter 5, "Open Space," will describe the operation and maintenance of open spaces in the Proposed Development Area under current conditions, and in the future with and without the Proposed Actions.

Comment 115: NYU's current expansion plan includes four acres of new or replacement open space. However, these new spaces will be owned and maintained by NYU, a private entity with no obligation to the public. We encourage the City to use the Environmental Review period, and specifically the Environmental Impact Statement to explore mechanisms that will oblige NYU to a) preserve these open spaces as open space in perpetuity, and b) contribute a set dollar amount to a dedicated maintenance fund that will be independently monitored to ensure the ongoing maintenance of the privately operated public open spaces. (New Yorkers for Parks)

Describe who will maintain and operate the proposed private open spaces, including any commitments that the applicant proposes to make for such maintenance and operation. Describe how such commitments will be documented and enforced. (Lefkowitz)

Response: As detailed in the Final Scope, the Proposed Actions now include the mapping of the above-grade portions of the DOT strips adjacent to the North Block (i.e., along LaGuardia Place and Mercer Street) as City parkland. Overall, the proposed project includes approximately 3.8 acres of parkland and publicly accessible open space. To the extent available, specific measures related to limitations on public access within parkland and publicly accessible open spaces will be described in the EIS.

With the exceptions of the relocated dog run and the potential rooftop play area associated with the public school, private open spaces introduced by the proposed project, including privately-owned, publicly-accessible open spaces, would be operated and maintained by NYU.

Comment 116: The pergolas at the Washington Square Village corridor entrances should be removed to ensure a more welcoming public walk to the central open space; the entrances to the central open space along LaGuardia Place and Mercer Street should not be gated. (APA NY Metro)

Response: The pergolas at the Washington Square Village corridor entrances would be removed with the proposed project. Overall, a central goal of the open space plan is to create more inviting open spaces on the North Block, with additional points of public access.

Comment 117: How will the expansion affect the amount of green space? (505 LaGuardia Place)

Response: As detailed in the Draft and Final Scope, Chapter 5, “Open Space” of the EIS will describe the Proposed Actions’ effects on open space conditions on the project site, and within 1/4- and 1/2-mile radii of the project site.

Comment 118: What happens when you have blank open space and the temperature hits 100 degrees? There is no shade in Washington Square Park right now. (Mostel)

Response: The proposed open spaces would not be “blank;” they would include a variety of trees and landscaping. As described in the Draft and Final Scope, the extent of sun and shading on the proposed open spaces will be discussed qualitatively in Chapter 5, “Open Space,” and Chapter 6, “Shadows” of the EIS.

Comment 119: In terms of Open Space, the new 10-foot setbacks would leave the community with less open space than the current 30-foot setbacks. (Schwartz)

Response: Comment noted.

DIRECT EFFECTS ASSESSMENT

Comment 120: A full review is required to evaluate legal issues related to alienation of public open space in the project area. Existing public open space in the project area is likely to require alienation legislation. The *CEQR Technical Manual* advises that when a project eliminates “or involves certain changes in use of dedicated City-owned parkland or open space, the City must have the authorization of the New York State Legislature and Governor to alienate the parkland or open space.” The project proposes transfer to NYU of City-owned land that is public open space. Some of this land has been developed with government funds dedicated for improvement of public open space and also private funds accepted by New York City for the restricted purpose of developing this land for active and passive open space use. (CB2, Horan, New Yorkers for Parks)

A full review is needed of all possible legal issues regarding transfer of public lands, including a review of whether the proposed land transfers and/or alternatively transfer of underground easements that might impact the public open space use of the properties would require state legislation. Additionally, all prior development of public open space on these properties needs to be reviewed to determine whether there are issues regarding alienation of parklands that have received state or federal funding. A report on this review should be made available to the lead agency, the NYC Parks Department, local elected officials, and CB2. (CB2, Horan, New Yorkers for Parks)

Response: Comment noted. In accordance with guidance set forth in the *CEQR Technical Manual*, the EIS will analyze the proposed project’s impacts on open space, including, among other things, public open space that is planned for elimination or alteration as part of the project. Authorization from the State Legislature is required before a municipality may alienate parkland. The proposed project includes the transfer of City-owned land to New York University, as follows: (1) a portion of Mercer Street between West Houston and Bleecker Streets for the purpose of locating a portion of a new mixed use building; (2) a sub-surface portion of Mercer Street between Bleecker and West Third Streets for the purpose of accommodating new academic space; (3) a subsurface portion of LaGuardia Place between Bleecker and West Third Streets for the purpose of accommodating new academic space; and (4) a portion of Mercer Street between West Third and West Fourth Streets, where NYU currently has a revocable vault license agreement with NYCDOT for NYU’s recently constructed below-grade cogeneration facility. In addition, the City would convey easements to NYU over the City-owned at-grade portions above the subsurface portions described in (2) and (3) above, in order to allow for construction and maintenance of as well as access to NYU buildings. None of the above-referenced City-owned parcels have been determined by the City to be parkland or similarly dedicated open space. Accordingly, because the proposed project does not include any plan to alienate parkland or dedicated

open space, authorization from the State Legislature is not warranted. For this reason there is also no basis for the EIS to analyze funding streams that were purportedly utilized in order to improve parcels proposed for transfer to NYU.

Comment 121: With regard to the use of the open space, “publicly accessible” but privately owned open space frequently fails to be a meaningful public amenity. Often this is caused by inadequate programming, half-hearted enforcement, and restricted hours of operation. This is a concern as several of the open spaces currently located on the North and South blocks of the Proposed Development Area, such as the LaGuardia Comer Garden and the Mercer-Houston Dog Run, are frequently used and cared for by the surrounding community. As the proposed project intends to displace and relocate several of these private and public spaces, it is vital that the EIS clearly outline the current public spaces that will become private as a result of proposed actions. (Horan, Liberman, MASNYC, Quinn)

There are serious questions about the status and use of the publicly owned open spaces along LaGuardia Place, and the small parcels on Bleecker and West Third Streets. CB2 has raised questions about these parcels and a group of organizations has applied under Section 197-c to map these as parkland. Additional dialogue should be conducted to determine the outcome of these spaces with careful coordination with New York City of “publicly accessible, privately owned open space.” (APA NY Metro)

Response: Chapter 5, “Open Space” of the EIS will include a detailed direct effects assessment that identifies which publicly accessible and private open spaces would be displaced by the proposed project, and will describe the project’s replacement and new open spaces and the nature of their accessibility. See also the response to Comment 115.

Comment 122: The Draft Scope states that “a detailed assessment of the Proposed Actions’ direct effects on open space will be provided that considers the types, quantities, and quality of displaced publicly accessible open spaces as compared to the new publicly accessible open spaces that would result from the Proposed Actions.” This suggests that the assessment will be limited to what the *CEQR Technical Manual* calls “a simple comparison of conditions with and without the project and a discussion of the users affected.” But the Technical Manual states that this may be insufficient when “more information on users of that open space may be appropriate or there is ambiguity as to whether the project would reduce the usability of an open space, detract from its aesthetic qualities, or impair its operation.” As discussed in detail herein, there are reasons why replacement spaces provided by the project are not comparable to spaces that will be eliminated or significantly impacted. (CB2)

Evaluate whether proposed replacement space within a campus environment will provide a welcoming alternative to current users. Include surveys and interviews of current users. Because the project will locate replacement open space away from the public streets in a manner that will surround the space with large NYU buildings and may create a campus feel, students and workers may displace residents and more information is needed regarding current open space users and the availability of other space. The relocation of active space to a more shaded area may have a negative impact on its usability and the loss of many mature trees will have a long term or even permanent impact on aesthetic qualities. The Draft Scope indicates that there is justification for limiting the assessment of direct effects because “the proposed project intends to enhance public recreation opportunities in the Proposed Development Area by providing new and replacement open space.” However, there is the need for a full review of the direct effects on the entire study area, and not just the proposed comparative analysis of existing and replacement spaces. (505 LaGuardia Place, CB2)

Describe and evaluate the aesthetic character, user groups, and public accessibility of existing open space as conditioned by its placement along the streets and outside university property. The proposed replacement open space is substantially different in aesthetic character, user groups served, and public accessibility. The existing open space on public land has direct access for neighborhood streets while the replacement space will be surrounded by large NYU campus buildings. Therefore, even without consideration of the dramatic increase of new resident students, non-resident students, and NYU faculty, employees, and visitors, the uses will likely be more associated with the campus than with the neighborhood, creating a feel more responsive to the University than to the broader community. The existing open space is connected to the adjacent streets and provides a relief to the urban grid typical of the attractiveness of other “park blocks.” Building new towers where the parks are currently located is a drastic change to the aesthetic impact of the open space. Existing open spaces, including spaces on public land and the publicly accessible Children’s Playground/Key Park are built on natural ground and support large species mature trees. These trees, as well as dozens of smaller species mature trees in other areas will be removed and the hardscape replacement spaces will support fewer trees of smaller species because all the replacement spaces will be built above occupied space and not on natural land. (CB2, Horland)

Response: The EIS Chapter 5, “Open Space,” will contain detailed analyses of the potential direct and indirect effects of the Proposed Actions on open space resources in the area. A detailed assessment of the Proposed Actions’ direct effects on open space will be provided that considers the types, quantities, and quality of displaced publicly accessible open spaces as compared to the new publicly accessible open spaces that would result from the Proposed Actions. The assessment will consider

whether the proposed open spaces would provide adequate public access, and the landscaping plan that will be analyzed in the EIS will include trees and other flora compatible with the proposed project's design.

Chapter 20, "Construction Impacts" of the EIS will assess the Proposed Actions' effects on the loss of street trees, and the Department of Parks and Recreation will be consulted to coordinate the replacement of street trees lost as a result of construction of the project. In addition, as specified in the Final Scope Chapter 9, "Natural Resources," will describe NYU's tree replacement plan for the project site, quantifying the types and amounts of trees that would be displaced as compared to the types and amounts that would be planted with the proposed project.

Comment 123: Study the basis for strong community support for existing outward-facing public space on public land including consideration of the importance of the history of these spaces. There is strong public support for retaining the existing open spaces. There has been a strong negative public response to the proposal to eliminate the existing open spaces on City-owned land and there has been little or no public expression of support. More than 200 people attended a Community Board 2 public hearing on October 18, 2010, where 36 people spoke against replacement of the existing open spaces and no one spoke in favor. A subsequent resolution was passed opposing transfer of these spaces to NYU and supporting transfer of these properties to the Parks Department. A press release opposing the transfer of these spaces to NYU and supporting transfer of these properties to the Parks Department included statements from all the local elected officials: United States Congressman Jerrold Nadler, Manhattan Borough President Scott Stringer, State Senator Tom Duane, State Assembly Member Deborah Glick, and City Council Member Margaret Chin. (CB2)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on reduction of streetside public open space. (CB2, Cude)

Response: As described in the Draft and Final Scope, Chapter 5, "Open Space" of the EIS will contain a detailed assessment of the potential for significant adverse open space impacts due to the displacement of existing open spaces.

Comment 124: An open space phasing strategy should be disclosed to explain which spaces will be open and available and which spaces will be closed. (Horan, Liberman, MASNYC, Quinn)

Response: The analysis in EIS Chapter 5, "Open Space," will consider the potential for significant adverse open space impacts for the 2021 (Phase 1) analysis year, and for full operations of the proposed project in 2031 (Phase 2). As described in the

Draft and Final Scope, Chapter 20, “Construction Impacts,” will assess the availability and adequacy of open space resources during the construction periods for the Proposed Actions, including consideration of the potential direct and indirect effects of construction activities on the study areas’ open space resources.

Comment 125: Report on the square footage change in dedicated play space for toddlers and for children up to age 16, both programmed and unprogrammed, on the University Village and Washington Square Village Superblocks. Separately study both temporary and permanent replacement playground sites, and with and without the acquisition of the city-owned open space strips. Report on how the changes will affect families on and adjacent to these blocks. (CB2)

Response: The detailed analysis of open space in the EIS will consider whether the proposed project’s open space programming meets the needs of the residential population, taking into consideration population age cohorts and the specific open space demands of certain age groups.

Comment 126: Study the impact of the loss to the community (and to the world) of the unique Sasaki garden at Washington Square Village. We only have one other Sasaki park in New York City (the GreenAcre Park on 51st Street). (Horland, Mercer Street Block Assoc., Taylorson Ziff, Yarmolinsky11)

The gardens above the garage at Washington Square Village were designed by Sasaki, Walker and Associates and completed in 1959. They are eligible for listing in the State and National Register of Historic Places. The tranquility and historic importance of these gardens will not be replaceable in the middle of a complex of large campus towers. (CB2, Horland)

The *CEQR Technical Manual* requires an assessment of a project’s direct impacts if access is limited or changed. Currently the Sasaki Garden and Interior Playground are publicly accessible, but, however, the university claims are not inviting because of the way the space is situated and view corridors as well as access are limited. It is because of this that NYU must study the direct impact of changing such a space. NYU should conduct a feasibility analysis to determine whether they would be able to maintain the current Sasaki Garden with new means if ingress and egress that would enhance a potential user’s access to the space? (Chin, Taylorson Ziff)

Response: Chapter 5, “Open Space” will include a detailed direct effects analysis that accounts for the displacement of the Sasaki garden/landscaped plaza at Washington Square Village (the “Washington Square Village Elevated Garden”). In addition, Chapter 7, “Historic and Cultural Resources,” will assess the impact of the displacement of the Washington Square Village Elevated Garden from a historic and cultural resources perspective.

Comment 127: The proposal to construct a temporary gym on the site of the Mercer Street Playground would remove a valuable residential resource and neighborhood amenity. As an alternative, the University should study other on-site and off-site locations for the temporary gymnasium including the use of existing University recreational facilities such as Palladium and student housing with athletic equipment in the building. (Stringer, Taylorson Ziff)

Response: The analyses in EIS Chapter 5, “Open Space,” will discuss the direct and indirect effects of the proposed location for the temporary gymnasium. Chapter 20, “Construction Impacts,” will discuss the temporary open spaces that would be made available prior to the displacement of the Mercer Street Playground and once the temporary gym is constructed and operating.

Comment 128: The current open space plan relocates the dog park next to existing residential units. From a land use and planning perspective, the close placement of these two uses may result in unintended conflicts. NYU should study another location for the dog run that may be more appropriate and complementary. (Akin, Armon, Brownstein, Burden, Coffey, Colorio, Geronimus, Gottlieb, Grooms, Jallad, Kim, Oberlander, Raphan, Travis, Silver, Stringer Weinstock, Whalen, Wong, Wright, Zimmerman)

The EIS should study the negative effects of noise generated from the relocated dog run on residents of Silver Towers, and how the noise would significantly impact them. After 30 years as a vibrant facet of the community, this ultimately might cause the closing of the Mercer-Houston Dog Run. (Akin, Armon, Brownstein, Burden, Coffey, Colorio, Geronimus, Gottlieb, Grooms, Kim, Oberlander, O’Neal, Rackow, Raphan, Taylorson Ziff, Travis, Weinstock, Whalen, Wong, Wright, Zimmerman)

Response: Based on public comments on the Draft Scope, the Final Scope has been amended to include an analysis of the potential for significant adverse noise impacts due to the relocation of the dog run. The findings of the analysis will be reported in Chapter 17, “Noise” of the DEIS.

Comment 129: Evaluate the impact of moving the dog run and putting a building there on reducing open space, removing a green and airy environment, and curtailing social activity. (CB2)

The EIS should measure the impact of the proposed rezoning and developments on the diminishing open spaces of the Super Blocks. Presently the Mercer-Houston Dog Run is connected to a series of open spaces, continuing up the block. This enhances the unenclosed, green space feeling. The proposed development moves the Mercer-Houston Dog Run to a smaller, virtually hidden space. (Akin, Armon, Brownstein, Burden, Coffey, Colorio, Geronimus,

Gottlieb, Grooms, Kim, Oberlander, O’Neal, Raphan, Travis, Silver, Weinstock, Whalen, Wong, Wright, Zimmerman)

If NYU succeeds in their attempts to renege on the space along Mercer Street with the promise of some future space being developed elsewhere, the Mercer-Houston Dog Run organization may not survive. At best, if NYU follows through on their promises this time (if, and if) we may end up with another generic dog run, and lose this valuable model and part of our community. Even this might not be guaranteed as their plans 'evolve' over time. (Gibbs, Silver)

Response: While the Mercer-Houston Dog Run is a community asset, it is not a publicly accessible open space as defined under CEQR, because its use is limited to members who pay a fee. However, the potential effects of relocating the dog run will be qualitatively discussed in EIS Chapter 5, “Open Space,” and a quantified assessment of potential noise effects of the dog run’s relocation will be provided in Chapter 17, “Noise.”

Comment 130: Evaluate the location of the existing playgrounds and dog run in consideration of warmth provided by the sun, the benefit of mature, large species trees, and distance from residential windows. The proposed replacement open space has limited usability. The addition of new buildings and the relocation of existing open space including children’s playgrounds and spray showers to more shaded areas will reduce the usability of these spaces. A replacement for the existing dog park at Mercer and Houston Streets is sited adjacent to one of the Silver Towers residential buildings. NYC Parks Department policy does not allow placement of dog runs where noise and odor will create conflicts with residents. The location will at least limit the hours of use of the dog run which is currently used at all hours. (CB2)

Response: The proposed project’s shadowing of existing and planned open spaces will be assessed in Chapter 6, “Shadows,” and will be a factor that is considered in the detailed direct effects analysis in Chapter 5, “Open Space.” See response to Comment 128 with respect to relocating the dog run.

Comment 131: Will the loss of light and view corridors diminish the plaza in front of 505 LaGuardia Place, with particular hardship for limited mobility populations in the building who cannot easily utilize open areas further from their building? (505 LaGuardia Place)

Response: The plaza in front of 505 LaGuardia Place is not a public open space as defined under CEQR, and the proposed project’s shadowing effects on this resource, and views from this resource, will not be factors considered in determining the potential for significant adverse impacts.

Comment 132: Detail the location, size and amenities of the private open spaces proposed as replacements for existing public and private open spaces, and any proposed change in use and anticipated change in user populations. (Lefkowitz)

Describe the impacts of the proposed development on the quality and accessibility of existing and proposed open spaces, including impact of increased population on the Superblocks (both workers and residents), increased pedestrian and vehicular traffic, and private vs. public ownership and control of the open spaces. (Lefkowitz)

Response: The open space analysis in the EIS Chapter 5, “Open Space” will detail the location, size and amenities of proposed open spaces, projected changes in use and user populations, and will describe the quality and public accessibility of existing and proposed open spaces.

Comment 133: Provide a time line showing the dates on which each of the existing Superblock open spaces will be taken out of service, including for construction staging, and when, under the proposal, replacement open spaces will be provided. Describe the impacts of the loss of open spaces during any periods when such spaces will not be provided and the measures proposed to mitigate the loss of open space during those periods. Describe the impacts on study area open spaces (e.g., Washington Square Park) during any period when Superblock open spaces will be taken out of service and replacement spaces have not yet been provided. Describe any measures proposed to mitigate these impacts. Describe measures which will be undertaken to assure that open space "downtimes" will not exceed the periods set forth in the project schedule. Describe how such undertakings will be documented and enforced. (Lefkowitz)

Evaluate the impacts on access to open space during the development period. Review and analyze the impact of the extended development period caused by short- and midterm loss of open space prior to completion of replacement open space including but not limited to Mercer Playground, LaGuardia Park, Community Garden, Key Park, dog run, Sasaki Garden, etc. We are especially concerned that building a temporary gym in the northern superblock, on the site of the Key Park and Sasaki Garden will significantly reduce the amount of open space and recreational opportunities available during construction. In order to fully understand this impact, we must have specific information regarding phasing and project time frames. (CB2)

Response: As described in the Draft and Final Scope, Chapter 20, “Construction Impacts,” assesses the availability and adequacy of open space resources during the construction periods for the Proposed Actions, including consideration of the potential direct and indirect temporary and longer-term effects of construction activities on the study areas’ open space resources. The EIS will provide a description of the Restrictive Declaration that would be recorded for the Proposed Development Area at the time all land use-related actions required to authorize the

proposed project's development are approved, including providing for the implementation of "Project Components Related to the Environment" (i.e., certain project components which were material to the analysis of environmental impacts in the EIS) and mitigation measures, substantially consistent with the EIS.

Comment 134: Evaluate the impact to the demolition of Coles on current community users. How many residents will be affected? Will there be community access to the temporary gym? Will there be community access to the new permanent gym and pool? (CB2)

Response: The amenities and user populations for the existing Coles gymnasium and for the proposed temporary gymnasium will be described in Chapter 5, "Open Space," of the EIS.

INDIRECT EFFECTS ASSESSMENT

Comment 135: Evaluate the current availability of open space in the project area for active and passive uses including division of active uses by age group. The project will bring large new populations of residential and non-residential young adults to an area underserved by active recreation facilities. Assess the needs of this group for open space suitable for active recreation, and assess the availability of such space in the study area. (CB2)

Response: The requested analyses will be performed as part of the detailed analysis of indirect effects in the EIS Chapter 5, "Open Space."

Comment 136: Assess the true public accessibility to open space in the project area given the intensity of university activity in the project area, including a comparative analysis of per capita area as compared with current conditions. The project will have an enormous indirect impact on open space in parts of the study area close to the project area. There will be 1,400 new dormitory residents and a large number of students attending classes and other university activities as well as many university employees. Given the intensity of university expansion in the area, it seems likely that on nice days between classes, at lunch hour, and at the end of the school day, students will overwhelm open space in the project area and spread into nearby open space. The replacement open space in Washington Square Village may not be useable for other than NYU populations, especially during weekday hours when NYU is in full session. (CB2)

Response: The detailed indirect effects analysis in the EIS Chapter 5, "Open Space," will quantitatively and qualitatively assess the effects of the project-generated populations on open space resources.

Comment 137: The indirect effects that the proposed project will have on Washington Square Park and Passannante Park should be disclosed. Adding thousands of students a few blocks away from these parks will drive out families and other regular, current users of these parks. (CB2)

Assess the impact of the project on Washington Square Park, including impacts of overuse on lawn areas and the effect on current users and uses of a substantial increase of use by new residential and non-residential occupants of the project area. The project may have an especially significant impact on nearby Washington Square Park, a landmark open space resource of special importance for neighborhood residents as well as visitors that also has significance as a historical, cultural, and socio-economic resource. The students who will live in dormitories are in an age group that will be attracted to the special spaces in Washington Square and will create new use pressures in this overcrowded park, potentially pushing out current users and having a significant effect on current and historical uses. This age group will also seek opportunities for active uses that pose a threat to damage the newly renovated lawns in Washington Square that are intended for passive use only. (505 LaGuardia Place, CB2)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on loss of the character of neighborhood treasures such as Washington Square Park as students displace resident and visitor use. (CB2)

Response: The EIS will assess the proposed project's potential effects on the utilization of the area's open space resources, including Washington Square Park and Passannante Ballfield.

Comment 138: Provide detailed analysis of the impact on Washington Square Park, a special resource with enormous value to residents, nearby and citywide, and visitors. With respect to Washington Square Park, surveys should be done after areas of the park closed for Phase 2 reconstruction are reopened. Assessments should focus on park use during weekday hours when students are moving between classes or leaving educational activities for the day and evaluate user groups within the park as well as the impact of university and project related crowds on the perimeter of the park, e.g. with respect to the common use of the park perimeter for jogging and walking. Also, in Washington Square Park, data should be collected on active use by NYU students of lawns intended for passive use to help assess the extent of need for more active open space areas as student activity is intensified in an area. (CB2)

Response: The EIS will follow *CEQR Technical Manual* guidelines in its methodology for assessing the potential effects of the proposed project on Washington Square Park.

Comment 139: Assess the impact of the project on NoHo, an underserved area for public open space. The indirect effects on open space will have an especially significant impact on residents of NoHo, an underserved area, and on current residents in the project area and in immediately adjacent areas. Residents who depend on access to existing open space within the project area will be particularly vulnerable to the pressures caused by large numbers of new residents and new daytime visitors who will use the proposed replacement open spaces. (CB2)

Response: As described in the Draft and Final Scope of Work, the proposed project is located within the NoHo district, which is identified by the City as an underserved area in terms of open space. The indirect effects analysis in EIS Chapter 5, "Open Space," will perform quantified analyses to estimate the Proposed Actions' likely effects on open space utilization in the area. As recommended in the *CEQR Technical Manual*, the non-residential open space study area will comprise all census tracts that have 50 percent of their area located within ¼ mile of the project area (including both the Proposed Development Area and the Commercial Overlay Area, because the Proposed Actions would result in an increase in non-residential populations in both areas). The residential study area will include all census tracts that have at least 50 percent of their area located within a ½-mile of the Proposed Development Area (the Proposed Actions would not result in an increase in the residential population of the Commercial Overlay Area, so it is excluded from the residential study area boundary delineation). These open space study areas are illustrated in Figure 21 of the Final Scope of Work.

Comment 140: Assess the impact of the project on the availability of existing active recreation facilities in the study area. Evaluate current availability of active open space, including separate analysis by ages served, and assess the effect of the project. The indirect effects on open space will have an especially significant impact on active open space in the project area. The areas surrounding the project area have very limited access to active recreational space such as ball fields and basketball courts. Passanante Park, just three blocks away, is the only large hard surface play area in the study area and is a vital resource for neighborhood residents, including families with children, and for nearby schools. With no other nearby facilities suitable for activities such as Frisbee games, project occupants may cause pressures that reduce access of neighborhood residents to active recreation. (CB2)

Response: Comment noted. The EIS will contain a detailed analysis of the proposed project's indirect effects on open space conditions in the area, including consideration of ages served by existing and proposed open spaces.

DETAILED ASSESSMENT METHODOLOGY

Comment 141: A simple quantitative preliminary assessment should not be used to obviate the need for a Detailed Assessment because

- a. There will be especially significant impacts on NoHo, an underserved residential area with no nearby alternative open space if use of open space in the project area is reduced.
- b. There will be especially significant impacts on residential areas in and immediately adjacent to the project area with no nearby alternative open space if use of open space in the project area is reduced.
- c. The user group composed of students residing and attending classes in the project area has higher than average needs for open space area and their use of open space will be highly focused in the project area and very nearby.
- d. The relatively high current open space ratio in the project area as compared to the study area means changes to open space use in the project area have a disproportionate effect on open space use near the project area as compared to their effect on the study area.
- e. Inadequacy of open space within the intensively used project area will have a cascading impact on nearby open space greater than the impact of the increased number of students on the open space ratio for the entire study area.

The project represents a major growth of NYU within its current core area. This is identified by NYU as one of four planning principles. The result will be a significant increase in the intensity of NYU activities in the project area, leading to a substantially increased presence of students in the project area as well as a greatly increased flow of students in and out. The project will also greatly increase the number of NYU visitors in the area as well as the volume of commercial activity in the area. (505 LaGuardia Place, CB2)

Response: As described in the Draft and Final Scope, the *CEQR Technical Manual* suggests that a full, detailed open space analysis is necessary if a project displaces a highly utilized open space, or introduces a large population in an area underserved by open space. The proposed project would directly displace or alter public and private open spaces located within the Proposed Development Area, and would introduce a large population to an area that is considered underserved based on the City's open space guidelines. Therefore, as reflected in the Final Scope, a detailed open space analysis will be conducted, and will be reported in Chapter 5, "Open Space" of the DEIS.

Comment 142: Compare existing use of publicly accessible open space in the campus setting to existing public space in the project area. The impact of large numbers of

students and employees within the project area requires detailed evaluation including study of the total number of people from the project area likely to use and walk through the space. The assessment should include surveys of publicly accessible campus-like spaces such as Gould Plaza to evaluate their usability for public access. Surveys during weekdays when NYU is in full session should be included, especially at class-change times. The total number of resident and non-resident students anticipated in the project area, as well as employees and visitors, should be used in determining whether replacement open space surrounded by large university buildings will function well as publicly accessible open space. (CB2)

Response: As stated in the Draft and Final Scope, the EIS will provide an inventory of all publicly accessible open spaces within the relevant open space study areas. Publicly accessible open space is defined under CEQR as publicly or privately owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment. Certain spaces, such as Gould Plaza, are not accounted for in the open space analysis because they do not provide usable recreational amenities for public enjoyment, and therefore are not defined as publicly accessible open spaces. The open space analysis in the EIS will consider the nature of the population introduced by the proposed project, including their age and open space needs, as well as their access to NYU recreational facilities.

Comment 143: Perform detailed evaluations of current resources including surveys and interviews. Field surveys, performed while NYU is in full session, should assess the current active and passive use of nearby open space by NYU students. (CB2)

Perform surveys and interviews to evaluate comparative value to non-NYU residents of inward versus outward facing open space. NYU states in its draft scoping document that they seek “to design publicly accessible open space to be an integrated network of attractive spaces that are welcoming to the general public.” The project intentionally eliminates public open space on the street sides of the project area in favor of a large central hardscape surrounded by NYU educational and residential buildings. The hypothesis that this will improve public usability of open space is counter-intuitive and needs assessment. Field surveys should be designed to evaluate current user groups for open space with in-facing orientation such as Schwartz and Gould Plaza as compared to those with out-facing orientation such as the Co-Gen plaza and the sitting area outside Coles. Users in particular groups, such as seniors, who are particularly subject to dislocation, should be interviewed to determine whether proposed replacement open space will serve their special needs. (CB2)

Response: The detailed open space analysis will be consistent with the guidance of the *CEQR Technical Manual*, including the use of field surveys which were

conducted when NYU is in full session. Formal interviews are not expected to be necessary to characterize the utilization of open spaces in the study areas.

Comment 144: Provide a detailed assessment of the comparative value of the public spaces on Mercer Street between Houston and Bleecker Streets versus the proposed relocation of uses to the other side of the “Zipper building.” This is problematic because the children’s playground and reflecting garden areas on Mercer Street have fallen into disrepair and disuse. However, as in Washington Square Village, the project moves public space here from the street to areas separated from the street by campus buildings. The usability of the new space by the general public needs to be reviewed in consideration of the proposed intensity of NYU use of the project area. As mentioned above, the proposed location of the dog run directly below many residential windows suggests a likely loss of usability that requires assessment. (CB2)

Response: The open space analysis in the DEIS will evaluate the usability of all proposed publicly-accessible open spaces by the general public and by the project-generated populations.

Comment 145: Identify existing open space in the study are where current use is near or above capacity. Throughout the residential open space study area, conditions of high intensity of use in existing open space need to be separately evaluated for both passive and active areas, and compared to citywide norms. Where use of open space is at or near capacity, the likelihood of significant impacts from the project is greater. Targeted mitigations may be required for each open space that is currently at or near capacity. (CB2)

Response: The inventory of public open spaces in the EIS will include description of their current utilization, and this is a factor considered when determining potential significant adverse impacts and mitigation.

Comment 146: The Adequacy of Open Space needs to be assessed for sub-sections of the study area based on the increase caused by the project of the residential and non-residential populations. There is a likely substantial increase in demand for both passive and active use of open space. College students have high open space needs, both active and passive.

- There will be an increased demand for passive open space because of the increased number of daytime visitors to the area.
- There will be an increased demand for active open space based on the ages of the people brought to the area as a result of the project.(CB2, Horan)

Response: As described in the Draft and Final Scope of Work, the EIS analysis will consider both passive and active open space resources, requiring two study areas: one that considers the supply and demand for passive open space required

by the non-residential population, including the non-resident student/faculty/other employee population; and one that considers the supply and demand for both passive and active open space required by the residential population, including the resident student/faculty/other employee population. As recommended in the *CEQR Technical Manual*, the non-residential open space study area will comprise all census tracts that have 50 percent of their area located within ¼ mile of the project area (including both the Proposed Development Area and the Commercial Overlay Area, because the Proposed Actions would result in an increase in non-residential populations in both areas). The residential study area will include all census tracts that have at least 50 percent of their area located within a ½-mile of the Proposed Development Area (the Proposed Actions would not result in an increase in the residential population of the Commercial Overlay Area, so it is excluded from the residential study area boundary delineation).

SHADOWS

Comment 147: Careful analysis of shadow impacts are necessary particularly with respect to the proposed heights of the La Guardia building, the Zipper Building and the Mercer Street building. (MASNYC, Taylorson Ziff, Weiner)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on sunlight and air available to residents and visitors. (CB2, Mostel, 505 LaGuardia Place)

How will NYU's designs impact the enjoyment of light and air on Mercer and LaGuardia Streets? (Chin, Magida, Taylorson Ziff)

Response: As described in the Draft and Final Scope, Chapter 6, "Shadows" of the EIS will assess whether the proposed project's structures would cast shadows on sunlight-sensitive publicly accessible resources or other resources of concern, such as natural resources, and assesses the significance of their impact. As described in the Final Scope of Work, the EIS will include a detailed analysis of potential shadow impacts.

Comment 148: The *CEQR Technical Manual* requires a shadow analysis on publicly accessible open space or historic resource with sun-sensitive features. In addition to these required analyses:

- Study air flow; shadows cause lack of tree growth, causing loss of CO₂ filters (CB2, Horan, Mostel, Rackow)
- Study quality of life; effect of tall buildings blocking sunlight on human physical, physiological, mental, and emotional health. (CB2, Horan, Mostel, Rackow)
- Study all buildings and their impact on property interiors and exteriors and impact on property values—Possible eminent domain requiring just

compensation? (CB2, Horan, Mostel, Rackow) Specifically, study the West Side of Mercer Street between West Houston and West 3rd Streets (CB2, Taylorson Ziff), LaGuardia Place and specifically LaGuardia Place between West Houston and Bleecker (CB2, MASNYC)

- Impact on vegetation, specifically on the West Side of Mercer Street between West Houston and West 3rd Streets (CB2, Taylorson Ziff), on LaGuardia Place (CB2), on LaGuardia Place between West Houston and Bleecker (CB2, MASNYC)
- Impact of shadows on windows of buildings near any new multi-story buildings (505 LaGuardia Place), specifically on LaGuardia Place (CB2), LaGuardia Place between West Houston and Bleecker Streets (CB2, MASNYC), and the West Side of Mercer Street between West Houston and West 3rd Streets. What will be the shadow on the buildings, on the street and inside the Mercer-facing apartments? There is currently direct and indirect sunlight entering Mercer-facing apartments through most of the day on most of the days of the year. What would be the effect of the proposed Superblock buildings? (CB2, Taylorson Ziff)
- Study the loss of light and increase in shadows on Mercer Street between Bleecker and Houston Streets because of the height of the proposed Zipper building (“Valley of Darkness”) and on areas surrounding the Zipper building in general, and on Mercer Street between Bleecker and West 3rd Streets because of the proposed “Boomerang” building (CB2, Taylorson Ziff)

Response: As described in the Draft and Final Scope, the shadows analysis in the EIS will follow the methodology of the *CEQR Technical Manual*, which limits the assessment of shadow impacts to “sunlight-sensitive resources.” Sunlight-sensitive resources are defined in the *CEQR Technical Manual* as:

- **Public open space** as defined in Chapter 7 of the *CEQR Technical Manual*;
- **Architectural resources** that depend on direct sunlight for their enjoyment by the public (e.g., University Village’s gridded and sheer concrete facades, which have deeply-recessed horizontal window bays, as well as a 22-foot wide sheer wall, creating dramatic juxtapositions of light and shadow.)
- **Natural resources** as defined in Chapter 11 of the *CEQR Technical Manual*; and
- **Greenstreets** (e.g., the Time Landscape).

Comment 149: With respect to proposed open space areas, study potential for shadows and their:

- Impact on vegetation
- Impact on insects
- Impact on animal life
- Potential negative impact on the inviting nature of these areas (CB2)

Response: As described in Draft and Final Scope, Chapter 6, “Shadows” of the EIS will assess the potential for significant adverse shadow impacts on sunlight sensitive resources, including on project-generated public open spaces. The findings of the shadows analysis will be used to inform the analysis of the project’s effects on flora and fauna, which will be reported in Chapter 9, “Natural Resources.”

Comment 150: Study the importance of sun exposure to the Community Garden. Tall new buildings in the project area will increase the shading in existing spaces, with particularly harmful impacts on the Community Garden on LaGuardia Place south of Bleecker Street. This extraordinary space is an important resource to its participating gardeners, and also stands as a symbol of urban resiliency and civic pride. The garden provides immense pleasure to its gardeners, visitors, and passers-by. The success of the garden is threatened by shading from new towers to its east and by the intensity of new uses in the project area. (CB2)

Regarding the LaGuardia Community Garden, study potential for shadows and their:

- Impact on vegetation
- Impact on insects
- Impact on animal life
- Impact on flowering time of milkweed, which is the food source of Monarchs in the larval stage (LaGuardia Corner Garden has been a registered Monarch Waystation [#1766] since September 2007)
- Impact on the development of the larvae and what effect will that have on Monarch populations
- Impact on other insects such as sphinx moths, Admiral butterfly, Eastern Swallowtail and their food sources.
- Impact on mature apple and pear trees, which require 6-8 hours of direct sunlight daily to produce fruit. (CB2, Horan)

What is the effect of increased shadows on the ability to grow vegetables, roses, and other flowers in the community garden? What would the effect be on the flowering and fruiting cycle of the more than 30-year-old apple and crabapple trees? (Mostel)

Response: The EIS will assess the potential for significant adverse impacts to the LaGuardia Corner Gardens resulting from project-generated shadows. In addition, Chapter 9, “Natural Resources,” of the EIS will use information on project-generated shadows to inform the assessment of potential impacts to natural resources.

Comment 151: Regarding Time Landscape, study potential for shadows and effects on:

- Impact on variety of trees and other vegetation in landscape work of art
- Impact on insects
- Impact on animal life (CB2)

Response: The Time Landscape is a New York City Greenstreet, and as such will be assessed for potential shadow impacts from the proposed project. In addition, the natural resources analysis in the EIS will consider whether animal habitats are impacted by the proposed project.

Comment 152: Regarding the proposed new children’s playground on north side of Washington Square Village Buildings 3&4, study potential for shadows and their:

- Impact on safety given loss of light
- Impact on vitality of playground if shadowed and sunlight lost
- Impact on vitamin D absorption due to loss of light (CB2, Horan)

Response: Chapter 6, “Shadows” of the EIS will qualitatively assess the extent of shadows cast on the proposed open spaces, including the children’s playground. The shadows in the project area would be typical for dense urban areas, like many neighborhoods in New York City.

Comment 153: Regarding the Mercer Street Dog Run, study potential for shadows and their:

- Impact on dog run vitality
- Impact on safety given loss of light (CB2)

Response: The Mercer-Houston Dog Run is a private resource as defined by CEQR, and as such, it is not the subject of shadow impact analysis.

Comment 154: Regarding the Morton Williams site, study potential for shadows and their potential effects on:

- Monarch butterfly population
- LaGuardia Corner Garden plantings
- 505 LaGuardia Place windows
- Windows across LaGuardia Place (CB2)

Response: With respect to the analysis of shadows on the LaGuardia Corner Gardens, please see the response to Comment 150. The 505 LaGuardia Place building is part of University Village, which is a designated New York City landmark, which is subject to analysis of shadows. If windows across LaGuardia Place are found to be sunlight-sensitive resources as defined by CEQR, they will be analyzed for shadow impacts.

Comment 155: Regarding University Village – Landmarked, study potential for shadows and their potential effects on:

- Impact on property interiors and exteriors
- Property values
- How the impact of shadows from multi-story buildings affect the landmarked landscaping of the southern superblock, including grass surrounding the historically and culturally significant “Bust of Sylvette.” (505 LaGuardia Place, CB2)

Response: With respect to the request for a shadows assessment of University Village exterior, please see the response to Comment 148, above. Shadow impacts on property interiors, and the effects of shadows on property values, are not within the scope of a CEQR environmental review. The grass surrounding the “Bust of Sylvette” is not a contributing factor to the architectural significance of the site, and therefore incremental shadows will not be analyzed.

Comment 156: Regarding Washington Square Village, which is eligible for inclusion in the National Register per the New York State Historic Preservation Office, study potential for shadows and effects on:

- Impact of shadows on historic structures - interior and exterior
- Impact of shadows on Community Gardens
- Impact of shadows on Sasaki, Walker & Assoc. roof garden, one of the earliest parking structure roof gardens in the country
- Impact of shadows on the Cable Building at 611 Broadway (CB2)

Response: See the responses to Comments 148 and 155. Because the Washington Square Village Elevated Garden would be displaced by the proposed project, shadow analyses on this resource will not be conducted; the potential significance of the displacement of the garden is addressed in Chapter 5, “Open Space,” and Chapter 7, “Historic and Cultural Resources,” of the EIS.

Comment 157: What are the physiological and psychological impacts of reducing access to natural light on the residents of this community? (505 LaGuardia Place)

Response: Potential physiological and psychological effects of shadows are outside the scope of CEQR and are not analyzed in an EIS.

Comment 158: Describe alternatives and/or mitigation for shadows, such as reducing the heights of proposed new buildings or introducing a setback at heights required under the current zoning. (Include the heights of mechanical penthouses in analyzing these impacts and proposed mitigation.) (Lefkowitz)

Response: As described in the Draft and Final Scope, following *CEQR Technical Manual* guidelines, the DEIS will describe potential mitigation measures for any significant adverse impacts identified. The models used to assess shadows utilize an outer building envelope that includes mechanical penthouses.

HISTORIC AND CULTURAL RESOURCES

Comment 159: Report on the historic character of the area proposed for this project, including but not limited to:

- Landmarks and buildings/complexes eligible for the State National Register of Historic Places
- Public art including the Picasso “Portrait of Sylvette” statue and the Vicki Khuzami “Bohemorama” print displayed on Morton Williams that features writers, musicians and artists that lived and worked in Greenwich Village because “Greenwich Village was the only place where they could live the lives they needed to live.”
- Locations where legendary people lived and worked, and sites of historic events
- Books, movies, television shows and other media showing or mentioning the historic nature and unique character of Greenwich Village going back to the 1800s
- Architectural history of Le Corbusier’s Tower-in-the-Park paradigm and his modernist influence on both the University Village and Washington Square Village complexes (including their interplay—one somber and brutalist and the other featuring colored bricks and water towers typical of the modernist movement, etc.) since I.M. Pei was influenced by and Paul Lester Weiner was a partner of Le Corbusier before designing Washington Square Village.
- The history of Hideo Sasaki, chairman of the department of Landscape Architecture of the Harvard Graduate School of Design, and the garden he created as a pioneering example of rooftop planting above the Washington Square Village garage
- Visitors/tourists coming to Greenwich Village annually, both national and international
- Small “mom-and-pop” businesses, galleries and venues throughout the area
- Retail that serves residential needs changing to that which is more suited to student population. (CB2)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on loss of Le Corbusier tower-in-the-park modernist aesthetic of University Village and Washington Square Village by putting additional buildings on the “park” portion between and adjacent to the carefully planned existing structures. (CB2, Cude, Mostel)

What impact will the new buildings have on future projects in the adjacent historic districts to the east, south, and west of the proposed development area? (Chin)

Response: As described in the Draft and Final Scope, the “Historic and Cultural Resources” analysis in the EIS will identify and assess the proposed project’s effects on both known and potential architectural resources, as defined by CEQR, on the project site and in the study area. The analysis will also describe the development history of the project site and study area, including the architects and underlying urban planning concepts implemented in the development of University Village and Washington Square Village.

Comment 160: The proposed open space on Washington Square Village will replace the existing historic Sasaki Garden. Recently the garden was placed on the State and National Registry for Historic Places. Any development on the site must be respectful of not only potential open space impacts, but also potential impacts on historic resources. (Stringer)

Response: The New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) determined that Washington Square Village is eligible for listing on the State/National Registers of Historic Places (S/NR-eligible), including the elevated landscaped plaza. As described in the Final Scope, Chapter 7, “Historic and Cultural Resources” of the EIS will assess the potential for significant adverse impacts on this eligible historic resource. Measures to partially mitigate any significant adverse impacts to this architectural resource would be implemented in consultation with OPRHP.

Comment 161: To what extent does the proposed development depart, in spirit as well as in letter, from the vision of urban planning and residential livability that led to the current mix of open space and building height? (505 LaGuardia Place)

Response: The “Historic and Cultural Resources” analysis in the EIS will consider the proposed changes to underlying urban planning concepts of University Village and Washington Square Village.

Comment 162: A broader consideration should be undertaken of direct and indirect impacts of sightlines to and from various historically designated sites, sites eligible for designation, specific historic structures, and cultural resources. (CB2)

To what extent does the architectural value of the landmarked University Village complex depend on the open feel afforded by open space around the towers and by low-level surrounding buildings? How would the complex's architectural value be affected by the addition of large buildings nearby? (505 LaGuardia Place, Mostel)

Response: To account for potential physical and contextual impacts, the architectural resources study area for the proposed project is defined as the project area and the area within approximately 400 feet of the project area. Contextual effects of the proposed project on architectural resources within the study area will be considered in the “Historic and Cultural Resources” analysis of the EIS.

Comment 163: What is the effect of the concentration of all of the area’s cultural resources in one monolithic entity? What will be the effect on the diminishing experiences, contributions, and pride of non-academic members of the community? (Mostel)

Study effect of concentration of all resources in one monolithic entity. (CB2)

Study impact of NYU’s presence and space utilization on ability for preexisting and other community cultural facilities to take root. (505 LaGuardia Place, CB2)

How will the expansion impact on availability of cultural programming, including current community efforts to create new community facilities? NYU’s great potential for bringing cultural resources to the community has not been fully fulfilled. The University had promised to make Coles Gym available to residents and to create a children’s play area. The former became available only at limited hours and the latter never materialized. (505 LaGuardia Place)

Response: Construction of the four proposed buildings on NYU properties is not expected to displace the many vibrant cultural institutions in the area. Chapter 3, “Socioeconomic Conditions,” of the EIS will include an assessment of potential indirect business and institutional displacement resulting from the Proposed Actions.

Comment 164: Applicant must provide details of designs in a scoping document involving historically designated properties, those eligible for designations and the rich historic and cultural value of the area. (CB2)

Response: The Draft Scope provided a level of design detail sufficient to identify and describe the methodology for analysis in the EIS, and to receive public comments on the Scope of Work. The EIS will provide additional detail on the proposed project’s design, and its potential effects on historic resources.

Comment 165: Consider a more thoughtful analysis of direct and indirect impacts on nearby historic districts and individually landmarked buildings (designated and eligible/calendared). (CB2)

The EIS should measure the impact that the proposed rezonings would have on surrounding historic resources, including the proposed South Village Historic District, the NoHo and SoHo Historic Districts, and the State and National Register-eligible NoHo Historic District Extension. That should include shadows which the new developments would cast upon them, blocked views of

them, increased development pressure upon them, and the risk of physical damage to them by years of vibration from demolition, digging, and construction. (Ain, Alippi, Coe, Donnaud, Doyle, Elliott, Fisher, Goldberg, Grauer, Harlib, GVSHP, Jones, Lusskin, Pargh, Plutzker, Ponce, Refes, Schnedeker)

Response: Direct and indirect impacts to architectural resources will be analyzed in the “Historic and Cultural Resources” chapter of the DEIS. The proposed rezoning outside of the Proposed Development Area would be limited to the Commercial Overlay Area and would, therefore, not directly or indirectly affect most historic districts or individual architectural resources on the project site or in the study area. The rezoning will be analyzed as it relates to architectural resources in the Commercial Overlay Area, including individual architectural resources, the potential NoHo Historic District Expansion (S/NR-eligible), and adjacent historic districts (the Greenwich Village Historic District [S/NR, NYCL] and the NoHo Historic District [S/NR-eligible, NYCL]). The analysis will also consider the effects of the proposed project’s shadows cast on sun-sensitive architectural resources, changes to views of architectural resources, and physical effects on architectural resources during construction-related activities on the project site.

Comment 166: Provide an analysis of potential physical damage to historically designated property, individual landmarked buildings, and sites eligible for designation, and nearby historic districts and individually landmarked properties. (CB2)

Response: In accordance with the CEQR *Technical Manual*, to avoid potential adverse impacts to University Village and Washington Square Village, in addition to other architectural resources located within 90 lateral feet from construction-related activities, a Construction Protection Plan (CPP) will be developed and implemented in consultation with OPRHP and the New York City Landmarks Preservation Commission (LPC) prior to construction of the proposed project.

Comment 167: Provide an analysis of the impact of proposed commercial development in historical buildings on the character and aesthetic quality of these buildings.

Response: Chapter 7, “Historic and Cultural Resources” of the EIS will provide this analysis.

Comment 168: If this project requires an undertaking from a state agency, including financing from the Dormitory Authority of the State of New York, the Proposed Development Area's historic status will likely subject the project to Section 14.09 of the Parks, Recreation and Historic Preservation Law. Section 14.09 requires consultation with the Office of Parks, Recreation and Historic Preservation (OPRHP) regarding the proposed changes to the University Village and Washington Square Village sites, both of which are eligible for listing on the National Register of Historic Places. Although no formal consulting process

is required in the case of Section 14.09, MAS and concerned community groups would like to be consulted on the proceedings and decisions made regarding the Washington Square Village and University Village sites located within the Proposed Development Area. (MASNYC)

Response: The Municipal Art Society and concerned community groups would be given the opportunity to comment on the proposed project as part of the public review of the DEIS in accordance with CEQR and SEQRA. Regarding OPRHP consultation, see also response to Comment 166.

Comment 169: If this project requires permits from Federal agencies, or if there is federal funding used in the action, the project would likely be subject to Section 106 of the National Historic Preservation Act, which requires Federal agencies to take into account the effects of their undertakings on historic properties. In order to ensure compliance with Section 106 regulations, Section 106 review ought to be conducted simultaneously with the CEQR review and the findings and mitigation that results from Section 106 review ought to be included in the EIS. At this time, the Municipal Art Society formally requests consulting party status in Section 106 Review, if such review is triggered. (MASNYC)

Response: The proposed project does not involve any federal actions or federal funding, and therefore, the project is not subject to Section 106.

URBAN DESIGN AND VISUAL RESOURCES

Comment 170: Proposed development may create street walls incompatible with neighborhood. (CB2)

How will new buildings compare with the current built environment? (Chin)

Response: The compatibility of building forms with the neighborhood will be examined in Chapter 8, "Urban Design and Visual Resources" of the EIS.

Comment 171: The Houston Street corridor in particular should be studied fully in terms of the proposed project's impact on the visual character of that street, which is an important New York City thoroughfare. Special consideration should also be given to the visual character of Mercer Street and LaGuardia Place. An inventory of the buildings along these streets, carefully documenting building types, heights, and materials, is central to determining the potential affect the proposed project may have on neighborhood character. (MASNYC)

Response: These streets, urban design characteristics, and views will be considered in the "Urban Design and Visual Resources" analysis.

Comment 172: The site plan for the NYU Core project will also "stitch" and reconnect the neighborhood large superblocks together by creating north-south pedestrian

walkways from Houston Street to Washington Square Park and enliven the area with new retail and contextual architecture that would complement the built environment diversity of the area through the proposed Development and Commercial Overlay areas. (RPA)

Response: Comment noted.

Comment 173: The proposals for the LaGuardia Building and the Mercer Building are a positive addition because their placement will open up the ground plane to the community potentially allowing greater access which will invite a greater number of people to the courtyard area. The inclusion of new amenities, including the Washington Square Village play garden, public lawn, tricycle garden and the LaGuardia Play Garden will potentially add to the enjoyment of the space for many in the community. It is also positive that the large bulk of these buildings will be located below-grade to limit the height and bulk of the buildings above-grade. These two buildings can be viewed as a spatial counterpoint to the distinctive slab buildings that make up Washington Square Village. (AIA NY Chapter)

Response: Comment noted.

Comment 174: The scale of NYU's proposal has provoked some concern about how it will impact the Greenwich Village neighborhood. NYU has looked carefully at creating satellite campuses that will place much of the proposed square footage in other parts of the City. In the meantime, the proposal would modernize its existing Washington Square buildings and develop much of the new square footage on properties it already owns. Therefore, the actual "footprint" of NYU will not grow in a way that overwhelms the historic neighborhood. (NY Building Congress)

Response: Comment noted.

Comment 175: The proposed area was carefully and thoughtfully designed by some of the time's most prominent architects: James Ingo Freed, a partner of I.M. Pei for the South Superblock, and Paul Lester Weiner, a former partner of Le Corbusier for the North Superblock. The North block was designed and built first, and the South block was designed with the North block's aesthetic as well as the open space to the east and west on the block, as key considerations. Both Pei and Weiner were followers of Le Corbusier's "tower-in-the-park" paradigm which requires that increased height be balanced by a proportional increase in open space. The study of the proposed project's urban design and visual resources should be analyzed with this in mind. (CB2)

Regarding Washington Square Village, which is eligible for inclusion in the National Register per the New York State Historic Preservation Office, study

potential for shadows and effects on impact on site lines of a Corbusier-inspired “Tower in the Park” aesthetic. (CB2)

Response: The project’s effects on these architectural resources will also be assessed in Chapter 7, “Historic and Cultural Resources” of the EIS. Chapter 8, “Urban Design and Visual Resources” of the EIS will consider how the proposed project will affect the urban planning concepts implemented in the design of University Village and Washington Square Village.

With respect to potential shadowing effects on the “Tower in the Park” aesthetic, please see the response to Comment 155.

Comment 176: Define clearly exactly what changes are anticipated as part of the LSGD special permit concerning urban design features including height and setback waivers, floor area and open space redistribution, as well as building textures and materials, landscape design and plantings, and view corridors. (CB2)

Response: The proposed LSGD special permit will be analyzed in the EIS Chapter 2, “Land Use, Zoning, and Public Policy.” Chapter 8, “Urban Design and Visual Resources” will describe the proposed project’s design features, heights and setbacks, floor area and open space distribution, as well as general building materials, landscape design and plantings, and view corridors.

Comment 177: No details have been provided of construction elements and how they would comport with aesthetics of both Washington Square Village and University Village, if at all. (AP NY Metro, CB2)

Response: The design of the four proposed buildings to be developed on the North and South Blocks will be described and analyzed in the “Historic and Cultural Resources” analysis of the EIS, with consideration given to the proposed buildings’ physical and contextual relationships with Washington Square Village and University Village.

Comment 178: Assess the effects of proposed conflicting architectural styles, forms, and materials on community context, image, coherence, architectural mix and integrity, and area cohesiveness. (CB2)

Response: The “Urban Design and Visual Resources” in the EIS will follow *CEQR Technical Manual* guidelines in considering these urban design and characteristics for the existing conditions, future without the Proposed Actions, and future with the Proposed Actions.

Comment 179: Analyze the effects of proposed de-mapping of parts of LaGuardia Place and Mercer Street on pedestrian comfort, enjoyment and general experience of the

street, community context, image and identification, and reduced streetscape enhancement. (CB2)

What will the increased density do to the pedestrian's experience when walking through this neighborhood? (Chin, Taylorson Ziff)

Response: In accordance with the CEQR *Technical Manual*, the "Urban Design and Visual Resources" analysis will consider the pedestrian experience from the proposed demapping areas in relation to the project site and study area. See also the responses to Comments 11 and 345.

Comment 180: Assess the impacts of increased building heights and bulk on blockage of sunlight, obscuring sightlines, obstruction of view corridors, reduced air circulation, and creation of wind tunnels. (CB2, Horan)

Changing the two blocks from an R7-1/C1-5 to a C1-7 would change the surrounding neighbor's access to light and air. (Chin) Analyze effect of amassed bulk of proposed buildings on Mercer Street on light and air. (CB2)

Response: As noted in the Final Scope, Chapter 8, "Urban Design and Visual Resources" of the EIS will assess building height and bulk with the Proposed Actions in relation to sightlines and view corridors, access to light and air, and pedestrian wind conditions, as compared to conditions without the Proposed Actions.

Comment 181: To what extent does the proposed development block views and invade privacy of those in neighboring buildings? (505 LaGuardia Place)

Response: In accordance with CEQR, the "Urban Design and Visual Resources" analysis will analyze views, view corridors, and visual resources from publicly accessible areas. Privacy is not considered separately as a CEQR issue.

Comment 182: Evaluate the impact of greater building bulk and height and re-aligned building and open space relationships on open space access, use, high-rise and low-rise interplay, and experience of community belonging and ownership. (505 LaGuardia Place, CB2)

Response: The analyses in Chapter 5, "Open Space" and Chapter 8, "Urban Design and Visual Resources" of the EIS will assess these concepts in accordance with the *CEQR Technical Manual*.

Comment 183: Analyze the effects of ambient lighting from proposed new buildings. (CB2)

Response: The proposed uses are not expected to have any unusual ambient lighting that would require analysis of the potential for significant adverse environmental impacts.

Comment 184: Analyze placement of new curb cuts resulting from the proposed new development and their potential for interfering with streetscape continuity and image, urban essence and area cohesiveness. (CB2)

Response: Curb cuts as they relate to urban design characteristics on the project site and in the study area will be analyzed in the “Urban Design and Visual Resources” chapter in accordance with CEQR.

Comment 185: Study the impact on the existing path and sightlines of Greene and Wooster Streets preserved by previous efforts. (CB2)

Response: As stated in the Draft and Final Scope, the EIS will assess whether and how urban design conditions are expected to change with the Proposed Actions, which will consider the proposed changes to the Greene and Wooster Street driveways as they relate to the pedestrian experience.

Comment 186: Assess the impact of recladding the ground level and second floors of Washington Square Village on historical context, neighborhood recognition, community image and loss of urban interest and variety. (CB2)

Response: The Final Scope provides updated information on NYU’s proposed reprogramming and re-cladding of only the ground floors of Washington Square Village apartment buildings; additional description will also be provided as part of the DEIS. See also the response to Comment 3.

The proposed changes to the first floors of the Washington Square Village residential buildings will be addressed in the “Urban Design and Visual Resources” chapters of the EIS, with consideration being given to the pedestrian experience of contextual and visual changes to these buildings from other areas of the project site and from the study area where these changes would be visible.

Comment 187: The EIS should include information on the impact of inappropriate masses and heights of two proposed “Boomerang” buildings. In particular, height of Mercer building is too tall. (AP NY Metro, CB2)

Reduce the height and mass of the initially proposed buildings. The height and bulk of the eastern “boomerang building” should also be reconsidered to ensure it will not overpower and shadow existing structures. (APA NY Metro)

The bulk and the height of the Mercer Building require further study. (AIA NY Chapter)

Response: In accordance with the CEQR *Technical Manual*, the “Urban Design and Visual Resources” analysis of the EIS will consider the massing, height, bulk, and form of the proposed Mercer and LaGuardia Buildings on the project site and the study area. The “Shadows” analysis will assess the proposed buildings’ effects on sun-sensitive resources in the study area. The analysis will not include

shadow effects on existing buildings that are not defined as sun-sensitive under CEQR.

Comment 188: Prioritize circulation from the corners into the superblocks. Buildings should be accessible from both the street as well as from internal space, assuring the high level of interaction with pedestrians. The entrances to the “boomerang buildings” should be reevaluated in the context, ensuring at least that there will be an active streetscape along the public street frontage and active, transparent fenestration facing the central open space. (APA NY Metro)

Response: These urban design characteristics will be considered in the “Urban Design and Visual Resources” analysis of the EIS.

Comment 189: Study and compare alternative scenarios with different heights, bulk, shapes, and orientations as alternatives to the two proposed new “boomerang” buildings in terms of taking up less open space and street space, having a more harmonious/less jarring effect in the urban design context, providing a more open pedestrian experience and obscuring less sunlight. (CB2)

Response: The “Urban Design and Visual Resources” analysis will analyze these urban design characteristics for the two proposed buildings on the North Block. Alternatives to the proposed buildings will be considered in the Alternatives chapter of the DEIS.

Comment 190: Assess disorientation resulting from the two proposed “boomerang” buildings obscuring existing view corridors and driveways. (CB2)

Response: View corridors will be analyzed in the Urban Design and Visual Resources chapter, with consideration given to existing view corridors and changes to these views in the future with the proposed project.

Comment 191: Assess impact on the pedestrian experience of crowding of buildings on Mercer Street regarding blocked access, lack of openness, imposing bulk and loss of open space and airiness. (CB2)

Response: The “Urban Design and Visual Resources” analysis in the EIS will analyze the pedestrian experience of the proposed project and changes to the urban design characteristics of the project site and study area. The “Open Space” analysis will assess potential impacts from changes to open space resources.

Comment 192: The addition of street wall retail at the Zipper Building will activate and enliven Mercer Street to enhance the experience of the public. For far too long this area has been isolated and disconnected from the surrounding community creating a street void of pedestrians. (AIA NY Chapter)

Response: Comment noted.

Comment 193: Evaluate effects of proposed Zipper Building on urban design context, including lack of continuity, blockage of sunlight, creation of shadows, difference in scale, intrusion on sightlines and confusing form and setbacks. (CB2)

We are concerned about the bulk and massing of the three largest towers on the northern most part of the Zipper Building. Some consideration should be given to these tallest towers being repositioned on the site and their relationship to Silver Tower I reconsidered. (AIA NY Chapter)

Additional time should devote to finding solutions which would assure that the massing is more gracious and possibly porous in how it relates to adjacent non-university spaces. (APA NY Metro)

Response: The bulk, form, massing, and overall design of the Zipper Building will be considered in the Urban Design and Visual Resources analysis in addition to the building's contextual relationship with the University Village complex.

Comment 194: Zipper building: consider alternative aesthetics to comport with historic design of the area. It does not relate to the spatial constraints, nor to loft buildings in the historic NoHo to the east or tower-in-the-park with Historic Register-eligible WSV or University Village. (CB2)

Response: Comment noted. The context of the proposed Zipper Building will be analyzed in EIS Chapter 7, "Historic and Cultural Resources," and Chapter 8, "Urban Design and Visual Resources."

Comment 195: How would wind patterns be affected by new buildings? How would wind patterns affect noise, the stability of windows and exterior window screens, and flying debris? Abnormally high winds are sometimes created by large buildings in close proximity, which compress air into narrow gaps between the buildings. (505 LaGuardia Place, CB2)

What are the risks of injury from airborne objects and debris to heightened winds, particularly for small children and seniors? (505 LaGuardia Place, CB2)

Response: Based on public comments on the Draft Scope, as detailed in the Final Scope, Chapter 8, "Urban Design and Visual Resources" will describe the findings of a pedestrian wind safety condition assessment that follows *CEQR Technical Manual* guidelines and will be performed using a wind tunnel.

Comment 196: The EIS should measure the impact of the proposed rezoning and developments on the immediate historic resources of Silver Towers/University Village and Washington Square Village and their open space. That should include compromised views of these structures, and shadows cast upon the little

remaining open space. (Ain, Alippi, Coe, Donnaud, Doyle, Elliott, Fisher, Goldberg, Grauer, Harlib, GVSHP, Jones, Lusskin, Pargh, Plutzker, Ponce, Refes, Schnedeker)

Response: As described in the Draft and Final Scope, the effects of the proposed project on architectural resources in the Proposed Development Area and the Commercial Overlay Area will be considered in the “Historic and Cultural Resources” analysis. Changes to views of University Village and Washington Square Village from publicly accessible locations resulting from the proposed project will be considered in the “Urban Design and Visual Resources” analysis. Chapter 5, “Open Space” will assess potential impacts resulting from proposed changes to open space programming within the Proposed Development Area, and Chapter 6, “Shadows,” will assess project-generated shadows on publicly accessible open spaces and other sun-sensitive resources.

NATURAL RESOURCES

Comment 197: A detailed map of underground water is required. (CB2) How will the Proposed Actions affect Minetta Creek, which flows beneath Washington Square Village to Houston Street? (Rackow) NYU must address the impact of the stream bodies underground in the area. (Wilcke)

Response: The DEIS will provide a level of information on underground water sufficient to determine the potential for significant adverse impacts to these natural resources. See also responses to Comments 322 and 323.

Comment 198: How will the expansion affect the many trees, including the mature trees which offer the greatest shade and natural beauty? (505 LaGuardia Place, Horan, Mercer Street Block Assoc.)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on effect of loss of mature trees and plants, and publicly accessible tree-filled walkways. (CB2, Cude, Mostel)

The proposed action notes that there will be excavation under the Friends of LaGuardia Park. Please provide a plan for preserving the existing trees and vegetation at this location. (CB2)

Response: Chapter 9, “Natural Resources,” of the EIS will describe the Proposed Actions’ effects on natural resources, including trees and will include a description of NYU’s tree replacement plan. In addition, Chapter 20, “Construction Impacts” will include a discussion of street tree displacement.

Comment 199: Enumerate and describe (by species and caliper) any trees that will be removed under the proposal and the new trees that will be planted under the proposal. (Lefkowitz)

Response: The DEIS will provide information on the numbers and types of trees that would be removed, as well as the numbers and types of trees replanted, with the Proposed Actions.

Comment 200: Where below-grade construction under the open spaces is proposed, describe the amount of soil cover that will be provided above the proposed below grade improvements, and the type and caliper of trees that will be planted. (Lefkowitz)

Response: Information regarding the depth of coverage above below ground construction will be provided in the ULURP application. To the extent available, information regarding the planting program will also be provided in the ULURP application.

Comment 201: How will the loss of mature trees affect groundwater? (Past construction projects by NYU have involved extensive pumping of ground water stemming from Minetta Creek and its tributaries. Recorded data by community groups have detailed the loss of mature trees in the area that are attributable to such pumping.) (CB2, Horan)

Analysis of ground water pumping and its effect on the flora and tree-life in the project area is vital. (CB2, Horan)

Response: The potential effects of ground water pumping on natural resources will be qualitatively addressed in the EIS.

Comment 202: How would the plan affect the habitat and viability of the red-tailed hawks that have developed, rather precariously, in the neighborhood? Red-tailed hawks are a majestic species rarely seen in urban areas, and thus treasured by bird-watchers and other community members. Red-tailed hawks have been seen for the last few years in the development area, and this spring even nested on the edge of Washington Square Park. How would the Plan (particularly the addition of large buildings, the diminution of park space, the removal of mature trees, the increase in population density, and poisons used to control rodents brought from additional garbage flows) affect their viability? (505 LaGuardia Place, CB2)

Response: Chapter 9, “Natural Resources” of the EIS will address the Proposed Actions’ potential effects on the red-tailed hawk.

Comment 203: What would the project’s effect be on the migrating bird population—the increase in towers and windows and the decrease in ledges and natural areas for them? (Mostel)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on loss of birds and their prevalent song as their existing habitat is cut down and/or shadowed into inability to thrive, glass-glad buildings cause birdstrike deaths, ongoing construction effects, and the loss

of open and green areas in which the wide variety of birds—including many songbird species — currently feed. (CB2, Mostel, 505 LaGuardia Place)

Response: Chapter 9, “Natural Resources” of the EIS will address the Proposed Actions’ potential effects on bird habitat, bird migration, and bird collisions.

Comment 204: What will the effect of the removal of existing natural landscape and flowering plantings have on the Monarch Butterfly migration paths? (Horan)

What would be the project’s effect on the Monarch Butterfly population, which is dependent on certain host plants in the community garden? (Mostel)

What would be the project’s effect on the endangered bee populations, necessary for pollination and cultivation of the fruit crops, if it destroys the bee-attracting plants in the community garden? (Mostel)

Response: The EIS will follow *CEQR Technical Manual* guidelines in assessing the potential for significant adverse impacts to ecological communities and wildlife as a result of the Proposed Actions. It should be noted that the monarch butterfly is not a federally- or state-listed species, and no endangered bees have been documented by the New York State Department of Environmental Conservation/New York Natural Heritage Program or the United States Fish and Wildlife Service for the project area/New York County.

Comment 205: Air should be considered a natural resource for purposes here. (Wilcke)

Response: The proposed project would not result in a substantial reduction in the amount of oxygen necessary for survival of flora or fauna. “Air” is not a natural resource as defined under CEQR. However, the Proposed Actions’ effects on air quality will be analyzed in Chapter 15, “Air Quality” and Chapter 20, “Construction” of the EIS.

HAZARDOUS MATERIALS

Comment 206: Please share all results of Phase I studies because there will be implications for what we think is important for Phase II. (CB2)

Response: The Draft Scope of Work provided sufficient information to determine the level of assessment warranted and methodology for the CEQR assessment of potential impacts from hazardous materials. As stated in the Final Scope, pertinent information from the Phase I and Phase II studies will be summarized in the DEIS.

Comment 207: The root cause of the No. 6 heating oil leak has not been announced. Since a number of buildings at NYU continue to hold this type of heating oil, it is important to know what caused the leak. Moreover, since there will be

significant vibrations in the immediate vicinity of the other Washington Square Village buildings, it is important the remaining tanks are permanently abandoned. (CB2) NYU must address the impact of stored fuel and similar in the event of leaks or accidents on the impact of the sensitive and/or significant and/or designated resources (such as park areas) in the area. (Wilcke)

Response: Chapter 10, “Hazardous Materials” of the DEIS will provide more detailed information on the No. 6 heating oil leak, NYU’s response, and the status of the remaining tanks. Chapter 20, “Construction Impacts” will assess the potential effects of vibrations generated by construction activities associated with the proposed project.

Comment 208: Please give an outline of the age of all heating oil tanks used by NYU and the type of oil used. (CB2)

Response: The use and condition of heating oil tanks will be reported in Chapter 10, “Hazardous Materials” of the EIS.

Comment 209: Which buildings have asbestos? (CB2)

Response: The possible presence of asbestos will be reported in Chapter 10, “Hazardous Materials” of the EIS.

Comment 210: Will there be new hazardous materials used in the buildings after completion? (CB2) How will the expansion impact safeguard measures used by NYU laboratories and other facilities in the area? (505 LaGuardia Place) NYU has research labs and buildings with scientific uses and similar. The impact of types of materials disposed of and methods used must be studied. (Wilcke)

Removal of hazardous materials, including transportation methods and storage must be addressed. This is especially pertinent when there is use, storage, or transport near existing residential buildings, planned residential buildings, classrooms, and any other places where populations exist. (Wilcke)

Response: The proposed project would not contain any “wet lab” laboratories. NYU representatives indicated that all buildings owned by NYU are operated under university-wide environmental health and safety (EHS) plans including: NYU Emergency Response Plans; NYU EHS Emergency Procedures Manual; NYU Safety Procedures; NYU Hazardous Waste Emergency Response Procedures; Asbestos Management Plan and Lead Management Plan.

WATER AND SEWER INFRASTRUCTURE

Comment 211: What is the anticipated increase in demand on the New York City water supply? (CB2) How will the increased demand affect water pressure in the surrounding areas? (CB2)

Water pressure to existing and planned buildings in the vicinity must be addressed to determine if water pressure will be compromised. (Wilcke) Study the impact that NYU's proposed building plans will have on the adequacy of water pressure in Tract 5501 and Tract 59 (Mercer Street Block Assoc.)

Response: Chapter 11, "Water and Sewer Infrastructure" of the EIS will estimate the increase in demand on the New York City water supply, and potential effects on water pressure in the surrounding area.

Comment 212: The draft scope should include a discussion of all new/proposed residential, commercial, hotels, and sports arenas that City Planning has approved by a zoning change or as of right in the Newtown Creek Catch Basin, and the impact that it will have in our area concerning the generation of waste water and storm water. (CB2)

Response: The assessment of waste water and storm water will follow *CEQR Technical Manual* guidelines; the requested discussion is not required in order to assess the potential impacts of the Proposed Actions.

Comment 213: Study the impact that NYU's proposed building plans will have on the adequacy of storm drains in Tract 5501 and Tract 59. (Mercer Street Block Assoc.)

Response: Storm water and sewer infrastructure will be assessed in the EIS Chapter 10, "Water and Sewer Infrastructure."

Comment 214: Flood and water backup criteria: Standards (i.e. 100 year flood occurrence) have not held true in the last 15-18 years and require modification. Several times a year over several years water backups have occurred beyond the standard criteria, thus making the standard criteria outmoded. DEP and/or other agencies and independent advisors need to address recent occurrences and data to accommodate proposed plans. (Wilcke)

Response: Comment noted.

SOLID WASTE AND SANITATION SERVICES

Comment 215: (CB2) Detailed plans, hours and storage of solid waste, trash and any other matter, including hazardous materials, must be addressed in great detail. NYU has been noted to accumulate trash from one area or building and move to another location, disrupting residential tenants. This must include plans for location of disposable materials moved to other building sites for subsequent removal, and proximity to residential existing and planned buildings. (Wilcke)

Response: As described in the Draft and Final Scope, the means and methods of solid waste disposal, as well as NYU's strategies to reduce waste and recycle, will be provided in Chapter 12, "Solid Waste and Sanitation Services" of the EIS.

Comment 216: Where will the refuse be collected by the private carters and which streets will be used to access those locations? (CB2)

Response: The assessment of solid waste and sanitation will follow the guidance of the *CEQR Technical Manual*. To the extent available, the building locations and streets for sanitation pickup will be provided in Chapter 12, “Solid Waste and Sanitation Services” of the EIS.

Comment 217: Will the private carters they hire collect during the night hours or during the daytime? (CB2) Which days of the week and at which times will refuse be collected?

Response: This information is not necessary in order to determine whether the Proposed Actions would result in significant adverse impacts to sanitation services. NYU would comply with all New York City regulations relating to the collection of refuse by private carters.

Comment 218: Private carters notoriously ignore the requirement to report their pick up and disposal of any materials including putrescibles, recyclables and hazardous waste. NYU must deal only with contractors willing to disclose regularly what they pick up, when and how it is subsequently handled. Example: Plan to sort solid waste at the source might assure proper handling, otherwise there is no assurance that the contractor will separate recyclable, compostable or hazardous waste from any other. (CB2)

Response: NYU will comply with all New York City regulations relating to the collection of refuse by private carters.

Comment 219: Will they build adequate and accessible storage space for solid waste and recyclables? (CB2)

Response: This information will be provided in Chapter 12, “Solid Waste and Sanitation Services” of the EIS.

Comment 220: What measures will be instituted to promote reuse and waste prevention? (CB2)

Response: This information will be provided in Chapter 12, “Solid Waste and Sanitation Services” of the EIS.

Comment 221: Will they be installing "insinkerators"? (CB2)

Will they be compacting unsorted waste? (CB2)

Response: This information will be provided in Chapter 12, “Solid Waste and Sanitation Services” of the EIS, if known. However, this information is not necessary in

order to determine whether the Proposed Actions would result in significant adverse environmental impacts.

Comment 222: Will NYU compost? (CB2)

Response: This information will be provided in Chapter 12, “Solid Waste and Sanitation Services” of the EIS.

Comment 223: How will NYU dispose of hazardous waste? (CB2)

Response: To the extent applicable, the EIS will describe NYU policies for the treatment and disposal of hazardous waste.

Comment 224: An analysis needs to be made of the amount (in tons) and types of waste that will be created during construction and after completion. (CB2)

Response: All construction-related solid waste would be handled by private carters and would not place any burden on the New York City Department of Sanitation. The truck trips estimates used in the construction analysis include trucks for bringing and removing the solid waste containers. Chapter 12, “Solid Waste and Sanitation Services,” will assess the proposed project’s waste generation after completion.

ENERGY

Comment 225: What is the capacity of the Co-Gen facility and at what point will its capacity be met? What is the “buildable” or “add-on” capacity for the Co-Gen facility? (CB2)

Will NYU consider, or will NYU find it necessary, to add another Co-Gen facility due to this project? (Bleecker Area R&M Assoc., CB2, Cline) Does NYU plan to eliminate this service to any of its existing buildings? (Bleecker Area R&M Assoc., Cline)

Response: The capacity of the 251 Mercer Street cogeneration facility, and the proposed project’s utilization of the cogeneration facility, will be described in the EIS Chapter 13, “Energy.”

Comment 226: What impact will this project have on the New York City steam, natural gas, and electric grid/systems? How much of these energy sources will be consumed during and after construction? (CB2, Mostel, Wilcke)

NYU sells or delivers steam heat to many buildings in the area that do not have steam-generation capacity. Would steam needs continue to be met with additional demand from new development? (505 LaGuardia Place)

How will the proposed construction alter NYU's current energy usage and management plans/strategies? (CB2)

How will construction affect the availability of steam heat? (505 LaGuardia Place)

Response: Chapter 13, "Energy" of the EIS will assess the proposed project's potential effects on the provision of energy in New York City. Chapter 20, "Construction Impacts," will describe sources of energy for construction activities.

TRANSPORTATION

TRAFFIC

Comment 227: NYU plans to add nearly 2.5 million square feet of new development which may include a combination of a hotel, classrooms, faculty housing, offices, and student dormitories. These uses will introduce new populations which may have significant impact on the City's transportation systems. This impact may be further exacerbated during specific times of the year, such as at the beginning and end of the school year when significant numbers of students are moving in and out of dorm rooms. As such, the traffic analysis should be expanded to include additional street intersections, as recommended by Community Board 2, and unique annual events such as move-in and move-out days for students. Additionally, the Community Board's suggestions for extended times and days of study should be strongly considered, since they come from residents who are familiar with the day-to-day traffic patterns and conditions. (Stringer)

Response: The transportation study areas presented in the Draft Scope have been expanded based on results of the trip projections for the proposed project and the assignment of these trips to the transportation network (see revised Figures 23 through 25). The selected analysis locations were reviewed with and deemed appropriate by NYCDOT in accordance with guidance prescribed in the *CEQR Technical Manual*. Regarding unique times of the year when students move in and out of their residences, specific traffic management procedures are typically implemented by NYPD and NYU Campus Police, over relatively short durations. The study of such unrepresentative conditions is not required and is beyond the scope of this EIS.

Comment 228: NYU's proposed changes will cause increases in vehicular and pedestrian traffic that will impact already congested and overused streets, approach corridors and parking accommodations, as well as causing increased use of public transportation. CB2 believes that NYU's Draft Scope shows an insufficient study area as well as inadequate study times and locations. (CB2)

How will the additional residents and facilities affect automobile traffic? (505 LaGuardia Place)

The traffic scope must be widened to evaluate the impact to other neighborhoods. (Wilcke)

The study should include not only intersections in the immediate study area, but should be extended to include approach routes to the study area, i.e. travel corridors, and what the impact of the increased development and commercial use will have in generating vehicular trips on these already congested corridors. For example:

- Approaches from the Holland, Lincoln and Queens Midtown Tunnels and from the East River Bridges.
- Bleecker Street – from the western area.
- Varick Street.
- Avenue of the Americas.
- Broadway.
- Mercer Street.
- West Broadway.
- Washington Square South and West 4th Street.
- Fourth Avenue/Bowery.
- University Place. (CB2)

Response: As stated in the response to the Comment 228, the transportation study areas have been expanded to appropriately address potential impacts from the proposed project (see revised Figures 23 through 25).

Comment 229: The study also should be extended to include times of day beyond the typical time periods assigned as critical peak hours (i.e., weekdays AM, midday, PM) because of other periods of high traffic volume, in particular evening hours, including late evening on weekend nights (especially Friday and Saturday, but also Thursday and Sunday), when the area is often used for access to downtown clubs and other entertainment, also expected to increase with increased student populations. (CB2)

Response: The determination of appropriate peak hours for the transportation study considers time periods during which the proposed project is expected to have the highest travel by its users and background conditions are also most active, hence the selection of the weekday AM, midday, and PM peak hours. In addition, as specified in the Final Scope, an assessment of the Saturday afternoon conditions will be included in the EIS. While the Greenwich Village area is a popular evening and weekend destination, its attraction is attributable to many other factors beyond the presence of NYU and its student and staff populations. Further, most trips made by the NYU population during these periods are likely to be local in nature for those who reside in the area.

Comment 230: In addition to the intersections already cited in the draft scope of work, the effects of increased vehicular traffic (on both congestion and safety) should also be assessed at the following pedestrian crossings that are already dangerous and crowded:

- Washington Square South and LaGuardia Place.
- Washington Square East and West 4th Street.
- Cross streets along Washington Square South.
- Midblock crossings, particularly on West 3rd Street between LaGuardia Place and Mercer Street, as well as Bleecker Street between LaGuardia Place and Mercer Street.
- Mercer Street.
- Broadway and Washington Place (which leads to the center of the proposed commercial overlay).
- Greene Street and Washington Place (narrow intersection – potential traffic flow impact).
- Greene Street and West 4th Street (narrow intersection – potential traffic flow impact).
- Bleecker Street up to Broadway. (505 LaGuardia Place, CB2, , Schwartz, Washington Place Block Assoc.)

Response: As discussed in previous responses, the selection of traffic analysis locations was conducted in coordination with NYCDOT based on detailed projections of project-generated trips. Some of the intersections noted in the comment are included in the expanded traffic study area described above.

Comment 231: Analyze the impact from added density of increased delivery trucks and service vehicles such as sanitation trucks and oil deliveries on street congestion and pedestrian safety, especially on already clogged and dangerous streets such as West 3rd Street and Bleecker Street between LaGuardia Place and Mercer Street, as well as the effects of increased deliveries in the proposed commercial overlay. (505 LaGuardia Place, CB2, Schwartz)

Response: Delivery vehicles, private automobiles, and livery vehicles have all been accounted for in the detailed trip projections for the proposed project, and will be included in the EIS's traffic analysis.

Comment 232: Assess the increase in emergency vehicular traffic and its impact on local streets, as well as the potential for blocked emergency vehicle access. (CB2)

Response: The level of emergency vehicular traffic activities is not directly correlated with any single land use or development. The various emergency services departments devise their operating plans to meet the demand of the communities they serve and their vehicles would typically take traffic congestion into account

and adjust their routings accordingly to most efficiently respond to emergency calls.

Comment 233: Assess the additional need for parking for students, faculty, NYU staff, residents, and businesses by group, numbers and times of day. (CB2)

Response: A detailed parking analysis will be presented in the EIS.

Comment 234: Assess the need for additional curb cuts and driveways and their impact on pedestrian safety and access, as well as on the loss of on-street parking. (CB2)

Response: The transportation analysis in the EIS will assess the need for additional curb cuts and driveways and their impact on pedestrian safety and access. To the extent that on-street parking is expected to be affected, it will be addressed in the EIS.

Comment 235: Analyze how increased traffic, particularly at peak times, will affect accessibility to residences. (505 LaGuardia Place, CB2)

Response: As stated in the Draft and Final Scope, the EIS will include a detailed traffic analysis that identifies potential impacts resulting from the proposed project, including those due to increased traffic, and any mitigation measures to reduce or eliminate any identified impacts will be identified.

Comment 236: Assess the effects of new traffic patterns and circulation based on moving the entrance at Washington Square Village. (CB2)

Response: The EIS's traffic analysis will account for different circulation patterns, including those related to curb cut and driveway location changes on the "North Block" where Washington Square Village is situated.

Comment 237: Analyze the impact of the proposed hotel, faculty accommodations and dorms in the Zipper building on producing additional trips and accompanying congestion and safety concerns. (CB2) Consider potential impacts to Houston Street of vehicular access and loading for the proposed hotel. (APA NY Metro)

Response: The EIS traffic analysis will account for all trips generated by the proposed project, including those associated with the Zipper Building, and identify any potential significant adverse traffic impacts.

Comment 238: Assess the effects of increased traffic and noise because of the much greater density and retail proposed for the Zipper Building. (CB2)

Response to Comments Received on the Draft Scope

Response: The EIS will account for activities of the proposed project, including those projected for the Zipper building, and evaluate the potential environmental impacts, including those related to traffic and noise.

Comment 239: Assess the effects of additional limo and taxi traffic. (CB2)

Response: Livery vehicles have been accounted for in the project's trip projections and will be included in the EIS's detailed traffic analysis.

Comment 240: Assess the effects of expanded NYU bus service (as well as school buses for the proposed school) on street congestion and potential accommodations. (CB2)

Response: Increased demand for NYU's shuttle bus service, need for school bus transport for the SCA school, and potentially an increase in these buses traveling on the area's roadway network have been accounted for in the proposed project's trip projections and will be assessed in the EIS's traffic analysis.

Comment 241: Analyze the projected modal split in the study area and how it will differ from current conditions in terms of impact on access, safety, and congestion. (CB2)

Response: An in-depth survey was conducted to more accurately identify travel characteristics of the NYU population, as related to modal split, times of travel, and places of residence, among others. The statistics developed from this survey will be used in the detailed trip projections for the proposed project.

Comment 242: Assess the increase in noise and emissions from all types of increased vehicular traffic and congestion. (CB2)

Response: The EIS's noise and air quality analyses will address potential noise and air quality impacts, respectively, from vehicle travel generated by the proposed project.

Comment 243: Analyze the impact of visiting sports team buses and accommodation of their northwest passage on congestion, cruising, safety and air quality. (CB2)

Response: The new athletic facility planned for the Zipper Building would have similar trip generation characteristics as the existing Coles Gym. As such, the provision of the temporary facility is not expected to substantially alter NYU's planning of its sporting activities or the routing and staging of visiting sports team buses. Therefore, the requested analysis is not required to assess the potential environmental impacts of the Proposed Actions.

Comment 244: Study of the impact of the proposed development on vehicular traffic in the commercial overlay and surrounding areas. Study how traffic flow is likely to be

impacted by the proposed commercial development by NYU not specified in the Draft Scope of Work. (Washington Place Block Assoc.)

Response: Incremental trip-making and its effect on area travel associated with the Commercial Overlay Area have been accounted for in the detailed trip projections and will be assessed in the EIS's traffic analysis.

Comment 245: Study the impact of the increased vehicular traffic that will be needed to handle deliveries and garbage and construction rubbish, as well as the increased vehicular traffic that will result from getting any many more people in and out of the area. (Mercer Street Block Assoc., Schwartz)

Response: All modes of transportation, including delivery vehicles, private automobiles, and livery vehicles, have been accounted for in the detailed trip projections for the proposed project and will be included in the EIS's traffic analysis.

PARKING

Comment 246: Analyze the effects of the loss of 281 below-grade parking spaces and the relocation of 389 relocated below-grade parking spaces, as well as the impact of the loss of on-street parking, on circling of traffic searching for street parking, including on safety, congestion and emissions impacts, especially in light of a significant increase in both permanent and transient parkers. (505 LaGuardia Place, CB2, Kaplan, Rackow)

Response: As described in the Draft and Final Scope, the EIS will include a projection of the proposed project's parking demand and evaluate the ability of the area's parking supply to adequately accommodate the projected future parking demand. Where appropriate, the parking reduction's potential effect on traffic circulation in the area will also be assessed.

Comment 247: What will the project's impact be on residential and residential guest parking? (505 LaGuardia Place)

The NYU plans will also cause many residents of Washington Square Village to lose their parking spots. (Rackow, Taylorson Ziff)

Response: The planned reduction of parking spaces on the "North Block," where Washington Square Village is located, will eliminate the current public parking use but will maintain the number of accessory parking spaces required by zoning. In addition to evaluating the area's overall parking supply and demand, the EIS will include survey information on the North Block's existing 670-space public parking garage and address how the new accessory parking garage is expected to accommodate the existing parking demand from Washington Square Village and future parking demand from the proposed buildings.

Comment 248: Study the impact that NYU’s proposed building plans will have on street parking and on parking lot spaces in Tract 5501 and Tract 59. (Mercer Street Block Assoc.)

Response: The EIS will include a detailed parking analysis.

Comment 249: There should be a reduction of on-site parking spaces from 620 to 380. We recommend investigation into further reducing this supply in support of the City’s goals and NYU’s location in a transit-rich environment. (APA NY Metro)

Response: Comment noted.

Comment 250: Study the need for car and truck parking and loading docks for the proposed facilities, and whether these will impact accessibility to buildings throughout the Superblocks and on adjacent streets and the area east of Washington Square Park. CB2

Response: The EIS’s traffic analysis will incorporate car and truck delivery traffic and identify off-street parking and loading activities at facilities that would be incorporated into the proposed plan.

PEDESTRIANS

Comment 251: The increased truck traffic for deliveries and moving in and out and increased refuse collection trucks will be a safety hazard for both bikers and pedestrians; mitigation measures must be outlined and discussed. (505 LaGuardia Place, CB2)

Response: Any off-street loading facilities incorporated as part of the proposed project will be designed to appropriate operational and safety standards and, where necessary, on-site staff would be used to facilitate access and egress of truck movements to ensure vehicular, bicycle, and pedestrian safety. The EIS will include a discussion of operational characteristics at these loading facilities.

Comment 252: Assess the impact on pedestrian safety from added turning movements at already dangerous turning areas, including:

- LaGuardia Place at Washington Square South.
- LaGuardia Place at West 3rd Street.
- LaGuardia Place at Bleecker Street.
- LaGuardia Place at Houston Street.
- Mercer Street at Bleecker Street. (CB2)

Response: The DEIS will include a detailed vehicular and pedestrian safety assessment of area intersections, including those referenced in the comment.

Comment 253: Extend pedestrian analysis locations to the commercial overlay area and street and sidewalk connections between the commercial overlay area and analyze the impact of additional foot traffic in the development area. (CB2, Washington Place Block Assoc.)

Analyze the impact of additional platoons of pedestrians at already crowded crossings and overloaded sidewalks on sidewalk congestion and crossing safety, for example at:

- Washington Square South and LaGuardia Place.
- Washington Square South and Washington Square East.
- West 4th Street.
- Bleecker Street. (CB2, Callet, Washington Square Village)

Response: The pedestrian study area presented in the Draft Scope has been expanded based on results of the trip projections for the proposed project and the assignment of these trips to the transportation network; see the revised study area presented in the Final Scope. The selected analysis locations were reviewed with and deemed appropriate by NYCDOT in accordance with guidance prescribed in the *CEQR Technical Manual*. These locations also include numerous pedestrian elements in the Commercial Overlay Area and the specific intersections/streets mentioned in the comment.

Comment 254: Analyze the effects of narrowed sidewalks on Mercer Street in both the North and South Blocks on pedestrian access and sidewalk congestion. (CB2)

Response: The Proposed Actions do not include the narrowing of sidewalks on Mercer Street. The EIS will include the analysis of potential pedestrian sidewalk impacts on Mercer Street.

Comment 255: The paved area in front of the entrance to Coles Gym is big enough to allow visiting teams to draw up in big buses outside Coles Gym, but this could create a pedestrian nightmare if the plaza area in front of the entrance to Coles is lost. This issue should be closely examined. (Taylorson Ziff)

Response: Because this condition would be considered off-peak and intermittent, as per CEQR guidelines, it is not considered in the analysis of pedestrian impacts. Furthermore, with the proposed project, visiting teams are expected to utilize interior lobby area of the proposed Zipper Building while awaiting transportation.

Comment 256: Assess the impacts of increased vehicular traffic on access and mobility for seniors, the disabled and children. (CB2, Mostel) This should be analyzed during periods of peak traffic-between college classes, such as the start and end

of school day for the primary school-as well as average use at different times of the day. (505 LaGuardia Place)

Response: The EIS will include an analysis of peak travel hours and disclose any potential impacts.

Comment 257: The density of students now makes it difficult for residents to use walk on our streets and use our neighborhood. The overall change to the pedestrian experience is likely to be substantial. (Mostel, Quart, Rackow)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on loss of independence and quality of life for the area's many elderly residents due to the plan's moving the supermarket farther than they can reach without assistance, having a large student population hurrying to and between classes and not always giving mobility-challenged people adequate berth, and taking away streetside gathering places. (CB2, Mostel, 505 LaGuardia Place)

Response: The EIS will include a detailed pedestrian analysis and disclose any potential impacts.

Comment 258: What will be the pedestrian impact of moving the dog run near 100-110 Bleecker Street? (Rackow)

Response: The project's design will address the moving of this dog run, which in the proposed location would be easily accessible from West Houston Street and the proposed Greene Street Walk. The pedestrian analysis in the EIS will consider the potential for significant adverse impacts to pedestrian circulation along West Houston Street at this location.

Comment 259: Assess potential for sidewalk crowding and interference with subway access on way to identified subway stops. (CB2)

Response: The EIS's pedestrian study area will include locations where there would be notable increases in project-generated trips. Typically, these locations include key nearby subway access points and therefore will be included in the analysis.

TRANSIT

Comment 260: Assess need for increased bus service and frequency, including the need for restoration of as well as additional bus service and routes. (505 LaGuardia Place, CB2, Mostel, Rackow)

Response: The EIS's transit analysis will be prepared in accordance with guidance prescribed in the *CEQR Technical Manual*. Where appropriate, a bus line-haul

study will be included to identify the need for additional bus service resulting from the proposed project.

Comment 261: The parking and layover of NYU buses must be included in regard to their impact. Currently, NYU buses park and have layovers beyond the scope that NYU proposes. Future anticipated number of buses and bus routes must be considered, not just current numbers and routes. (Wilcke)

Response: NYU does not currently have any plans to alter its existing shuttle bus routes. To the extent the information is known, any anticipated changes in bus operations will be described in the DEIS. In addition, the DEIS will identify the number of additional buses that would be needed to accommodate the projected future demand.

Comment 262: Assess need to restore and re-open closed subway entrances and to restore/provide on-site service employees (token booths, etc.) at these entrances in light of increased usage. Include evening hours in this study in addition to usual am/pm peak hours. (CB2)

Response: Subway station operations and staff assignments are determined by NYCT and are beyond the scope of this EIS.

Comment 263: Assess need to increase subway trip frequencies. (505 LaGuardia Place, CB2, Rackow)

Response: The EIS will provide detailed projections of the proposed project's incremental subway trips. Where appropriate, the need to increase subway service will be addressed.

BICYCLES

Comment 264: Assess impact of increased bicycle trips on both bike riders and pedestrians and assess bicycle safety, access and parking. (CB2, Rackow)

Response: Independent of the proposed project, NYU has been installing bicycle facilities and will continue to plan for improved amenities and programs for those electing to travel to/from the campus by bike. This is part of NYU's and the City's efforts to expand sustainable transportation choices. The EIS will include a vehicular and pedestrian/bicycle safety assessment to identify existing safety issues, disclose potential project safety impacts, and, where necessary, recommend measures that would enhance safety at high accident locations.

Comment 265: Study the impact that NYU's proposed building plans will have upon the existing bike lane on Bleecker Street. (Mercer Street Block Assoc., Yarmolinsky11)

Response: As part of the NYU Core project, a mid-block crossing and associated sidewalk extensions will be provided along Bleecker Street between LaGuardia Place and Mercer Street. This project element and other project components will not affect the existing bike lane on Bleecker Street. If there are other changes necessary to mitigate impacts resulting from the proposed project that would affect this bike lane, they will be reviewed with NYCDOT and the appropriate measures will be determined for implementation.

AIR QUALITY

Comment 266: Air quality must be included in the scope of impact. (Wilcke)

Response: The Draft and Final Scope describe the methodology that will be used to assess the potential for impacts on air quality during construction and during operation of the proposed project.

Comment 267: Existing air quality data published by the NYSDEC must be considered for its accuracy. Numerous issues have arisen in the past with information-gathering equipment that did not work (or purposely was left not to work). The lack of data at important locations skewed results to make air quality appear better than it was. The exact locations of air-monitoring equipment must be disclosed and addressed for their pertinence to the studies. (Wilcke)

Response: Comment noted. The locations of NYSDEC air-monitoring equipment will be disclosed in the EIS analysis.

Comment 268: Third-party air monitoring throughout a five-block radius is mandatory and the results must be posted online weekly. (CB2)

Response: Third-party air monitoring throughout a five-block radius is not a requirement of CEQR review, and these data are not needed to determine the air quality impacts of the Proposed Actions.

Comment 269: Shifts in wind and affects on outlying areas must be considered. The weeks after 9/11 many were made aware of the wind shifts during the day that brought unhealthy and contaminated air to heavily residential areas. (Wilcke)

Response: The *CEQR Technical Manual* procedures will be followed, which account for varying meteorological conditions.

Comment 270: Venting/HVAC systems in NYU's scientific, laboratory and other buildings is of particular importance to address in impact studies. Especially near and around residential buildings and classrooms. (Wilcke)

Response: As described in the Draft and Final Scope, a stationary source air quality impact analysis will be conducted to determine the effects of emissions from the proposed project's fossil fuel-fired heating, ventilation and air conditioning (HVAC) systems on project buildings and the surrounding area. In addition, the proposed project would construct new academic buildings adjacent to an area zoned for industrial/manufacturing uses, and near the existing NYU Central Energy Plant. Therefore emissions from these sources, as well as existing large-scale residential, commercial, and institutional sources, will be assessed to determine their potential effects on the proposed project.

The proposed project would not contain wet labs or science rooms that would require large air handlers (see response to Comment 210).

Comment 271: Will delivery trucks and additional buses resulting from the expansion utilize diesel fuel? If so, how much additional particulate will be generated into our air? (CB2, 505 LaGuardia Place)

Response: Potential air quality impacts from mobile sources will be assessed in the EIS.

Comment 272: Emissions from NYU buses, including running engines when stationary, must be included in studies on Air Quality. (Wilcke)

Response: See the response to Comment 246.

Comment 273: The DEIS must include a study of air quality during the summer and winter months for increased congestion, both vehicular and human, on ground-level ozones and a study for increased particulate matter (including but not limited to pollen, dust, elemental carbon, etc.) before, during, and after construction. (CB2, Horan)

Response: As noted in the Draft and Final Scope, it is not anticipated that project-generated traffic would result in significant air quality impacts from the operation of the proposed project. In the event that the number of project generated trips exceeds the *CEQR Technical Manual* screening thresholds for carbon monoxide (CO) or particulate matter, air quality impacts from mobile source emissions will be evaluated using computer dispersion modeling. However, the Construction chapter of the EIS will analyze the potential effects from increases in mobile source emissions of trucks and worker vehicles at nearby sensitive receptors and congested locations, and from potential long-term traffic diversions. This analysis will include an assessment of particulate matter following the procedures recommended in the *CEQR Technical Manual*.

GREENHOUSE GAS EMISSIONS

Comment 274: Page 44 of the NYU Draft Scope of Work states that Greenhouse Gas emissions estimates will be discussed and quantified “if deemed potentially significant.” These estimates must be quantified and discussed under any and all circumstances, regardless of their anticipated significance. (CB2)

Response: The DEIS will provide quantified estimates of Greenhouse Gas (GHG) emissions in Chapter 16, “Greenhouse Gas Emissions”

Comment 275: What are the likely greenhouse gas emissions from additional automobile traffic? (505 LaGuardia Place)

What will be the effect on greenhouse emissions of the increase of vehicles during the construction period? (Horan)

Response: The DEIS will provide quantified estimates of GHG emissions that will account for project-generated traffic. GHG emissions from construction will be discussed qualitatively, consistent with *CEQR Technical Manual* guidance. If shown to be substantial as compared with the project operational emissions, construction emissions, including emissions from construction vehicles, will be quantified.

Comment 276: What are the likely greenhouse gas emissions from the proposed school, from idling school buses and cars picking up and dropping off children? This should be estimated with actual idling averages rather than based on legally mandated idling restrictions. (505 LaGuardia Place, CB2)

Response: As stated in the Draft and Final Scope, greenhouse gas (GHG) emissions generated by the Proposed Actions will be quantified in accordance with the *2010 CEQR Technical Manual*.

Comment 277: Precisely how many trees will be removed? Using this number in consideration of the ages of the trees removed, what will be the effect of the removal of these trees on nature’s ability to convert pollution and greenhouse gas emissions and filter carbon dioxide from the air? (CB2, Horan)

What will be the effect of raising local summer temperatures due to destruction of mature trees and the introduction of taller and denser buildings? (Mostel)

Response: With respect to tree removal, please see the response to Comment 76. The quantification of greenhouse gas emissions resulting from tree removal is not required under CEQR.

NOISE

Comment 278: Rooftop play yards can be loud when they are filled with children. Analyze noise impacts on nearby buildings. (CB2)

Response: As described in the Final Scope, Chapter 17, “Noise” of the EIS will assess the potential noise impacts of rooftop play yards on surrounding buildings.

Comment 279: The EIS should study the negative effects of noise generated from the relocated dog run on residents of Silver Towers, and how the noise would significantly impact them. After 30 years as a vibrant facet of the community, this ultimately might cause the closing of the Mercer-Houston Dog Run. (Akin, Armon, Brownstein, Burden, Coffey, Colorio, Geronimus, Gottlieb, Grooms, Kim, Oberlander, O’Neal, Rackow, Raphan, Taylorson Ziff, Travis, Weinstock, Whalen, Wong, Wright, Zimmerman)

Response: Comment noted. Based on public and agency comments on the Draft Scope, the Final Scope has been amended to include an analysis of the potential for significant adverse noise impacts due to the relocation of the Mercer-Houston Dog Run.

Comment 280: Page 45 of the NYU Draft Scope of Work, Task 17, paragraph 2 states “...it is not expected that project-generated traffic would be likely to result in significant noise impacts. It is assumed that outdoor mechanical equipment would be designed to meet applicable regulations and no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed.” It is imperative that a study of noise impacts be performed and mitigation measures discussed. (CB2)

Response: As described in the Draft and Final Scope, Chapter 17, “Noise” of the EIS will include a screening analysis to determine whether the proposed project could result in a significant noise increase due to increased vehicular trips (i.e., a doubling of traffic) on any nearby roadways. The mechanical equipment associated with the proposed project would be subject to the noise regulations of the NYC Noise Control Code and NYC Department of Buildings Code, and would be designed to comply with those regulations and thus not result in significant noise increases.

Comment 281: What effect will the increased vehicular traffic have on noise levels (e.g., ambient, horn honking, engine idling, etc.) both during and after construction? (505 LaGuardia Place, CB2)

Response: As described in the Draft and Final Scope, Chapter 17, “Noise” of the EIS will include a screening analysis to determine whether the project could potentially result in a significant noise increase due to increased vehicular trips (i.e., a

doubling of traffic) on any nearby roadways. Noise due to construction will be addressed in Chapter 20, “Construction Impacts.”

Comment 282: Where will new HVAC units be placed? What effects will these units have on noise levels? What will the mitigation measures be? Will any HVAC units currently in use be replaced/moved during or after construction? (505 LaGuardia Place, CB2, Wilcke)

Response: The mechanical equipment associated with the proposed project would be subject to the noise regulations of the NYC Noise Control Code and NYC Department of Buildings Code, and would be designed to comply with those regulations, and thus would not result in significant noise increases.

Comment 283: What will be the noise levels of refuse collection trucks during and after construction? (CB2, Wilcke) The analysis must include winter months with engines idling, not just through-traffic. (Wilcke)

Response: As described in the Draft and Final Scope, Chapter 17, “Noise” of the EIS will include a screening analysis to determine whether the project could potentially result in a significant noise increase due to increased vehicular trips (i.e., a doubling of traffic) on any nearby roadways. The screening analysis will include any potential increases in refuse collection trucks on the roadways. In addition, the EIS will include a discussion of operational characteristics at the loading facilities. Noise due to construction will be addressed in Chapter 20, “Construction.”

Comment 284: Will there be expanded lab and science rooms that will require large air handlers; if so, where will they be located? (CB2)

Response: The proposed project does not include wet labs and science rooms that would require large air handlers.

Comment 285: Noise must be considered in aggregate, not just singly by building. (Wilcke)

Response: Comment noted. As stated in the Draft and Final Scope, the noise analysis in the EIS will follow *CEQR Technical Manual* guidelines.

PUBLIC HEALTH

Comment 286: How would health be affected, generally? The ways different populations would be affected (children, adults, seniors, those with a compromised immune system, etc.) in terms of sleep disruption, elevated blood pressure, and psychological effects must be discussed. (CB2) How would health be affected by stress resulting from years of construction? Would seniors be particularly affected? (505 LaGuardia Place)

Response: 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 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 the lead agency determines that a public health assessment is warranted, an analysis will be provided for that specific technical area.

NEIGHBORHOOD CHARACTER

Comment 287: It is important that the EIS examine not only the impact on the wider Greenwich Village neighborhood, but also the ability of such a concentrated area to absorb the impact of this dense growth. The EIS should examine the impact of nonresidential development on primarily residential blocks-how the impact of academic buildings, a dorm, expanded retail and commercial space, a public school and a hotel will affect the character of these quiet, residential blocks. (Nadler)

Response: This will be addressed in the EIS Chapter 19, "Neighborhood Character."

Comment 288: Study effect of continuing transformation of historical sites, small businesses, into a university campus; loss of vibrant community to university "campus." (CB2)

Study effect of diminishing experiences, contributions, and pride of non-academic members of the community. (CB2)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on shift from true residential "Village" to university "campus." (CB2, Cude, Mostel)

Response: The location of the proposed project's buildings, the existing footprint of the NYU campus, and the potential effects of the Proposed Actions on the surrounding neighborhoods will be addressed in the EIS Chapter 19, "Neighborhood Character."

Comment 289: We all live in a delightful and carefully preserved balance. NYU is certainly part of this mix, but this Plan displaces the existing diversity in favor of becoming nothing more than an NYU campus with inconvenient residents that are at best ignored, and at worst walked around and sometimes even pushed out of the way. (CAAN2031, Gibbs, Kuzniar, Rennert, Washington Square Village, Yarmolinsky2)

Changing zoning to allow more buildings, students, faculty, and workers to be jammed in where they are already at a reasonable maximum, taking our streetside public parks to replace them with interior pathways for students to

rush between classes, and changing the restrictions freely entered into are all actions that are not necessary for NYU to grow. These actions will forever deprive the world of the Greenwich Village that they come to see, experience, and live in. (CAAN2031)

Reliance on a single employer is dangerous for a community and a city; it is doom for a residential neighborhood where a multiplicity of institutions coexist. (Mostel) There can be too much of a good thing. (Fiedler)

Response: Comment noted.

Comment 290: Given that four out of the five sites proposed for commercial development in the Commercial Overlay Area are actually on Washington Place, and a planned tea room on the corner of Washington Place and Greene Street is not even in this count, an analysis should be made of the impact on the residents' quality of life and the changing character of the neighborhood which such a direct and sizeable increase in commercialization would bring about. (Dondore)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on change in character due to loss of independent "mom-and-pop" shops, bookstores, galleries, music venues and small cafes that cater to adults and families, and other elements that together make up the charm of Greenwich Village. (CB2, 505 LaGuardia Place)

Response: The concerns cited by the comments will be addressed in EIS Chapter 2, "Land Use, Zoning, and Public Policy," Chapter 3, "Socioeconomic Conditions," and Chapter 19, "Neighborhood Character."

Comment 291: The character of Greenwich Village includes many intangibles related to its history, the people that choose to live and work here, its iconic stores, and vibrant arts scene. We feel that this area is unique—in the city and country, and even worldwide. We call on NYU to conduct an extensive quantitative and qualitative analysis to truly understand what this neighborhood represents.

The Draft Scope of Work states that the proposed methodology will simply "summarize the predominant factors that contribute to defining the character of the neighborhood, including land use, zoning and public policy; open space; historic and cultural resources; urban design and visual resources; transportation; and noise." The spirit of Greenwich Village is more than the sum of these items. It is essential to capture what this neighborhood means to residents and the millions of people who come every year to be a part of this experience. This study requires a strong sensitivity to the fact that the proposed project has the potential to overwhelm a neighborhood, in favor of a campus.

In addition to a detailed demographic profile of the immediate neighborhood, and the core of Greenwich Village, we would like the University to expand their methodology to include surveys, in-depth interviews and focus groups with non-

NYU-affiliated residents on the superblocks and in the Commercial Overlay Area, and to ensure that the results are all based on accepted research protocols for qualitative analysis. (CB2)

NYU's Draft Scope does not go into detail on Neighborhood Character and essentially states that it will be studied in light of other aspects of the EIS. That is insufficient given the unique character of the neighborhood, which has been created by the people here to be part of an avant-garde lifestyle fostering diversity and tolerance. Greenwich Village is nothing without its character. The Study needs to define this quality, identify its sources and its lifeblood, and study how proposed project Plan elements such as freshman housing, hotel and classrooms may directly and indirectly change the qualities that made the Village and SoHo famous; the qualities that still make them among the major reasons why people visit New York. (CB2) NYU plans to "summarize the predominant factors that contribute to defining the character of the neighborhood." This analysis should more specifically identify what the defining characteristics of this neighborhood are. (MASNYC)

Use interviews, surveys and focus groups with non-NYU-affiliated residents, especially long-term and arts community residents, to help define the area's character. Collaborate with knowledgeable residents, groups, and elected officials to develop appropriate survey parameters. For example:

- Interview residents and business owners in the project area and nearby in NoHo, the South Village, and the Bleecker St. area, to assess their experience and concerns regarding NYU expansion with regard to impacts on neighborhood character
- Interview residents on blocks such as East 12th Street where large NYU dormitories were recently built to evaluate the impact on the character of the immediate neighborhoods. Interviews should focus on residents in different age groups
- Interview residents on University Place between 8th Street and 12th Street where there is an apparent change of character caused by large numbers of students moving between dorms and classrooms

In the same areas, interview owners and customers of small stores and restaurants where the customer base is primarily the non-NYU community. (CB2)

Response:

The EIS will assess the proposed project's potential impact on neighborhood character based on *CEQR Technical Manual* guidelines, as detailed in the Draft and Final Scope. According to the *CEQR Technical Manual*, "Interviewing neighborhood residents and workers to learn about the neighborhood may also be useful in some cases, but is not generally necessary." Interviews are not expected to be necessary in order to characterize neighborhood character.

Comment 292: What would be the effect socioeconomically of an increase in the transient population, an increase in narcotics in the neighborhood, and the loss of the “neighborhood” and “neighborly” feeling? (Mostel)

Response: The effects of the proposed project on neighborhood character will be assessed in the EIS. However, the influence of the project on transient populations and narcotics use is outside the scope of a CEQR review.

Comment 293: Explain how a project that will affect so many residents in such a concentrated area can be justified, and what demographic changes can be expected when the population of students and faculty are dramatically increased thereby changing the proportions from that found in the existing residential population. (CB2, Mostel)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on population and demographic, density and character changes when the dorm and hotel are in use and daytime employees are present. (CB2, Mostel, 505 LaGuardia Place)

Response: The EIS will assess the change in demographics resulting from the populations introduced by the proposed project.

Comment 294: These new buildings will be significantly different and employ new urban design techniques in an area that is, for the most part, uniform in how buildings interact with the street. There are currently uniform building street walls but the addition of new buildings could change the design fabric of the neighborhood. What will the impact of these new structures be on neighborhood character? Will they blend in to the City fabric like the Commercial Overlay Area or will they act to separate out NYU’s property from the rest of the neighborhood? (Chin, Kaplan)

Response: The concerns raised by the comment will be addressed in the EIS Chapter 8, “Urban Design and Visual Resources,” and in Chapter 19, “Neighborhood Character.”

Comment 295: Study the impact of removing public green areas and children’s play areas and a dog run and the major supermarket for the neighborhood—nearly every open space in the area. (Mercer Street Block Assoc.)

The EIS should study the impact upon neighborhood character, as the planned developments would forever alter the idiosyncratic sense of the neighborhood. Presently, we have a diverse and multi-faceted community. The planned development would drastically alter the neighborhood to an imbalanced, single institution’s use. A direct effect of the proposed NYU project would be that the use of the Mercer-Houston Dog Run would be so changed that the open space no longer serves the same user population. People simply would be less likely to

know that there is a local dog run. Public access would be severely limited. Visually, the run must be accessible. To virtually hide the dog run would reduce the community's enjoyment in simply passing by. People who do not know it exists would never find it unless they walked between the buildings. New members are first attracted by their immediate visual experience until they walk by. (Akin, Armon, Brownstein, Burden, Coffey, Colorio, Geronimus, Gottlieb, Grooms, Kim, Oberlander, Raphan, Travis, Weinstock, Whalen, Wong, Wooten, Wright, Zimmerman)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on loss of independence and quality of life for the area's many elderly residents due to the plan taking away streetside gathering places. (CB2, Mostel, 505 LaGuardia Place)

Response: Chapter 5, "Open Space" and Chapter 19, "Neighborhood Character" of the EIS will address the concerns raised by the commenters.

Comment 296: The Greenwich Village community has taken great strides to retain the unique, rich historical character for which the neighborhood is famous. Greenwich Village is a special neighborhood not simply because of the number of independent and locally-owned stores and restaurants, the community investment in maintaining and beautifying public space, the historical architectural richness, and the close-knit community that exists, but also because of how carefully the residents and Community Board shape the growth of their neighborhood. The neighborhood character of Greenwich Village is admired across the entire country. The EIS must thoroughly study how NYU's proposed development either contributes to or harms this neighborhood character. (Kaplan, Nadler)

Response: Comment noted.

Comment 297: NYU's Draft Scope of Work represents a plan that will devastate the character, history and uniqueness of Greenwich Village. While the CEQR Technical Manual breaks down impacts into technical categories, we'd like to stress that the impact of NYU's 2031 Plan cannot be grasped by looking at each detail but must be evaluated in its totality. And this impact is the total destruction of a community in favor of a campus. (Ain, Alippi, Balliro, Callet, CAAN2031, Coe, Cude, Donnaud, Doyle, Elliott, Fisher, Goldberg, Gottlieb, Grauer, GVSHP, Harlib, Jones, Lusskin, Pargh, Plutzker, Ponce, Quart, Refes, Schnedeker)

Response: Comment noted.

Comment 298: Study and report on the impact of changing the zoning of a quiet residential area to higher-density residential plus commercial. And how would the changed

population density and addition of large buildings affect neighborhood character? (505 LaGuardia Place, Callet, CB2, Duane, Horland, Mostel, Quart)

Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on quiet enjoyment of the neighborhood by existing residents—to be studied on weekdays during class changeovers, on weekends, and on evenings/nights. (CB2)

Response: This will be addressed in Chapter 19, “Neighborhood Character” of the EIS.

Comment 299: Late-night noise generated by students is a major problem in our community. How will the expansion and revolving temporary populations not exacerbate this problem? What mitigation measures will be put into place? (505 LaGuardia Place, CB2)

The effects of the addition of so many young people in an area with an established and aging population is a concern. Even if the DEP finds that the concomitant noise level after construction is not raised by the benchmark 3 decibels, it will certainly change in content and character. This must be addressed. (CB2, Howell, Mostel)

Response: Chapter 19, “Neighborhood Character” of the EIS will consider the effects of student activities on community character.

Comment 300: Study and report on the effect of additional NYU structures, housing, students and personnel in this historic area on added stress due to crowded conditions and more buildings than appropriate in a medium-density residential neighborhood. (CB2, 505 LaGuardia Place)

Response: The physiological effects of the Proposed Actions are not expected to result in significant adverse environmental impacts, and will not be analyzed.

Comment 301: Analyze the impact on the neighborhood character by proposed changes in the current mix of residential, academic, and commercial elements, which would include elimination of all residential space in 15 Washington Place and a general increase in commercial and academic space in the overlay area. (Washington Place Block Assoc.)

Response: Chapter 19, “Neighborhood Character” of the EIS will analyze effects on neighborhood character created by proposed changes in the current mix of residential, academic, and commercial uses. With respect to the planned redevelopment of 15 Washington Place, please see the response to Comment 7.

Comment 302: What is the impact of an influx of college freshmen and NYU faculty on the current healthy balance of families, students, working people, and seniors in the immediate vicinity? How will this changed demographic affect the sense of

community that current residents of the superblocks enjoy? (505 LaGuardia Place, Callet, Mostel) The project will destroy the existing restaurants, stores, and LaGuardia Park. Furthermore, the two proposed massive buildings within the confines of Washington Square Village are said to include academic classrooms, science labs, a theater complex with rehearsals and performances. They will also bring thousands of individuals into a residential community, along with noise, lights 24/7, trash, and security issues. (Washington Square Village)

How would the increase in student population affect the neighborhood character in terms of crime, underage drinking, and safety in general? (Callet)

Response: The effects of the proposed project on neighborhood character will be assessed in the EIS, following *CEQR Technical Manual* methodology.

Comment 303: Analyze the impact on the neighborhood character of the new lighting and commercial signs that would result from the proposed commercial development. (Washington Place Block Assoc.)

Response: All lighting associated with the proposed and projected retail uses would conform to zoning requirements. See also the response to Comment 54.

Comment 304: Study the impact that NYU's proposed plans will have on the neighborhood character of Tract 5501 and Tract 59. (Mercer Street Block Assoc.)

Response: The study area for EIS analysis of neighborhood character will include the two referenced census tracts.

CONSTRUCTION IMPACTS

Comment 305: Study the impact that NYU's proposed building plans will have on closing down streets in Tract 5501 and Tract 59 to enable their construction. (Mercer Street Block Assoc.)

Response: The EIS will include a detailed construction analysis that addresses potential impacts from the proposed project's construction. At this point, complete street closures to enable NYU's construction activities are not expected to be necessary.

Comment 306: It is vital that all vehicles and equipment used during construction use Ultra-Low Sulfur Diesel (ULSD) and Best Available Technology (BAT) for contaminant filtration. To prevent a generation growing up over the 19-year period with asthma-inducing dust, diesel fumes/particulates, and elevated ozone, we encourage NYU to explore incorporating language specifying use of ULSD with BAT for non-road vehicles in contracts with contractors and sub-contractors used for the project during operation (CB2, Arlen)

Response: As described in the Draft and Final Scope, NYU is committed to implementing various measures during construction that would minimize to the extent practicable the effects of construction from the proposed project. For example, construction would be sequenced to minimize direct effects from construction at any one location (i.e., no one location would experience the effects of construction for the full 19 year construction period). To address sources of air emissions, an emissions reduction program would be implemented at the project site and would include components such as: diesel equipment reduction; ultra low sulfur diesel; best available tailpipe reduction technologies; utilization of equipment that meets specified emission standards; and fugitive dust control measures, among others.

Comment 307: Will NYU consider requiring directed high-efficiency lighting to be used on the project construction sites in order to reduce energy use and direct lighting away from residential windows? (CB2)

Response: The effects of lighting for construction activities is not subject to CEQR analysis, and will therefore not be addressed in the EIS. Nevertheless, typical of construction activities in NYC, the vast majority of the construction work would be done during day light hours, which minimizes the use of lights.

Comment 308: How many years would the Proposed Actions take to construct? (Rackow) Please provide complete details of the construction-phasing plan and its impacts. (CB2)

Response: As described in the Draft and Final Scope, the proposed project would take approximately 19 years to complete. The EIS will provide detailed construction phasing information and will assess the potential for significant adverse environmental impacts from construction.

Comment 309: NYU's plans require a long-term solution, but must not be overly disruptive in the short-term. NYU must develop a phased plan that maintains all existing community facilities and services throughout implementation. A schedule for community reporting should be established, to maintain open communication throughout the life of the plan's implementation and minimize construction impacts. (APA NY Metro)

Response: The potential effects of construction on community facilities and services will be discussed in Chapter 20, "Construction" of the EIS. Community reporting would be considered if found suitable to address an identified impact. If not warranted by such need, the applicant may consider such a measure for other purposes. Any plans for community reporting will be identified in Chapter 20, "Construction Impacts," of the EIS.

Comment 310: Please provide a detailed construction site plan that includes crane locations, construction elevator locations, material storage, construction entry points, contractor parking, garbage removal, and temporary street and sidewalk closings. (CB2)

Response: To the degree that construction logistics have been developed, they will be discussed in the EIS.

Comment 311: The Proposed Action states the need for “New York Department of Transportation revocable consent for utility beneath City streets.” CB2 notes that the mechanical systems for the new construction will require connection to the NYU central co-gen plant. CB2 has experienced significant problems with the simultaneous installation of these systems in conjunction with construction and related street closings. Please provide a complete plan for the installation of these systems. Also include plans for any work necessary to expand the capacity of the co-gen plant. (CB2)

Response: The exact plans for installation of the proposed project’s utility systems is not known at this time. New York City Department of Transportation’s Office of Construction Mitigation and Coordination approves the plans of street openings and the accompanying Maintenance and Protection of Traffic plans. This office takes into account the amount and duration of interference to traffic, and will modify any of the plans to minimize disruptions. Chapter 20, “Construction Impacts” will provide a description of the likely construction activities associated with installation of utility systems. The Proposed Actions do not include plans for any expansion of the capacity of the co-gen plant.

Comment 312: Please provide a complete plan for construction monitoring and testing systems. (CB2)

Response: Chapter 20, “Construction” will describe the types of construction monitoring that are required, and the agencies that would provide oversight. Every structural, electrical, plumbing and mechanical system would be inspected and approved for public safety reasons by the appropriate government agencies prior to any building receiving its Certificate of Occupancy. Chapter 20, “Construction” of the EIS will describe plans for construction monitoring and testing systems.

Comment 313: Community Board 2 has experienced significant noise complaints from construction projects in our district. Please provide a Construction Noise Mitigation Plan. (Callet, CB2)

Response: As stated in the Draft and Final Scope, NYU is committed to implementing various measures during construction that would minimize to the extent practicable the effects of construction from the proposed project. NYU would

commit to noise control measures that address both source controls (i.e., reducing noise levels at the source) and path controls (e.g., placement of equipment, implementation of barriers or enclosures between equipment and sensitive receptors). All measures that will be implemented during construction to address construction noise, including the need for a Construction Noise Mitigation Plan, will be discussed in Chapter 20, “Construction” of the EIS.

Comment 314: If the findings of the Phase I Environmental Site Assessment (ESA) require further testing and / or remediation, please provide Community Board 2 with complete information on any required protocols and the methods of implementing them during construction. (CB2)

Response: Methods to prevent impacts from hazardous materials will be presented in the EIS.

Comment 315: Please provide the approved Stage 1A Archaeological Assessment that will be implemented during construction. (CB2)

Response: The results of the archaeological investigations will be disclosed in the EIS.

Comment 316: Please provide a Plan to implement the requirements for protecting landmarked structures during construction. (CB2)

Response: As will be further described in Chapter 20, “Construction Impacts” of the EIS, a Construction Protection Plan (CPP) would be developed and implemented in consultation with OPRHP and LPC prior to construction of the proposed project. The CPP would be prepared in coordination with a licensed professional engineer and would follow the guidelines set forth in section 523 of the *CEQR Technical Manual*, including conforming to LPC’s *New York City Landmarks Preservation Commission Guidelines for Construction Adjacent to a Historic Landmark and Protection Programs for Landmark Buildings*. The CPP would also comply with the procedures set forth in the New York City Department of Buildings (DOB)’s Technical Policy and Procedure Notice (TPPN) #10/88.¹

Comment 317: Information should be furnished on all aspects of ground stabilization within the immediate and surrounding areas. Monitors must be installed in buildings in the surrounding areas and the monitors’ results must be posted online regularly. Vibration monitors must be installed in buildings in the surrounding areas and these monitors’ results must be posted online regularly. (CB2)

¹ TPPN #10/88 was issued by DOB on June 6, 1988, to supplement Building Code regulations with regard to historic structures. TPPN #10/88 outlines procedures for the avoidance of damage to historic structures resulting from adjacent construction, defined as construction within a lateral distance of 90 feet from the historic resource.

How would construction affect the stability of buildings and adjacent structures like plazas? (505 LaGuardia Place)

Response: The potential for impacts from vibrations, and methods to potentially mitigate impacts will be presented in the EIS.

Comment 318: What will the effects of pit excavation and soil removal be for:

- Absorption of rainwater and storm water runoff
- Air quality from removal of mature canopy of trees
- Effect of deep earth removal, pit construction, on all natural resources in a 500-foot radius from surveyed dimensions of pit (mature trees, plantings, wildlife, springs, groundwater). (CB2, Horan)

Response: The EIS will follow *CEQR Technical Manual* guidelines in assessing the potential for significant adverse construction impacts. The specific analyses requested in this comment are not required to assess the potential for significant adverse environmental impacts of the Proposed Actions.

Comment 319: What is the effect of an inadequate bedrock to support an increase in towers? (Mostel)

Response: This is not an issue addressed under CEQR. The foundations of the buildings would be engineered and designed by professional engineers who are specialized in foundation design.

Comment 320: Please provide details of the proposed foundation systems including the methods of installation and a site preparation and excavation plan. (CB2)

Response: The EIS will discuss excavation and construction of the foundations.

Comment 321: How will the increased number of “bathtubs” force and/or redirect this water? If water is restricted and/or redirected from the locations of the proposed buildings, it will be forced into other pathways leading to erosion of the foundations of the existing buildings that do not have underground protection. (CB2)

Earlier projects in the Washington Square area have required a significant amount of water displacement from the now-underground Minetta Brook and its tributaries. There should be additional attention paid to the effect of this displacement on the surrounding area, particularly as the large "bathtubs" needed for the new structures on the Superblocks will undoubtedly cause substantially more displacement of underground liquids. These liquids could potentially damage the foundations of the nearby structures as well as erode the soil quality in the surrounding area, which would have a damaging effect on the

grass, plants, and trees in the areas intended for public enjoyment. Concerns of this type warrant additional attention as they have the potential to irrevocably change the neighborhood for the worse. (Callet, Glick)

Response: These concerns will be address in Chapter 20, “Construction Impacts” of the EIS. See also responses to Comments 197 and 323.

Comment 322: Has NYU bothered to find out whether the meandering subterranean Minetta Brook that has caused the quite severe subsidence in this area as well as in the fire lane immediately north of 4 Washington Square Village would present a danger to any structure built over it? (Taylorson Ziff)

Response: The underground Minetta Brook is to the west and not in the area of the proposed construction. See the responses to Comments 197 and 322.

Comment 323: I have concerns about the effects of NYU’s construction plans on the light and air available to the LaGuardia Corner Gardens, as well as the disruption of land and displacement of groundwater that will occur during the process of constructing the academic structure on LaGuardia Place. These gardens have been painstakingly maintained by volunteer organizations for decades and the scoping plan must include the measures the University will take to preserve the garden and protect it from the potentially damaging and intrusive construction that will be sited nearby. (Glick)

What will the loss of the community garden “strips” mean for those areas where they used to exist? (Chin, Taylorson Ziff)

Response: Chapter 5, “Open Space” and Chapter 6, “Shadows” of the EIS will assess the potential impacts of project-generated shadows on the LaGuardia Corner Gardens. The potential effects of the proposed project’s construction activities on the LaGuardia Corner Gardens will be addressed in Chapter 20, “Construction Impacts” of the EIS. With respect to the displacement of groundwater, please see the response to Comment 322.

Comment 324: The success of the garden is threatened by shading from new towers to its east, by the intensity of new uses in the project area, and by the inevitable construction impacts. (CB2)

Response: Comment noted.

Comment 325: Describe impacts of construction, including construction staging, on the use of existing and proposed open spaces—noise, traffic, air quality and accessibility. Describe the impacts of project construction on study area open spaces (e.g., Washington Square Park) and the time periods when construction impacts are expected to occur. Describe measures that will be undertaken to mitigate these

impacts, and the documentation and enforcement of such undertakings. (Cline, Lefkowitz, Rackow) How will landmarked green areas be protected during construction? (Rackow) What will the cleanliness of the impacted area be before, during, and after construction? (Rackow)

Response: As described in the Draft and Final Scope, the EIS will analyze the potential impacts of construction on study area open spaces and identify mitigation measures to avoid or minimize such impacts.

Comment 326: Please provide a plan for the protection of the open space strips, interior gardens, and existing trees during construction. (CB2)

Response: The EIS will discuss measures to protect existing resources during construction.

Comment 327: How will construction on the Morton-Williams supermarket site affect the use and enjoyment of the plaza in front of 505 LaGuardia Place? (505 LaGuardia Place)

Response: The plaza in front of 505 LaGuardia Place is a private open space with limited public accessibility; therefore, following *CEQR Technical Manual* guidelines, the potential effects of construction activities on the utilization of this open space will not be analyzed. However, the EIS will disclose the potential for significant adverse construction-related air quality and noise impacts to the plaza.

Comment 328: The granting of the University's request to lift the deed restriction would bring about a deluge of construction projects that would occur simultaneously in the neighborhood, disrupting the quality of life for residents and reducing foot traffic and patronage of our valued small businesses. (Glick)

Response: The EIS will discuss the potential impacts, including secondary impacts, caused by the granting of the discretionary requests.

Comment 329: Please provide a plan for keeping a supermarket in continuous operation during construction. (CB2)

Response: As detailed in the Final Scope, Chapter 3, Socioeconomic Conditions," of the EIS will assess the effects of the displacement of the Morton Williams supermarket and will describe NYU's goal to provide the new replacement space for a grocery store within the proposed Zipper Building prior to demolition of the existing grocery store.

Comment 330: What hazardous materials will be used during construction? (CB2)

Response: The project is expected to use conventional construction materials and would comply with all building department and other applicable regulations in their

use and handling. The assessment of these materials is not required as part of the EIS. The EIS will discuss the potential for impacts from hazardous materials associated with site conditions during construction.

Comment 331: CB2 notes that there have been serious impacts on other NYU projects in the area from dewatering and the noise it creates. Please provide complete details for dewatering including a noise mitigation plan. (CB2)

Response: The EIS will discuss dewatering, and a Construction Noise Mitigation Plan will be developed and submitted to New York City Department of Environmental Protection for approval prior to the start of construction.

Comment 332: The Draft Scope states that no one location will experience the effects of construction for the full 19-year construction period, however the impending phasing plan may require that construction occur in a single location over a number of years at a time, possibly changing the nature of the land use and character of the neighborhood. The EIS should therefore carefully analyze whether the type and duration of construction activities would result in adverse impacts to the neighborhood land use patterns or neighborhood character, thereby determining if additional mitigation methods should be developed. (Callet, MASNYC, Rackow)

Response: The EIS will present a construction phasing plan and analyze the potential impacts caused by that plan.

Comment 333: How will construction impact the health of residents, especially those with allergies, asthma, emphysema, and compromised lungs? (Arlen, Callet, Mostel)
How will construction affect the elderly? (Cline, Horan, Mostel)

Response: The EIS will discuss the potential public health impacts of the proposed project.

Comment 334: How many elderly persons/persons with disabilities reside in the residences within a 500-foot to 1-mile radius of the construction? (Horan)

Response: The requested information is not necessary in order to determine the potential for significant adverse construction impacts.

Comment 335: How will the following concerns about construction be addressed?

- Need for a Construction Coordinating Center, similar to one successfully utilized in Lower Manhattan, but on a smaller scale.
- Public information dissemination—provide a Public Notification and Community Outreach plan.
- Use of ULSD and other low-emission construction devices and vehicles.

- Use of state-of-the-art sound treatment.
- Hours—Avoiding evenings, weekends, public and religious holidays.
- Parking—Avoiding construction vehicles and workers’ private cars taking up parking space.
- Maintaining emergency vehicle access.
- Preventing early morning, arrival and set-up noise.
- Using trained union labor.
- State-of-the-art falling debris prevention.
- Avoiding light trespass from construction site night spotlights.
- Construction site security.
- Rodent control—provide a detailed vermin abatement plan. (505 LaGuardia Place, Arlen, Callet, CB2, Rackow)

Response: These issues will be discussed in the EIS, and/or would be addressed in obtaining the proper permits for authorizing the construction.

Comment 336: What would the effect be from the disturbance of rodents who live in the skeletons of underground buildings? (Rackow)

Response: The potential for impacts from rodents will be discussed in the EIS.

Comment 337: Tracts 5501 and 59 will be devastated by the vibrations caused by so much construction in such a small area. (Yarmolinsky11)

Response: The EIS will analyze the potential for impacts from vibrations during construction.

Comment 338: Study the impact that the on-going construction will have on the NYU faculty and other people who live in the blocks where work is proposed. (Mercer Street Block Assoc., Yarmolinsky11)

Response: The EIS will analyze the potential impacts on nearby residents and workers from construction.

Comment 339: Analyze the impact of new construction related to the commercial overlay on an area already saturated with multiple, simultaneous, unsequenced university construction and renovation projects. (Washington Place Block Assoc.)

Response: The EIS will include known projects that could be under construction at the same time as the proposed project.

Comment 340: Study the impact of a two-block residential area in Tract 5501 being under construction almost continually for 18 years. (Mercer Street Block Assoc., Yarmolinsky1)

Response: The EIS will analyze the potential impacts on nearby residents and workers from construction.

ALTERNATIVES

NO ACTION ALTERNATIVE

Comment 341: The “No Action Alternative” should be a “Reasonable Worse Case Scenario.” Please provide a detailed description of the maximum “as of right” build out (including development allowed by Special Permit), the options the current zoning allows, and the anticipated impacts. (CB2)

Response: The *CEQR Technical Manual* states that “The No-Action alternative demonstrates environmental conditions that would exist if the project were not implemented. This analysis is essentially equivalent to the analysis of the future without the project that is formulated to provide a baseline for the evaluation of each type of potential impact associated with the proposed project.” The No Action Alternative is not based on a projected maximum build-out of properties within a study area.

Comment 342: The “No Action Alternative” in the Commercial Overlay District should also include the maximum “as of right” build out. NYU has noted the potential for additional construction in this area. (CB2)

Response: See the response to Comment and 341.

LOWER DENSITY ALTERNATIVE

Comment 343: Based on community concerns, I strongly urge NYU to study an alternative with lower density. (Ain, Alippi, Coe, Donnaud, Doyle, Elliott, Fisher, Goldberg, Grauer, GVSHP, Harlib, Jones, Lusskin, Pargh, Plutzker, Ponce, Quart, Refes, Schnedeker, Stringer)

Provide an alternative with a significant reduction in the number of proposed dorm beds, hotel rooms, faculty housing, and/or other added residential. (CB2)

NYU’s proposed expansion is centered on two superblocs, which were created by demapping the public streets and combining six city blocks. This demapping increased the size of the lots and allowed a greater maximum total density than would otherwise be permitted. The original planners of these superblocs never intended for this density to be utilized. As such, NYU should study a lesser density alternative, which will not only minimize the potential impacts, but would also address a clear community concern. (Stringer)

Alternatives to the densities requested as well as the zoning sought should be examined so that a balance between the needs of NYU can be balanced with those of the resident’s in whose community the university resides. (Chin)

The EIS should study alternatives to NYU's proposed plan, including an alternative with less density, given the wide community opposition to the development of 2.5 million square feet on 6 square city blocks. (Nadler)

Provide an alternative that required less square footage overall, possibly resulting in fewer new NYU buildings, and results in significantly lower added density. (APA NY Metro, CB2, MASNYC)

Response: As stated in the Final Scope, the DEIS will include an assessment of a "Lesser Density Alternative." The Lesser Density Alternative would allow all of the same uses as the Proposed Actions, but with a lesser amount of total development—approximately 2.0 million gsf, as compared with approximately 2.5 million gsf with the Proposed Actions (a reduction of approximately 18 percent). The reduction in density would be achieved by a reduction in the number of above- and below-grade floors in the proposed buildings within the Proposed Development Area. The Lesser Density Alternative would include the same overall site plan layout, including numbers and locations of buildings, and parkland and publicly accessible open spaces (including type and size) as those currently contemplated for the Proposed Actions. The below-grade parking would be the same type and size as with the proposed project. There would be the same amount of projected retail within the Commercial Overlay Area as with the Proposed Actions, and it would be located within the same six buildings in the Commercial Overlay Area. Similar to the Proposed Actions, there would be no development within the Mercer Plaza Area.

NO DEMAPPING ALTERNATIVE

Comment 344: I urge DCP to study an alternative that retains the DOT strips as public open space, so that the square footage of public open space does not decrease. In a neighborhood with one of the lowest rates of square footage of open space per resident in Manhattan, it is critically important to retain and increase the amount of available public open space. (Nadler)

As reasonable alternative for the proposed demapping and City disposition of portions of city streets. Please provide an analysis of the proposed project without the demapped areas. (CB2)

I take pause at the idea of giving NYU exclusive ownership of what has been to this point public space, in the form of the strips of land currently owned by the Department of Transportation that border LaGuardia Place and Mercer Street. The community has long held that these lands should be under the control of the Parks Department. New York City has very little land that is undeveloped and maintained as public space, and the appropriation of public space by a private institution to assist with the development plants that are already contested by the surrounding community seems unnecessary and unfair, particularly as the community has spent several decades turning the strips into very beloved park

space. In light of this, I ask that the university provide an alternate plan for development that does not include these pieces of land, as the justification for their current plans have been based purely in aesthetic concerns. (Glick)

Based on community concerns, I strongly urge NYU to study an alternative that does not include the acquisition of the publicly owned property known as the “park strips.” (Ain, Alippi, Coe, Donnaud, Doyle, Elliott, Fisher, Goldberg, Grauer, GVSHP, Harlib, Jones, Lusskin, Pargh, Plutzker, Ponce, Quart, Refes, Schnedeker, Stringer)

I continue to urge the University to develop an alternative that does not involve taking public land as part of the proposed project. (Stringer). The Mercer and LaGuardia and Bleecker strips should be transferred to permanently protected parkland and open space. (Horan)

Study implication of not acquiring or building under the City-owned strips. (CB2, Liberman)

Study the alternative of mapping the current DOT strips as parkland instead of privatization. (APA NY Metro, MASNYC)

What impacts will not having [DOT strips] have on their project and how would any change to the development impact the community should they not receive those “strips”? (Chin, Magida, Taylorson Ziff)

Response: As described in the Final Scope, the DEIS will include an assessment of a “No Demapping Alternative,” in which a project is developed without any demapping of public streets, subsequent disposition to NYU, and remapping as City parkland See also the response to Comment 11.

Comment 345: As an alternative to the massing of buildings proposed by applicant on the Superblocks, analyze the heights and setbacks that would be required if (a) the waivers sought by applicant under the LSGD were not granted, and (b) if the LaGuardia Place and Mercer Street "strips" remain as mapped streets under the "no build" alternative. (Lefkowitz)

Response: As described in the Draft and Final Scope, 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 project. The specific alternatives to be analyzed are typically finalized with the lead agency as project impacts become clarified. If a “no LSGD waivers” alternative was found to be a practicable option that avoids or reduces identified significant adverse impacts, it will be considered for the alternatives analysis. With respect to the request for an alternative that does not demap the DOT strips, see response to Comment 344.

Comment 346: As an alternative to applicant’s proposal for the demapping, alienation and development of the existing public open spaces, analyze the proposal made by the not-for-profit groups which currently operate and maintain the open spaces to retain these spaces in public ownership and to map them as New York City parkland. Compare this alternative to the proposal in terms of permitted uses, construction, alienation, public access, generation of zoning floor area, and compliance with New York City Zoning Resolution requirements for open space and the required heights and setbacks of buildings proposed by applicant. (Lefkowitz)

As an alternative to applicant’s proposal for the demapping, alienation and development of the existing public open spaces, analyze the demapping of only below grade space beneath the Mercer strips between 3rd and Bleecker Streets and Bleecker and Houston Streets and the LaGuardia Place strips between 3rd and Bleecker Streets, and the conveyance to applicant of a below-grade fee interest or easement, leaving the area on and above grade in public ownership and mapping the same as New York City parkland. (Lefkowitz)

As reasonable alternative for the proposed demapping and City disposition of portions of City streets, please provide an analysis of the proposed project without using these areas in any way. This should include an analysis of the practicality of using space under the “green strips” in question where trees and shrubs have already taken deep root, and an alternative that would not involve removal of the existing trees, plantings, equipment, design or uses of these strips. (CB2, Liberman)

Response: Please see the responses to Comments 345 and 346.

Comment 347: The EIS should study different options to ensure that any potential open space impacts are mitigated to the greatest extent feasible and an alternative should be explored that provides the City Planning Commission and the City Council the ability to modify the application if the privatization of the open space is expressed as a concern during the public review process. The open space alternatives should include:

- Mapping the open space or portions of the open space as public parkland and transferring jurisdiction to the NYC Parks Department;
- Ensuring a Memoranda of Understanding that would guarantee the handover of open space to a local community group that would maintain the land;
- Requiring commercial retail or a community facility at the base of the new buildings to draw people to the open spaces, thereby increasing the quality and accessibility of the spaces.

Maintaining these open spaces in public hands will be more effective and meaningful mitigation of a potential adverse open space impacts as privately owned public space has a checkered history and often ends up being fully or

partially privatized. (Lieberman, Mercer Street Block Assoc., MASNYC, Yarmolinsky1)

Response: Please see the responses to Comments 115, 345, and 346.

NO HOTEL ALTERNATIVE

Comment 348: Based on community concerns, I strongly urge NYU to study an alternative that does not include a hotel. (Ain, Alippi, Coe, Donnaud, Doyle, Elliott, Fisher, Goldberg, Grauer, GVSH, Harlib, Jones, Lusskin, Pargh, Plutzker, Ponce, Quart, Refes, Schnedeker, Stringer)

The EIS should study an alternative without the proposed 180,000-square-foot hotel use. The surrounding neighborhood is defined by its predominately residential and community facility uses with limited local retail. The hotel use will introduce a new transient population, new deliveries and services, and more intense traffic and pedestrian flows. This use has the potential to increase impacts and, depending on its operation, may not be compatible with the neighboring residential uses. Further, members of the community have expressed that the placement of a hotel on the superblocks is inappropriate. As such, the EIS should include an alternative that does not include the hotel at this site. Without the hotel, a commercial zoning district may not be necessary and any such alternative should reexamine the proposed C 1-7 zoning district. (Stringer)

Within Community Board 2, many hotels have been built in recent years, and have indicated that they are not nearly at capacity. As reasonable alternative for the proposed Hotel please provide a plan for using excess hotel space in CB2. (CB2)

As a reasonable alternative for the proposed Hotel, use excess hotel space in CB2 as there are many new hotels in the Board area, or other nearby Community Boards. (CB2)

Response: As described in the Final Scope, the EIS will include a “No Hotel Alternative.” The No Hotel Alternative would develop the Proposed Development Area with the same uses as the proposed project with the exception of the proposed hotel use, which would be replaced with faculty housing.

SUGGESTED ALTERNATIVE LOCATIONS FOR DEVELOPMENT

Comment 349: There are several alternatives that must be examined by NYU. Among these are what development options will be available to them in 2021 and 2031; are there places available in other communities or locations that can accommodate their need to grow when they need to grow? Much of NYU’s academic space goes unused on Fridays. What spaces can accommodate their needs that already exist or that they can acquire elsewhere that need not burden an already burdened

community? (Ain, Alippi, Chin, Coe, Donnaud, Doyle, Elliott, Fisher, Goldberg, Grauer, GVSHP, Harlib, Jones, Lusskin, Pargh, Plutzker, Ponce, Refes, Schnedeker)

The 1st Council District is home to many alternative locations. Community Board 1 Manhattan has said they would welcome NYU's expansion with open arms. The current zoning in Lower Manhattan would accommodate all the proposed actions that the university is asking for now. The current zoning would allow for the kinds of facilities that are being planned in the proposed actions. In addition, the sort of commercial retail uses are currently in place. (Chin)

Other alternatives include academic space on Governor's Island; locations in other boroughs that would welcome the economic development opportunities NYU could provide. Examining what other options could be undertaken in order to fully understand what impacts the current proposed actions will have on the Greenwich Village and surrounding communities. (Chin)

As reasonable alternative for the proposed actions please provide a plan to retain the current zoning, and instead relocate new development to other areas of the City that have expressed strong interest and invited development, for example Community Board 1, Manhattan. Land-use and existing zoning regulations in areas such as the nearby Financial District would accommodate present and future expansion to and beyond 2031, and should be investigated. (Balliro, CB2, Rennert)

As reasonable alternative for the proposed actions please provide a plan to retain the current zoning and city-owned property and relocate the proposed new buildings in other areas of the City such as Community Board 1, which has expressed strong interest in such a proposal. Invitations and options to build in the Financial District where land and existing zoning would accommodate present and future expansion to and beyond 2031, and better serve NYU and the City, should be investigated. (CB2) There are better alternatives for the city, for NYU, and for the Village if NYU is to expand. Community leaders in the Financial District have asked NYU to consider their area for expansion, where NYU's academic, cultural, and housing facilities would be welcome and are needed. (Balliro, Coe, Donnaud, Doyle, Elliott, Fisher, Goldberg, Grauer, Harlib, Jones, Quart)

Response: Alternative locations for the proposed project will not be assessed in the EIS, because they would not meet the goals and objectives of the Proposed Actions. Please see the response to Comment 28.

OTHER REQUESTED ALTERNATIVES

Comment 350: Provide a reasonable alternative to the complete blanket commercial overlay rezoning in the COA, including an analysis detailed which blocks would be

slated for commercial development and which would not be, in addition to the present existing grandfathered commercial areas totaling nearly 40,000 sq ft. (CB2)

I support the CB2's request that the applicants provide a reasonable alternative to the complete blanket commercial overlay rezoning in the COA, including an analysis detailing which blocks would be slated for commercial development and which would not be, in addition to the present existing grand-fathered commercial areas totaling nearly 40,000 sq ft. (Glick)

Response: The EIS will provide information on which locations are projected to be redeveloped with ground floor retail within the Commercial Overlay Area. The commercial overlay is a commonly applied zoning approach and will facilitate the limited commercial development anticipated under the Proposed Actions.

Comment 351: As reasonable alternative for the proposed C1-7 District please provide a comparative analysis for a district that retains the current R7-2 zoning district and uses Commercial Overlay zoning, as needed. (CB2)

As reasonable alternative for the proposed C1-7 District, please provide a comparative analysis for a district that retains the current R7-2 zoning district and uses Commercial Overlay Districts as needed rather than a blanket commercial rezoning for the entire area. The North and South Superblocks already have over 76,000 sq ft of "as of right" commercial zoning available (proposed plan calls for one 55,000 sq ft of commercial development). (CB2)

Response: Retaining the current R7-2 zoning district within the Proposed Development Area would not meet the purpose and need of the Proposed Actions because it would not allow for substantial new development due to the open space requirements of R7-2 zoning.

Comment 352: Provide an alternative that does not change the zoning or add more commercial spaces to the COA. (CB2, Quart)

Response: This is an option that will be assessed as part of the No Action Alternative.

Comment 353: Provide an alternative that retains 14 and 15 Washington Place as residential buildings. (CB2)

Response: The planned redevelopment of 15 Washington Place will occur irrespective of the Proposed Actions, and therefore this is not a feasible alternative for analysis. See also the response to Comment 7.

Comment 354: As an alternative to applicant's proposal to demolish the Sasaki-designed open space in the Northern Superblock, consider the restoration of the original WSV

open space per the Sasaki plan, and designating it as a New York City landmark. (Lefkowitz)

Project alternatives to be evaluated should include those that (1) retain all existing public open space without new underground use and supporting current uses, (2) retain the Sasaki Garden and Key Park in current locations, and (3) provide new open space for active use within the project area. (CB2, Liberman)

Response: As described in the Draft and Final Scope of Work, the specific alternatives to be analyzed in an EIS are typically finalized with the lead agency as project impacts become clarified. If significant adverse impacts are identified, the SEIS will consider a reasonable range of alternatives to the proposed actions which could reduce or eliminate such impacts while substantively meeting the goals and objectives of the project sponsor. To the extent that any significant adverse environmental impacts identified in the EIS could be mitigated by specific programming options such as those suggested by the commenters, they may be considered as mitigation for significant adverse impacts, rather than an alternative to the proposed actions. Retaining the Washington Square Village Elevated Garden and eliminating the below-grade space beneath the garden would not result in the needed square footage of the proposed project, and therefore would not meet the goals and objectives of the Proposed Actions. In addition, retaining the Elevated Garden would be inconsistent with the proposed project's open space planning objectives.]

Comment 355: The EIS should examine, as an alternative to NYU building more faculty housing in the area, better utilizing the faculty housing in the proposed rezoning area which they already have. NYU has been warehousing apartments in Washington Square Village and Silver Towers, and over the years has decreased the number of apartments in these complexes by combining more and more existing units into a smaller and smaller number of larger and larger units. Reversing or even ending these practices would significantly diminish the university's purported need for additional faculty housing. (Ain, Alippi, Coe, Donnaud, Doyle, Elliott, Fisher, Goldberg, Grauer, GVSHP, Harlib, Jones, Lusskin, Pargh, Plutzker, Ponce, Refes, Schnedeker)

Response: The suggested alternative would not meet the goals and objectives of the Proposed Actions, which includes providing needed additional faculty housing for NYU faculty. As described in the Final Scope, the University's ability to offer housing is critical to recruitment of faculty members, many of whom are recruited from around the nation and the world.

Comment 356: Study and compare the following four alternatives:

- (i) erecting the Zipper building set back from Mercer Street to retain the current city-owned parkland strip (as the Coles gymnasium currently does);

- (ii) erecting the Zipper building set back from Mercer Street to retain the current city-owned parkland strip (as the Coles gymnasium currently does) and rising no taller than 23 feet above ground (the current height of Coles gymnasium);
- (iii) erecting the Zipper building rising no taller than 23 feet above ground (the current height of the Coles gymnasium); and
- (iv) erecting the Zipper building set back from Mercer Street to retain the current city-owned parkland strip (as the Coles gymnasium currently does) and rising no taller than 23 feet above ground from the midpoint of the block to the north (Bleecker) and stepping up or rising taller than 23 feet but no higher than 280 feet above ground from the midpoint of the block to the south (Houston). (CB2)

Response: With respect to the requests in (i) and (ii), see the response to Comment 345. With respect to the requests in (iii) and (iv), as described in the Final Scope, 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 project. The specific alternatives to be analyzed are typically finalized with the lead agency as project impacts become clarified. If an alternative building envelope for the proposed Zipper Building or other strategies are found to be practicable options that avoid or reduce identified significant adverse impacts, they will be considered for the alternatives analysis.

Comment 357: Study the alternative scenario of changing the design of the building proposed at the dog run site to become cantilevered (to allow the dog run to remain). (CB2)

Response: Comment noted. See also the response to Comment 357.

Comment 358: Study setting back the two proposed “boomerang” buildings to align with the east and west edges of Washington Square Village (instead of jutting out) and alternative forms of the two buildings in these alignments. (CB2)

Response: As described and illustrated in the Final Scope, the two proposed buildings on the North Block align with the east and west edges of Washington Square Village. With respect to alternative building forms, as described in the Final Scope, 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 project. The specific alternatives to be analyzed are typically finalized with the lead agency as project impacts become clarified. If alternative building forms are found to be practicable options that avoid or reduce identified significant adverse impacts, they will be considered for the alternatives analysis.

Comment 359: Explore the impact of a scenario that maintains the current height of the Morton Williams supermarket building and Coles gym. (50 LaGuardia Place)

Response: As described in the Final Scope, 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 project. The specific alternatives to be analyzed are typically finalized with the lead agency as project impacts become clarified. If alternative building forms are found to be practicable options that avoid or reduce identified significant adverse impacts, they will be considered for the alternatives analysis.

Comment 360: As a reasonable alternative for the proposed Temporary Gym on the North Superblock, study the possibility of arranging discounted services at local physical fitness facilities and use of neighboring Institutions' field houses, athletic facilities and/or gymnasium space in addition to NYU's existing Palladium athletic facility. (CB2)

Response: Local health clubs would not meet the function of the temporary gym, which is to provide dedicated large floor gymnasium space dedicated for use by NYU students; consequently this alternative would not meet the goals and objectives of the project sponsor.

Comment 361: Provide a reasonable alternative for the active recreational open space needed for a potential increase of some 2,000 college-age young adults that is not provided for in the current plan. The current plan assumes that existing community-based (non-university) active open spaces will be used, as no additional space is provided (active in this case is being defined as Frisbee, touch football, green fields and opposed to passive space—benches, gardens, paths, etc). Therefore, please provide a reasonable alternative to the actual building proposals for the Superblocks that could accommodate this campus environment. (CB2)

Response: The EIS will assess the potential for significant adverse open space impacts, and will explore potential mitigation measures for any identified impacts.

Comment 362: Provide an alternative that does not involve any building encroachment beyond the current streetwall of the superblocks. (CB2)

Response: The applicant has advanced a site plan that will be assessed for its potential to result in significant adverse impacts. If significant adverse impacts are identified, the EIS will advance potential mitigation measures, and could advance alternatives to reduce or eliminate significant adverse impacts. See also the response to Comment 344. Since the Draft Scope, the location of the Mercer Building has been modified and no longer encroaches on the proposed

demapping areas along Mercer Street between Bleecker Street and West 3rd Street. These modifications have been reflected in the Final Scope.

Comment 363: Study the potential for online learning to reduce space needs. According to the United State Distance Learning Association, “Nearly 30% of higher education students now take at least one course online. The overall finding the U.S. Department of Education meta-analysis is that classes with online learning (whether taught completely online or blended), on average, produce stronger student learning outcomes that do classes with solely face-to-face instruction.” They also report that, “More than sixty [percent] (60%) of college courses in 2020 will be taught online.” (CB2)

Response: This suggested alternative would not meet the goals and objectives of the Proposed Actions.

Comment 364: As a reasonable alternative for a zoning change on the North Superblock, consider requesting a modification of the tax map for the Retail Strip on the North Superblock to include the grass area immediately behind it, and report on how much development that would allow without rezoning or changing the rest of the block’s zoning. In this alternative, CB2 suggests that consideration be made to keep the additional built structure low so as to preserve the light, air, and sightlines of the existing residences in Washington Square Village. (CB2)

Response: As described in the Final Scope, 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 project. The specific alternatives to be analyzed are typically finalized with the lead agency as project impacts become clarified. If alternative zoning strategies and/or building envelopes are found to be practicable options that avoid or reduce identified significant adverse impacts, they will be considered for the alternatives analysis.

Comment 365: As a reasonable alternative for a zoning change on the South Superblock, consider requesting a modification of the tax map to create a separate lot for that is now the Coles gymnasium building, and building to no higher than 23’ from midblock north between Houston and Bleecker Street as currently exists, and higher but no higher than the adjacent University Village towers from midblock south. (CB2)

Response: Alternative zoning at a lesser density will be considered in the EIS as part of a Lesser Density Alternative.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Comment 366: Discussion of irreversible and irretrievable commitments of resources to develop the project should, to the fullest extent possible, disclose the sources of the public funding; the total amount of the funding; and the percentage of that funding devoted to the project site in relation to the total funding available citywide. (MASNYC)

Response: The sources of funding for a private initiative are not the subject of a CEQR environmental review. *